

Home to School Transport Appeals Process

The policies of Cumbria County Council in respect of the provision of assistance for home to school transport are administered by the Environment & Community Services Directorate.

The Transport Services Team considers applications and makes decisions in accordance with the Council's policy. All transport appeals should be sent to:-

Senior Manager
Transport Services Team
Parkhouse Building
Kingmoor
Carlisle
CA6 4SJ

E-mail integrated.transport@cumbria.gov.uk

The home to school transport review/appeals process is for parents who wish to challenge a decision about:-

- The transport arrangements offered
- Their child's eligibility
- The distance measured
- The safety of the route

The process is split into two stages as detailed below:-

Stage one

- A parent has 20 working days from receipt of Cumbria County Council's home to school transport decision to make a written request asking for a review of the decision.
- The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.
- Within 20 working days of receipt of the parent's written request, a senior officer reviews the original decision and sends the parent a detailed written outcome setting out:
 - The decision reached;
 - How the review was conducted (including the standard followed e.g. Road Safety criteria);
 - Information about other departments and/or agencies that were consulted as part of the process;
 - What factors were considered;
 - The rationale for the decision reached;

Stage two

- If a parent is still unhappy about the application of the home to school transport policy they have 20 working days from receipt of Cumbria County Council's stage one decision to make a written request to escalate the matter to stage two.
- Within 40 working days, an independent appeal panel (see below) considers written and verbal representation from the parent and officers.

Appeal Panel

- The Home to School Transport Appeal Panel is made up of three councillors who will hear the appeal and make the decision. No member of the Appeal Panel will have been involved with the original decision to decline the transport application.

The Hearing Process

1. The Hearing will be conducted in private
2. Those present at the hearing will be:-
 - The Panel members (including a chair)
 - A representative(s) from The Integrated Transport Team
 - A Democratic Services Officer acting as Clerk.
 - The Appellant (who can bring a companion to the hearing).

The Decision

A decision will then be made by The Appeal Panel. A letter will be sent to the Appellant within 5 working days of the Appeal Panel meeting to inform them of the outcome. The letter will set out:

- The decision reached;
- How the review was conducted (including the standard followed e.g. Road Safety criteria);
- Information about other departments and/or agencies that were consulted as part of the process;
- What factors were considered;
- The rationale for the decision reached;
- Information about escalation to the Local Government Ombudsman (see below).

Local Government Ombudsman

- There is a right of complaint to the Local Government Ombudsman on the grounds that there was a failure to comply with the procedural rules or there was an irregularity in the way the appeal was handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may apply for judicial review. The Local Government Ombudsman can be contacted at:-

Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH

Tel: 0300 061 0614 or 0845 602 1983

www.lgo.org.uk E-mail: advice@lgo.org.uk