

Appeals Committee – 5th June, 2013

Report of the Director of Corporate Resources

Appointment of Sub-Committee to hear Children's Services Transport Appeals

Purpose of Report

1. To appoint a sub-committee to hear Children's Services Transport appeals.

Background

2. At Annual Council on 16th May, 2013 it was agreed that a single Appeals Committee be established for 2013/14 to hear all appeals in cases where a right of appeal to elected members exists under any of the Council's policies and procedures.
3. As in previous years appeals in relation to school transport were dealt with by an appeals panel comprising three members and it is proposed that this arrangement continue with three members of this committee comprising of a sub-committee to hear such appeals. Given the nature of these hearings, being held during the day in private and involving attendance by a parent in support of their appeal, it is considered appropriate that a smaller body than the full committee hear such appeals.
4. Training would be provided to Members prior to their hearing any individual appeals.

Finance

5. The cost of meetings of the sub-committee would be met from existing resources. The budget provision for home to school/college transport is managed and administered by the Directorate of Children's Services. Decisions of the sub-committee on individual cases will have implications for this budget.

Law

6. The power to appoint sub-committees and to delegate functions to sub-committees is set out in Section 101 of the Local Government Act, 1972
7. The provisions relating to School Transport are contained in the Education Act, 1996, the Education and Inspections Act 2006 and associated guidance

Equality Impact

8. Decisions of the sub-committee in relation to school transport appeals will have implications for individual families, children and young people appealing for the provision for home to school/college transport.

Recommendation

9. It is recommended that:-

A sub-committee be appointed, with the following terms of reference, comprising two Members from the Controlling Group and one Member from the Opposition Group, to consider and determine appeals received relating to home to school/college transport:-

- To hear and determine all appeals against a decision of the Directorate of Children's Services to refuse to provide home to school transport
- To hear and determine all appeals against a refusal of the Directorate of Children's Services to alter or vary an existing home to school transport service.
- To consider and make determinations on complaints that cannot be settled by Officers in relation to the various transport issues administered by the Directorate of Children's Services.



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List of Background Papers

None