



## **School transport appeals and complaints**

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## Introduction

If you have been turned down for transport or you are unhappy with the transport your child has been offered you can contact a transport coordination officer (TCO) who will discuss this with you.

If we can't meet your request you can ask to appeal against the decision. To speak to a TCO about submitting an appeal please call [0345 155 1019](tel:03451551019).

**Please note that it is preferable for all appeals to be submitted online as office bases are not fully staffed every day.**

## **What is the process? -**

### **Step 1**

Complaints about not being entitled to school or college transport are always first looked at by a panel of transport officers. The panel will view all the evidence and information you have put forward and decide whether the normal school transport rules should be set aside or not. They will send you a letter advising you of their decision.

### **Step 2**

If you are not happy with the panel's decision your case can be heard by the Appeals Committee. The Committee is made up of elected members (county councillors) of the County Council and meets monthly, except for August, at County Hall in Exeter. The panel's decision letter will contain information on how to appeal plus a reply slip to be completed.

You can ask your councillor to come to the appeal with you but you will need to contact them yourself. However, the Democratic Services and Scrutiny Secretariat will let your county councillor know about your appeal and when it will be heard, once your completed reply slip saying you wish them to be involved in your appeal has been received.

You can get more information about the appeal details from the Democratic Services and Scrutiny Secretariat at County Hall on 0345 155 1019.

The Appeals Committee will listen to and decide on any statements from parents about the way the Education Transport Policy has been used and has the power to ask the Council to look into other reasons why the appeal may be allowed. At the same time, the Committee will also look at the reasons behind the panel's original suggestions.

The Appeals Committee also hears appeals from parents where a child doesn't have a right to school transport because of where they live or are going to school but the Committee can provide it on a case by case basis.

## **What will the Appeals Committee take into account? -**

The law states that as a parent it's your responsibility to get your child to school and only in a small number of cases does the County Council have to provide help.

If you are appealing for transport, this means that the County Council does not normally have to help someone in your situation with school transport. You need to sway the Appeals Committee to provide transport as a special case to the normal rules.

## **What if my child lives in walking distance of school? -**

We will consider whether you can get your child to school yourself. The Committee will want to know if you can walk with your child to school, get help from others to walk your child to school, pay for your child to use public transport, drive your child to school, or pay for someone to transport your child to school.

If you live in walking distance of school but you think the route is unsafe for your child to walk, with an adult, the Committee will consider:

- how old your child is
- if you can take your child to school yourself
- road width
- space between walkers and traffic
- view of the road/traffic
- the accident record along the route
- the availability of footpaths and verges
- how busy traffic is on the walking journey
- any other information you provide.

If your child is attending a school that is not named to serve your home address, the Committee will consider your reasons for choosing this school and whether you can get your child to school yourself. It will consider whether you can drive your child to school, pay for your child to use public transport, or if you could get help from others to get your child to school. It will give full attention to any other factors that you feel are important.

## **What happens next? -**

The appeal form and any other helpful documents for your case will be sent to the Appeals Committee and you before the hearing. We aim to hear your appeal within six weeks.

## **Can I bring someone with me to the hearing? -**

Yes, you can bring a representative, for example, a friend, a relative, or your county councillor. At the hearing either you, the person with you or both of you can put forward your own case and ask questions. You might find it helpful to decide in advance who is going to speak and to make a note of the things you want to say.

## **Route safety appeals -**

If you are worried about the safety of a walking journey to school, the appeal process is slightly different. You will need to raise your concerns with a transport coordination officer (TCO) who will review your case.

This may result in a site visit by TCOs who will check if the walking journey to school is judged to be safe for a child to walk in reasonable safety, with an adult where needed.

Please note that site visits can only be carried out during school term time to match the same traffic conditions as a normal 'school day'. So, for example, if your appeal is made during the summer school holidays a site visit can't be carried out until the school term starts in September.

To speak to a TCO please call 0345 155 1019.

Please note that the following are not taken into account during a route safety walk:

- the parent's individual circumstances, for instance personal availability to walk with the child or that it may be necessary to walk with younger children or pram
- parental finances
- local weather conditions
- unusual events – such as, road closures, construction work, flooding
- lack of street lighting – the majority of roads in Devon do not have streetlights and lighting is not an issue all year round
- lack of pavements – the lack of a paved footpath is not necessarily a reason to assess a route as unsuitable
- the presence of uncut hedges
- difficult terrain and arduousness of the route
- practicality or the time taken to walk the route

## **Who will be at the hearing? -**

Up to five members of the Committee, usually helped by:

- the Democratic Services Officer who records the Committee's decisions and advises on the plan for the running of the meeting
- officers from the Transport Co-ordination Service who attend to put forward the Council's case. The officers do not advise or take part in making decisions.

## Complaints -

Please speak to a transport coordination officer (TCO) to try and sort out any issue. If you remain unhappy you can find more information about our [feedback and complaints process here](#).

To speak to a TCO please call 0345 155 1019.

## What happens at the appeals hearing? -

The transport coordination officer (TCO) will explain why transport has not been provided, after which you, the person with you or both of you may ask questions about the points raised in the Council's decision.

You, the person with you or both of you will be invited to explain why you think your child should be provided with free transport, after which committee members and the TCO may ask you questions.

You, the person with you and the officers will be asked to leave the room and the Committee will discuss your case and tell you in writing of their decision within five working days.

The decision of the Appeals Committee is final and unalterable for all parties.