



Home to school transport policy 2023-2024

Introduction

A. This document sets out Walsall Council's policy for providing transport or travel support to children of compulsory school age (5-16), young people of sixth form age (16-18) and those aged 19 to 25 for whom an EHC plan is maintained. It describes the circumstances in which the Council will provide free home to school transport and the other travel support services that are available.

B. This policy has been produced in accordance with the requirements of the 1996 Education Act, as amended by Part 6 of the Education and Inspections Act 2006, and subsequent statutory guidance issued by the Department for Education (i.e. the Travel to school for children of compulsory school age Guidance: June 2023 and also the Post 16 transport and travel support to education and training: January 2019).

C. The Education Act 1996 places a legal duty and a responsibility on parents to (firstly) ensure that their school aged children are registered at a school and (secondly) attend their school regularly. Therefore, parents must also make any necessary arrangements to ensure that their children attend school each day on time. Parents who fail to secure the regular attendance of their child at school commit an offence under section 444 of the Education Act 1996.

D. Under section 508B of the Education Act 1996, the Council must provide free transport to and from school to those children who are eligible if they are aged between 5 and 16 ('statutory school age'). The transport will comprise such arrangements as the Council considers necessary to ensure that suitable travel arrangements are put in place to facilitate each eligible child to attend their school (or other educational establishment). These arrangements are summarised in this policy document.

Section 1: General eligibility

Children of statutory school age

1.1 Pupils will qualify for free home to school transport if:

- they are a resident of the Borough of Walsall; and
- they are 5-8 years of age and live more than 2 miles from their nearest suitable school; or

- they are 8-16 years of age (at the end of the school year in which they reach 16) and live more than 3 miles from their nearest suitable school

1.2 Transport is to the nearest 'suitable school'. That is the nearest qualifying school, with places available, that provides education appropriate to the age, ability and aptitude of the child and any special educational needs that the child may have. This may not necessarily be the school of the parents' preference.

1.3 The Council does not have a statutory duty to transport children to school unless the criteria in paragraphs 1.1 and 1.2 are met.

Children from low income families

1.4 Entitlement to free home to school transport is extended to pupils from low income groups. Children from low income families are defined as those who are entitled to free school meals due to their income, or whose family receives the maximum Working Tax Credits or Universal Credits (UC) if:

- they are a resident in the Borough of Walsall; and
- they are aged over 8 and under 11 years and living more than 2 miles from their nearest appropriate school; or
- they are 11-16 years of age and attend one of the nearest three appropriate schools as long as the school is between 2 miles and 6 miles from the child's home address; or
- they are 11-16 years of age and the nearest school is preferred on grounds of 'religion' or 'belief', as long as the school is between 2 miles and 15 miles from the child's home address

Children below statutory school age

1.5 Free travel assistance is provided only to children who are below statutory school age who are attending a Reception class in a state funded infant or primary school as 'rising 5s', and where there is an entitlement to transport as set out in paragraphs 1.1 and 1.4 above (disregarding the age restrictions in that paragraph).

Home address and change of address

1.6 Free travel assistance is provided by or on behalf of the Council from the child's permanent home address to the school where they are on roll. A child's 'home' is the place where he/she is habitually and normally resident. If a child spends time at more than one address during the school week, eligibility for travel assistance will be assessed from their home address as recorded by the school and any travel arrangements will apply to that address only. When a family moves to a new address,

eligibility for travel assistance will be re-assessed using the policy in place at the time of the move.

1.7 For children in Year 10 or Year 11, travel assistance to a school in Walsall or elsewhere may be provided if transfer to a school closer to home is impractical, because of syllabus or entry requirements, and where the distance between home and school by the shortest walking route is 3 miles or greater.

Change of school

1.8 Sometimes 'managed moves' are arranged where a child attends another school for an initial period before going on roll at that school. Travel assistance will be provided during that period where the child meets the eligibility criteria of the home to school distance or low family income (see paragraphs 1.1 and 1.4).

1.9 In some cases, a child may attend a Short Stay School (Pupil Referral Unit) or similar provision for a period of time. Assistance with travel will be provided so long as the eligibility criteria are met.

