

SEND home to school transport appeals

This process has been designed following the recommendations set out in the home to school statutory guidance.

You have the right to appeal against our decision about:

- your child's eligibility for home to school transport
- the transport offered
- the distance measurement in relation to statutory walking distances or extended rights
- the safety of the route.

Stage One:

You have 20 days from the day you receive the decision to appeal against it. If you wish to appeal, you should write a letter or email asking for a review of the decision. You should explain why you believe that we should review the decision and include any information you would like to be considered as part of the review. A senior officer will review the decision. They will then contact you in writing with their decision within 20 days of receiving your letter. They will explain:

- whether or not they have upheld the local authority's home to school transport decision; and
- why they reached that decision; and
- the factors they took account in reaching that decision.

If the decision has been upheld, you then have the right to escalate your case to stage two of the process.

Stage Two:

If you wish to escalate your case to stage two, you must send a letter or email within 20 days of receiving the outcome of stage one. An independent panel will review your case. The panel members will be independent of the original decision and will ensure that the local authority complies with our statutory duties, that a balance is achieved between meeting the needs of parents and of the local authority and that no child is placed at unnecessary risk.

This review will take place within 40 working days of our receipt of your request. The appeal panel will notify you in writing of the outcome within 5 working days. They will clearly explain:

- whether or not they have upheld the local authority's home to school transport decision; and
- why they reached that decision; and
- the factors they took account in reaching that decision.

If the original decision is upheld by the panel, you may then be able to complain to the Local Government and Social Care Ombudsman.

Parents may complain to the Ombudsman if they believe the local authority has refused help unfairly, made a mistake or not handled their application for home to school transport correctly. For more information visit: <https://www.lgo.org.uk/>.

Flowchart of the appeals process

An application for home to school transport is declined or parents consider that the arrangement offered is unsuitable.



Within 20 working days of receiving the decision, a parent submits written request for the decision to be reviewed.



Stage one: review by a senior officer

Within 20 working days of receiving a parent's request, a senior officer reviews the original decision and notifies the parents in writing of the outcome.



Within 20 working days of receiving the stage one decision, a parent submits written notification that they wish to escalate the matter to stage 2.



Stage two: review by an independent appeal panel

Within 40 days of receiving a parent's notification, an independent appeal panel considers written/verbal representations from the parent and transport officer and reaches a decision.



Within 5 working days of reaching their decision, the independent appeal panel notifies the parent in writing.