

Sefton Local Authority

Home to School Transport Appeals Process

This document is published on the Sefton Council Website and copies are provided with refusal letters.

There is a two stage home to school transport review/appeals process for parents who wish to challenge a decision made by the Local Authority relating to:

- Their child's eligibility for transport
- The transport arrangements offered by the Local Authority
- The distance measurement or qualifying school
- The safety of the route used to calculate transport eligibility

Stage one:

Once a decision has been made to refuse Home to School Transport, a parent/carer will receive a letter informing them that:

They have **20 working days** from receipt of the local authority's home to school transport decision, to make a written request asking for a review of that decision.

The written request should detail why the parent/carer 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.

Where possible within **20 working days** of receipt of the parent's written request, a senior officer will review the original decision and send the parent a detailed written outcome setting out:

1. The nature of the decision reached;
2. What factors were considered;
3. How the review was conducted (e.g. consideration of eligibility criteria, qualifying schools, Road Safety , Young Person's SEND if appropriate);
4. Information about other departments and/or agencies if they were consulted as part of the process (if appropriate);
5. The rationale for the decision reached;
6. Information regarding further escalation of the appeals process to stage two (if appropriate).



Stage two:

The parent/carer has **20 working days** from receipt of the local authority's **stage one decision** to make a written request to escalate the matter to **stage two** where an independent appeals panel will meet and consider the individual circumstances.

Within Sefton, all panel members are independent of the Local Authority's budget and management responsibility of Sefton's Home to School transport policy. They will also have received training with regard to the national home to school transport guidance and legislation.

Where possible within **40 working days** of receipt of a request for escalation, an independent appeal panel will consider representations from the parent and Local Authority officers. The parent/carer will be invited to attend the appeal panel to support their case in person if they wish to do so. The parent/carer will receive a detailed written outcome of the appeal setting out:

1. The nature of the decision reached;
2. What factors were considered;
3. The rationale for the decision reached;
4. How the review was conducted (including consideration of eligibility criteria qualifying schools, Young Person's SEND if appropriate);
5. The guidelines and standards followed e.g. Statutory duties , DFE guidelines, Road Safety assessments ;
6. Information about other departments and/or agencies that were consulted as part of the process (if appropriate);
7. If refused, information about escalation to the Local Government Ombudsman (see below).

Where an appeal is unsuccessful at **stage two**, appellants will be notified that they have the right of complaint to the Local Government Ombudsman, only where complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities 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 also apply for judicial review.

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