Exceptional circumstances

1.10 In exceptional or extenuating circumstances, the Council may use its discretionary statutory powers to provide transport for a child despite their circumstances not meeting the eligibility criteria for free travel support. Each case will be judged on its own merits. Examples of the circumstances in which the Council might exercise its discretion are as follows:

- i) Children with a temporary medical condition where usual travel to school arrangements are impeded by the medical condition. The parent/carer must submit evidence to outline why they were unable to get the child to school themselves and to provide written evidence from the child's GP or hospital consultant stating why they were unable to walk to school and the likely period of their incapacity.
- ii) Children in the care of the Local Authority and those with further special circumstances may also be supported, for instance, where a Children in Care moves placements resulting in a change of home address and they need to stay on roll at the school they currently attend.
- iii) If the available walking route is unsafe, even for a child accompanied by an adult, taking into account the age of the child and the nature of the route. A route may be deemed to be unsafe following an assessment by Council staff.

Denominational travel

1.11 The Council ceased to provide transport assistance to faith schools from September 2015, other than to pupils who qualify for this through the low income criteria described above (see paragraph 1.4 above). However, any children currently receiving free transport assistance in the form of a bus pass will continue to do so while they are eligible up to the age of 16, or until they move to another school (whichever is earlier).

Distances and accompaniment

1.12 Distances for the assessment of eligibility are measured according to the shortest available walking route (not the shortest distance by road). This is a route along which a child, accompanied as necessary, can walk with reasonable safety to their school.

This methodology does not apply to the 6 mile and 15 mile upper distance limits, which are measured along road routes.

1.13 The general expectation is that a child will be accompanied by a parent if necessary when walking to school, unless there is good reason to show that this expectation would be unreasonable, such as for example if a parent's disability prevents them from accompanying their child.

Types of transport support provided

1.14 The Council provides the following kinds of transport support for eligible pupils:

- i) Bus pass: Travel assistance is usually provided in the form of a bus pass for use on public bus services.
- ii) Independent travel training (with bus pass): an accredited training scheme is available to secondary school age students, where this is appropriate.
- iii) Travel expenses: The payment of travelling expenses in the form of a personal travel budget. A mileage or a cycling allowance may be offered as alternatives where this is cost effective.
- iv) Coaches, minibuses and individual taxis: Depending on the nature of the travel need of an eligible pupil, vehicle types such as these may be provided where it is cost effective and where they are the only viable alternative to a bus pass.

1.15 Where there are two or more eligible children living at the same address, attending the same school and mileage has been agreed for one child, an additional mileage allowance will not be paid as both or all children are expected to travel together.

1.16 Where a family has two or more children attending different qualifying schools, the mileage for the entire route will be paid based on the optimum route defined by the Local Authority.

Decisions and appeals

1.17 Staff in the Council's Transport team will provide, in writing, the reasons for the Council's rejection of any application which has been made to it for free transport or free travel assistance under this Policy. Parents or carers of the child in question will then have a right of appeal against any decision by the Council under this Policy not to offer travel assistance for their child, or against the transport arrangements which have been offered by the Council. The appeals process is described in section 5 of this Policy.

Section 2: Children of statutory school age with special educational needs and/or disabilities (SEND)

Eligibility

2.1 Most children with an Education, Health and Care Plan do not require any additional specialist support with home to school transport beyond a bus pass or a place on a contracted coach arranged by the Transport Team. If additional transport assistance is necessary, the Council will arrange the most suitable form of transport provision that takes account of the needs of the child in question. Each child will be assessed on an individual basis to identify their particular transport requirements.

2.2 Transport assistance will be provided for a child with special educational needs of statutory school age under the general eligibility criteria that are set out in Section 1 of this policy. If parents opt for and the child attends a school that is a greater distance from home than the school that is named by the Local Authority as the appropriate or nearest suitable school, then the Council will not meet any costs of travel.

2.3 Transport assistance may be provided for pupils who are resident in the Borough of Walsall regardless of the distance between their home and the nearest appropriate school on the following grounds:

i) Physical, sensory or medical need. Children who cannot reasonably walk to school even when accompanied by an adult because of associated health and safety issues related to either their special educational needs or to their 'disability' (as defined by the Equality Act 2010)

ii) Significant special needs, in which case the Council will have regard to:

- the age of the pupil
- the appropriateness of the walking route
- the special educational needs of the pupil
- whether the pupil has physical, medical or social communication difficulties that would exclude them from using public transport
- whether the pupil would be vulnerable and at risk of danger if they used public transport
- the efficient use of resources
- any other individual circumstances

2.4 The Council's assessment of the need for transport support for each eligible pupil will cover both eligibility for support and the type of transport provision. A review will take place annually, ordinarily as part of the annual review of the child's statement or Education, Health and Care Plan. The provision of vehicular transport may cease to be needed as a young person becomes more independent.

