

Home to school/college transport reviews

Background Information

If you have been refused assistance with transport to a school you can appeal against this decision to a County Council officer in the school/college Transport Team known as a **Stage One**. If this review is not successful, you can put your case to an appeals panel, known as a **Stage Two**.

This guide will:

- explain how the two stage process works;
- help you appeal against the decision not to offer assistance with transport to a school/college; and
- explain what happens at the hearing.

If you require any further information please contact:

Passenger Transport Manager
Local Services
Northumberland County Council
County Hall
Morpeth
NE61 2EF

How do I appeal if I am not satisfied with the entitlement decision?

If you are not entitled to Transport Assistance under the Council's normal policy, you can apply to Stage One Review.

Stage One – Request a review by a County Council Officer

If you are not entitled to transport assistance under any of the County Council's school/college transport policies you can apply for a review under Stage One. You must set out clearly, in writing, why you believe that the County Council should reconsider the refusal to grant you transport costs, enclosing any relevant information that may support your case.

A review of your case will not be undertaken over the phone, your case must be submitted either by letter or e-mail.

You should write to the Passenger Transport Manager, County Hall, Morpeth NE61 2EF within 20 working days of the date of the letter or email advising you that you have been refused support.

You will be advised of the outcome of the review in writing within 21 working days.

Are there any circumstances where I cannot appeal?

A review can only be made against the implementation of the Council's school/college transport policies. You cannot appeal against the policies themselves.

Parents/carers can challenge a decision about:

- their child's eligibility;
- the distance measurement in relation to statutory walking distances; and
- the safety of the walking route
- the transport arrangements offered

First Stage – Review by County Council Officer

The school/college transport team will send you an acknowledgement email/letter advising that your Stage One Review application has been received. Please note that the review will be heard within 21 days of the date of the acknowledgement letter and the decision will be communicated to you in writing.

What happens if I am not satisfied with the outcome of the Stage One Review?

The Council has established an appeals process to hear cases from parent/carer's who are not satisfied with the decision made at the Stage One Review.

If your Stage One Review is not successful, you can request a Stage Two appeal if you have information that has not previously been considered in Stage One. An application form is available and can be requested from the Passenger Transport Manager, (contact details are above).

Stage Two Appeals

You can submit a Stage Two appeal if your Stage One appeal was unsuccessful. A Stage Two appeal is heard by an appeal panel. You should submit your appeal form within 20 working days of receipt of our stage one written decision notification.

The panel will not consider your appeal without the submission of relevant supporting information. You will be informed in writing of the outcome of your appeal and the reasons for this decision.

Who will consider my appeal?

The Appeals Panel is made up of 2 members, typically there will be representation from Local Services and Wellbeing and Community Health Services. The membership of the Appeals Panel may vary from time to time but will not include those officers who have already considered the transport request.

What powers does the Panel have?

The Panel may grant assistance with transport in full, partially or refuse to offer any assistance.

Which school/college/colleges does the Panel hear appeals for?

The Panel considers appeals for children who live in Northumberland for transport to any school/college.

If you do not live in Northumberland but your child attends a school/college in Northumberland you should contact your local Council.

What are the circumstances in which I can appeal?

If you are not entitled to assistance with transport under the Council's normal policy and you have been refused assistance at the Stage One Review, you can appeal to an appeals panel.

How do I make a Stage Two Appeal?

Please complete the appeal form at the end of this document and return it, with your supporting information, marked private and confidential, to:

Passenger Transport Manager
Local Services
Northumberland County Council
County Hall
Morpeth NE61 2EF

mark.cusack@northumberland.gov.uk

What happens to my appeal form when I have sent it?

You will receive correspondence confirming that your appeal form has been received and advising you of the appeal date (which will be within 40 working days of receipt of a written request for a stage two review). You do not attend the hearing.

A paper is then prepared, for the Panel, which sets out the reason(s) why your stage one appeal for your child was not successful.

Appeals are normally scheduled to be heard once a month. If you feel your appeal is urgent you should state this on your form. We will try to arrange an earlier appeal – but this cannot be guaranteed.

What information can I provide to help my case?

The Panel will base their decision on the information supplied by you and any other relevant information held by ourselves in relation to your case.

It is important to provide as much information as possible to the Panel to help your case.

By lodging your appeal you are asking the panel to reverse the policy decision. You should consider carefully the reasons why your child should be offered assistance with transport outside the County Council's policy. These might include any of the following:

- Family/social circumstances or situation;
- Financial reasons (supported by evidence);
- Medical reasons of your child or you (supported by evidence, such as a Doctor's letter);

Additionally, there may be other factors particular to your case which you can include.

Please be assured that all the information provided to the Panel is treated in confidence and is only shared with the Panel, the Wellbeing and Community Health Services and the school/college Transport Team.

Who will be present at the appeal hearing?

- Normally two Panel Members, suitably experienced but independent of the original decision making process, consisting of:
- A representative from the Local Services Team
- A representative from Wellbeing and Community Health Services

What is the role of County Council Officers at the hearing?

Other officers may attend part of the hearing to explain to the Panel why assistance with transport has not been provided as well as answer any questions the Panel may have about County Council Policy. However, those officers who have been involved in the original decision to decline your transport request as well as those involved in your stage one appeal do not sit on the appeal panel at stage 2.

Where will the appeal be heard?

Appeals are usually held at Northumberland County Council, Morpeth.

When will the appeal be heard?

Within 40 days from receipt of your completed appeal form, arrangements will be made for a hearing to meet and consider your appeal.

Is the meeting private?

Everything referred to at the meeting is kept confidential. You may provide the Panel anything you think will support your case including financial and medical information.

When and how do I find out if my appeal was successful or not?

A letter providing you with a detailed notification of the Panel's decision will be sent to you within 5 working days of the appeal. Sometimes there are a number of appeals scheduled for the same date so this may take longer. The decision of the Panel is final and there is no further appeal.

My appeal was successful, what next?

You can contact the school/college Transport Team and make arrangements for the assistance to be implemented.

If my appeal is unsuccessful can I make a further appeal?

If your appeal is turned down you are not able to appeal again unless there have been significant and material changes in your circumstances that require a new decision about your application, e.g. medical reasons or you have moved house.

If you feel that your circumstances have changed you should make a further application to the Passenger Transport Manager.

