



DERBY CITY COUNCIL

## CHILDREN AND YOUNG PEOPLE'S COMMISSION 19 SEPTEMBER 2006

Report of the Corporate Director for Children & Young People

### Home to School Transport Review 2005 - 2006

#### RECOMMENDATION

1. To note and comment on the contents of the report.

#### SUPPORTING INFORMATION

- 2.1 Members and officers raised concerns about the former transport appeal process, particularly the potential inequality for parents because of the need to argue a case against uncertain assessment criteria, the increasingly high cost of appeal panel decisions to provide home to school transport beyond the provisions of policy, and the large amount of time spent by officers and members on appeals and reviews. In light of these issues, a working party was formed, which incorporated cross-party members of the members appeal panel, which subsequently changed its name to Taxi Licensing and Appeals committee. This working party reviewed the appeal procedures and formulated a new policy which was approved by Council Cabinet on 26 April 2005.
- 2.2 The new policy addressed the key issues by replacing a hearing by the Taxi Licensing and Appeals committee with an officer review. This type of review provides a quick response to parents. Requests for an officer review are governed by set criteria and decisions are therefore more consistent. Procedures have been incorporated into the process to allow an Assistant Director to give further consideration to an officer refused application, and to assess whether due process has been followed. Parents have the right to use the Council's complaints system if they are dissatisfied with the officer decision process.
- 2.3 The change in the appeals process did not remove a parent's ultimate right of complaint to the Secretary of State and / or the Local Government Ombudsman if they are unhappy about a school transport decision.
- 2.4 The reduction in officer time preparing several copies of appeal papers has resulted in a saving of £12,328 per annum for the Children and Young People's Service. The proposals estimated savings based on 50% time savings for an SO1 and a Scale 1 / 2 with a 20% increase in a HOS2 workload. The total savings achieved have been assessed as accurate. The service now processes Primary Admissions applications and therefore the workload has increased in other areas without additional funding.
- 2.5 The transport costs of previously agreed appeals will still be evident in annual statistics until the phase of education for each appellant has been completed. As such, the full financial impact of this change will not be evident until September

2010. Subsequent years will therefore contain a 'rolling' figure. A comparison between 2004/2005 appeal costs, and 2005/2006 Officer Review cost is detailed below.

	<b>TRANSPORT</b>	<b>APPEALS</b>	<b>COSTS</b>	
	Primary	Secondary	Special	FE
04/05	£41,735.98	£7,349.41	£34,452.80	£7,611.43
05/06	£41,320.66	£5,373.15	£31,294.75	£1,770

#### **TRANSPORT APPEALS**

	Primary	Secondary	Special	FE
Appeals Lodged 04/05	52	79	34	4
Appeals Granted 04/05	27	52	30	2
Appeals Refused 04/05	21	25	3	2
Appeals Withdrawn 04/05	4	2	1	0

#### **OFFICER REVIEWS**

	Primary	Secondary	Special	FE
Officer Reviews Lodged 05/06	19	59	12	7
Officer Reviews Granted 05/06	4	15	11	4
Officer Reviews Refused 05/06	14	42	1	3
Officer Reviews withdrawn 05/06	1	2	0	0
<b>05/06 Cost of Transport granted</b>	<b>£47.52</b>	<b>£5,146.27</b>	<b>£19,996.64</b>	<b>£1,770</b>

- 2.6 Parents still have the opportunity to use the Council's complaints procedure, and also to refer matters further to the Assistant Director of Resource and Strategic Planning should they feel that they do not agree with the policy. Only two cases have been referred to the Assistant Director, both of which covered the same policy point. This lead to an aspect of the Post-16 Special Needs Policy being clarified. No formal complaints have been made following the implementation of the new system, thereby indicating that parents are satisfied with the outcome of their reviews. This is in part due to the clear policy guidelines which indicate when another review will be allowed.

<b>For more information contact:</b>	Cathy Ford 717965 cathyford@derby.gov.uk
<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial**

1. Contained in the body of the report.

**Legal**

2. None arising from this report.

**Personnel**

3. None arising from this report.

**Equalities impact**

4. None arising from this report.

**Corporate objectives and priorities for change**

- 5.1 The proposal comes under the Council's Objectives of **building healthy and independent communities.**
- 5.2 The proposal furthers the priority of **minimising Council Tax levels and increasing value for money.**