Residential schools

2.5 Children and young people who attend a residential school that has been named in their Education, Health and Care Plan as the most appropriate school to meet their needs, will be allowed a maximum of 6 return journeys from/to their school each year (at the beginning and end of each half term). For 52-week placements, 8 return journeys are allowed.

2.6 Parents/carers can alternatively be reimbursed for the cost of the journey at an agreed rate that is based on the actual mileage to and from the school or can apply to the Council for a Personal Travel Budget (see paragraph 2.8(v) below).

Forms of travel assistance

2.7 When a young person is assessed as eligible for free travel assistance to school, the decision on the type of transport will be made by the Council based on an assessment of the young person's needs and the efficient use of the Council's resources.

2.8 The Council offers a range of transport support for children with special educational needs and disabilities as detailed below:

i) Independent Travel Training (ITT). The aim of Independent Travel Training (ITT) is to give young people with SEND the skills and confidence to travel independently using public transport to and from school or college. Following an assessment of whether ITT is appropriate for them, Walsall Council's ITT scheme provides each young person with their own personal travel Programme to learn how to travel independently. Students are accompanied to and from school or college until they are ready to make the journey independently.

ii) A young person's travel pass will be provided once their travel training is completed. Alternatively, and subject to further training, support to buy a bicycle for use in getting to and from school or college may be provided (see paragraph 2.8(iv) below).

iii) Bus Pass/travel card: This is provided for use on public bus services where this is appropriate.

iv) Cycle scheme/ cycle training sessions: The Council offers cycle training for young people. Financial support for cycle purchase is also available for young people as an alternative to a travel card. A one-off cycle grant (to the value of £300) will be made to young people with special educational needs and disabilities of secondary school age who complete both an independent travel training scheme and a cycle training scheme.

v) Personal Travel Budget (PTB): A Personal Travel Budget is an allowance provided in advance by the Council to parents or carers of children with Special Educational Needs and Disabilities who are eligible for travel assistance under this Policy. The PTB allows families to make their own arrangements for travel such as covering the costs of driving or making arrangements with other families. The PTB is based on the distance from home to the school, for one round trip per school day and a mileage rate of 45 pence per mile. It is the Council's experience that this rate is sufficient to cover the costs that parents and carers will normally incur to drop off their eligible child at school each day and also to pick them up and take them home at the end of the school day. If this is demonstrated not to be the case, then the Council will consider an appropriate adjustment to the mileage rate to ensure that all the actual costs are reimbursed so that the transport provision is effectively free.

vi) Motability Cars: The parents of some children may be in receipt of the higher rate mobility component of the Disability Living Allowance (DLA). This gives them access to the Motability scheme that supplies vehicles, adapted or not. If a Motability car has been provided for the benefit of a child with a disability, this may be taken into account, as part of a discussion with parents, in determining any transport arrangements. Reasonable evidence as to why the Motability vehicle is not available for the child to get to school must be submitted before any other transport or transport support can be provided. A

Personal Travel Budget for mileage purposes may be agreed. Wear and tear costs are included in the Motability agreement.

vii) Vehicles: The Council may transport children/young people to and from school in private hire vehicles. These are full size coaches, minibuses, and adapted vehicles, separate or shared taxis. The type of vehicle will be the most appropriate according to each child's needs. Children with special educational needs and disabilities may have specific needs that require the use of specialist vehicles.

viii) Pupil Attendants: Where appropriate, a pupil attendant will be provided through the council contract with the relevant vehicle operator. Pupil attendants are responsible for the supervision of pupils on the journey to and from school and for assisting children with entry into and out of the vehicle. They will supervise the behaviour and safety of children so that the driver is unhindered in his/her duties. Pupil attendants will normally be deployed where any of the following circumstances apply:

- the pupil is of primary school age
- there are 10 or more young people on a vehicle
- the young person has medical needs, particularly where rescue medication is required
- an individual pupil's needs create a health and safety risk to themselves and to others on the vehicle
- an assessment of the pupils to be transported in the vehicle and the journey to be undertaken highlights a health and safety risk to passengers on the vehicle

Other points

2.9 Some special needs travel assistance is provided through private hire vehicles, such as buses, minibuses and taxis. Contracts are awarded by the Council through a competitive tendering process as required by law. The transport provider may change from time to time as a result of retendering or for other operational reasons. The council cannot guarantee continuity of provider in these circumstances.

2.10 Where transport is provided, a child will be expected to join an existing transport route and share the vehicle with other pupils unless there are circumstances which are supported by evidence that this is not appropriate.

2.11 All coach and some minibus services collect and drop off children at designated 'pick up points' along their routes. Parents are responsible for getting their child/children to and collecting their child/children from those pick up points at the relevant times.

2.12 Parents/carers will be provided by the Council with a 'Home to School Transport - A guide for passengers and their parents' handbook once transport has been arranged. This sets out our service standards and provides information on how the service works and how parents/carers can help to make it run smoothly.

Exceptional circumstances

2.13 In exceptional or extenuating circumstances, the Council may use its discretionary statutory powers to provide transport for a child who has SEN or disabilities despite their circumstances and needs not meeting the eligibility criteria for free transport or travel support. Each case will be judged on its own merits.

Decisions and appeals

2.14 Staff in the Council's Transport team will provide in writing the reasons for the Council's rejection of any application which has been made to it for free transport or travel assistance under this Policy. Parents or carers of the child in question will then have a right of appeal against any decision by the Council under this Policy not to offer travel assistance for their child, or against the transport arrangements which have been offered by the Council. The appeals process is described in section 5 of this Policy.

Section 3: Post-16 transport (16 to 19 year olds who have started a course before their 19th birthday)

3.1 A post-16 transport policy statement which applies to the above stated age group, is posted on the Council's website at the end of May each year. The policy states the arrangements for the provisions of transport, or otherwise, that the Council considers necessary to facilitate the attendance of all persons of sixth form age receiving education or training.

3.2 The post-16 transport policy statement is updated annually by the Council and is published in May because it applies to young people moving into post 16 education and training in the following September.

3.3 Walsall Council no longer provides direct transport support for young people aged 16 to 18 other than those with special educational needs or disabilities.

3.4 The Council's post-16 policy is to provide some students who have special educational needs with transport to support their participation in education or training, where this is assessed to be necessary. This provision can be extended beyond age 19. The Council will also consider the post 19 student's income. This provision is at the discretion of the Council.

3.5 The post-16 transport policy statement updates information on concessionary fares (which this Council supports) and identifies sources of information and financial assistance with transport, such as government bursaries, which young people can use to secure help with their home to school/college transport requirements .

January 2019

3.6 In January 2019, the Council adopted a new policy for post 16 education and training students with special educational needs and disabilities. The policy requires that each student or their family/carers must contribute towards the cost of any transport which is provided for them by the Council. The policy is as follows:

- i) Students with special educational needs and disabilities are eligible for help with transport to enable them to participate in education or training. Eligibility will be conditional upon the student attending the nearest appropriate school or college offering the majority of the course, with places available. The distance to the school or college must be more than 3 miles by the shortest available walking route from the home address, for the student to qualify for transport support, unless this is overridden by the student's special educational needs or disabilities.
- ii) An Independent Travel Training assessment will be offered to all post 16 students with special educational needs and disabilities. Once a student has completed an Independent Travel Training scheme, the Council will pay each academic year the cost of a regional travel card for the period of the student's course of study (unless the student qualifies for a Disabled Person's card, which is free of charge). The Council has the discretion to subsidise this travel card for early morning travel if there is genuine hardship.
- iii) Travel assistance will be offered to qualifying students from low income families, subject to a contribution from the student or their parents/carers of £300 per year to the cost of the transport. Young people from low income groups are defined as those entitled to free school meals and those whose households are in receipt of the maximum level of Working Tax Credit or Universal Credit or Employment and Support Allowance (Income related).
- iv) Travel assistance will be offered to qualifying students from other families (i.e. which are not low income families), subject to a contribution from the student or their parents/carers of £600 per year to the cost of the transport. This will be for transport by contracted coach, minibuss or taxi. The same principle will apply to other forms of transport support such as personal travel budgets or mileage allowances.
- v) To be eligible for assistance, a student must be under 19 years of age at the beginning of the first year of their course. For courses starting in the autumn term, the academic year starts on 1 September. Support will continue until the end of the academic year in which the student in question completes the course of study.

Students aged 19 to 25 with SEND

3.7 Students who start a new course after the age of 19 may also be eligible for transport support from the Council. Students must have an Education, Health and Care Plan, or a Section 139a assessment. Each student must provide evidence to the Council to explain why in their view the Council should make the travel arrangements for them, rather than them making these arrangements for themselves or via their family.

3.8 The Council will then consider this evidence carefully and decide what practical support is necessary (if any) and whether this should be provided free of charge.

3.9 Alternatively, instead of providing transport, or other forms of travel assistance, the Council may simply opt to pay all or part of an adult student's reasonable travelling expenses.

3.10 If the Council exercises its discretion to provide travel assistance then this will only be to the nearest appropriate school, college or Sixth Form College that can provide the desired qualification, with places available (sub paragraph 3.64(l) above). For example, a student who lives in Walsall wishes to attend a course that is on offer at different colleges in Walsall and Wolverhampton. The Council will only provide travel assistance to the college in Walsall if the students' needs can adequately be met there.

3.11 If the Council opts to provide any form of transport for any young adult aged 19 or over under this section 3, then this must be provided free of charge.

Exceptional circumstances

3.12 In exceptional or extenuating circumstances, the Council may use its Discretionary statutory powers to provide transport or transport support to any student despite their needs and circumstances not meeting the applicable eligibility criteria for transport or travel support under this section 3. Each case will be judged on its own merits.

Decisions and appeals

3.13 Staff in the Council's Transport team will provide, in writing, the reasons for the Council's rejection of any application which has been made to it for free transport or travel assistance under this Policy. Parents or carers of the student in question, or the applicant student in their own right if they are an adult, will then have a right of appeal against any decision by the Council under this Policy not to offer transport or travel assistance, or against the transport arrangements which have been offered by the Council. The appeals process is described in section 5 of this Policy.

Section 4: General information

Preferences based on religion or belief

4.1 When making decisions about its transport functions under this Policy, the Council is required to have regard to any preference which a relevant individual may have for a particular institution based on their religion or belief (i.e. the parent of any child, any young person of sixth form age, or any young adult).

Journeys covered

4.2 Where transport is provided, this will be limited to the journey to school at the beginning of the school day and the journey home at the end of the school day. There is no provision for routes to be altered to take account of medical appointments, short breaks etc. Transport is not provided for work experience, to other educational settings or to short breaks. If a child becomes ill or is sent home from school because of misbehaviour, it is the responsibility of their parent/carer to arrange for the collection of their child.

Poor behaviour on transport

4.3 The Local Authority may withdraw travel assistance where a child's/young adult's behaviour is unacceptable when they are using public transport or contracted vehicles. In such cases, the parent or carer would then be responsible for getting their child or young adult to and from school at their own expense.

CCTV on buses

4.4 CCTV (closed circuit television) systems are used on contracted coaches and minibuses of 9 seats for reasons of safety and security. This is a compulsory contractual requirement for the contracted providers. The scheme meets the requirements of the Council's Information Governance and CCTV policies. A Data Protection Agreement for Data Processors and a Privacy Impact Assessment have also been completed by the Council to ensure compliance with all applicable data protection and other legal requirements.

How to apply

4.5 Bus pass applications must be submitted to the Council via email. Parents/carers must obtain and complete an application form and return it to buspassapplications@walsall.gov.uk by 1 August to guarantee the application is processed by the start of the academic year in September. The Council is unable to accept applications by post.

4.6 Applications received by the due date stated in paragraph 4.5 above will be processed and parents/carers will be given a date to come and collect the pass from the Civic Centre between 9:30am and 3pm on any working day. No passes will be sent by post.

4.7 For further information on special needs and disabilities transport support, Independent Travel Training, Personal Travel Budgets and how to apply, please contact the Transport Team in Children's Services on 01922 653761/653762 or email sentransport@walsall.gov.uk

Complaints and appeals

4.8 Any complaints should be referred in the first instance to the Children's Services Transport Manager.

The Transport Team, Walsall Children's Services

The Civic Centre, Darwall Street

Walsall, WS1 1TP

Tel 01922 653761 or 01922 653762

Email: sentransport@walsall.gov.uk

4.9 See also section 5 and Appendix 1 of this Policy, which explains what other options there may be available to pursue an appeal or a complaint.

Section 5: Travel assistance appeals

5.1 Stage 1

Parents or carers wishing to appeal have 20 working days from receipt of the Council's decision about their child's eligibility to free transport, or transport support under this policy, to make a written request to the Council asking for a review of the decision. Alternatively, if the Council's decision concerns a young adult (aged 18 to 25) then the young adult may make a written request for a review in their own right. The written request for a review should explain why the Council's decision should be reviewed (i.e., a resume of facts and circumstances relied on by the applicant to justify the appeal). Within 20 days of receipt of this request the Children's Services Transport Manager, will review the original decision and send a written notification of the resulting decision to the parents/carers/young adult who have/has appealed.

5.2 Stage 2 – Review by an appeal panel

A parent/carer/young adult has 20 working days from receipt of the stage 1 decision letter from the Council to make a written request to escalate the matter to stage 2 if they are dissatisfied with the outcome of their stage 1 appeal. Within 40 days of the receipt by the Council of a request for a stage 2 appeal, an appeal panel will be convened by the Council and will consider written and/or verbal representation from both the parents/carers/young adult and officers of the Council involved and give a detailed written notification of the outcome of the appeal to all concerned setting out the following details:

- The nature of the decision reached
- How the review was conducted 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 the parents'/carers'/young adult's right to complain to the Local Government Ombudsman

5.3 There is a further right of complaint to the Local Government Ombudsman if appellants/ complainants consider that there was a failure by the Council to comply with the procedural rules under this Policy, or if there are any other irregularities in the way their appeal has been handled.

5.4 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.

5.5 Full details of the appeals process are provided in Appendix 1.

Appendix 1: Travel assistance appeals

Introduction

Walsall Council has adopted an appeals procedure that has been recommended to all local authorities by the Department for Education. The intention of the Department of Education is to ensure a consistent approach across all local authorities, and to provide a completely impartial second stage, for those cases relating to this policy that are not resolved at the first stage.

The appeals process sets out a clear and transparent two stage process for parents/carers/young adults who wish to challenge a decision by the Council about:

- the transport arrangements offered, including any actual transport provision

- their child's eligibility, or the eligibility of the young adult in question
- the distance measurement in relation to statutory walking distances
- the safety of the route

The appeals process is shown as a flow chart, on page 17.

Stage one: Review by a senior officer

A parent/carer of any affected child, or any affected young adult acting in their own right, has 20 working days from receipt of the Council decision to make a written request to the Council asking for a review of the decision.

The written request should detail why the parent/carer/young adult believes the Council's decision should be reviewed and give details of any personal and/or family circumstances the parent/carer/young adult believes should be considered when the Council's decision is reviewed.

Within 20 working days of receipt of the parent's/carer's/young adult's written request for a stage 1 review, a senior officer of the Council shall review the original decision and send the parent/carer/young adult a detailed written notification of the outcome of their review, setting out the following details:

- The nature of the decision reached How the review was conducted(including the standard followed e.g. National Road Safety Standards and Guidance
- 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 how parent/carer/young adult can escalate to stage two(if appropriate)

Stage two: Review by an independent appeal panel

A parent/carer of any affected child, or a young adult acting in their own right, has 20 working days from their receipt of the Council's stage one written decision to make a written request to the Council to escalate the matter to stage two.

Within 40 working days of receipt by the Council of the parents/carers/young adult's stage 2 written request the Council will convene an independent appeal panel to consider written and verbal representations from both the parents/carers/young adult and Council officers involved in the case and give a detailed written notification

of the outcome, setting out the following details:

- the nature of the decision reached
- how the review was conducted (including the standard followed e.g. National Road Safety Guidance and standards
- information about other departments and/or agencies that were consulted as part of the process
- what factors were considered
- the rationale reached
- information about parent's/carer's/young adult's right to complain to the Local Government Ombudsman (see below) or where applicable, the Secretary of State

The independent appeal panel members should be independent of the process to date and suitably experienced, to ensure that a balance is achieved between meeting the needs of the parents/carers/young adult concerned and the Council, This is also to ensure road safety requirements are complied with and that no child/student is placed at unnecessary risk.

Local Government Ombudsman

Parents/carers/young adults have a right of complaint to the Local Government Ombudsman (LGO), but only if there is evidence of a failure by the Council to comply with the procedural rules or if there are any other irregularities in the way in which their appeal has been handled.

Secretary of State for Education

Young persons of sixth form age or their families can also complain to the Secretary of State for Education. Any complaint should outline the case, set out the decision taken by the Council and include any other relevant documentation (such as any advice or decision made by the LGO).

Judicial review

If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply to the Courts for judicial review.

