

School Transport Appeal

The Hearing Process

1. Panel Members will hold a pre-meeting prior to the appeal to discuss any issues or queries regarding the case. They will also be asked to consider which Member will be nominated to be Chairman. The Clerk and a Legal Officer (if required) will be in attendance for the pre-meeting.
2. Item 1 - The Democratic Services Officer will open the meeting and call for a nomination for Chairman which should be seconded. One of the Panel members will be elected to chair the hearing. The Clerk will hand over to the Chair to proceed through the agenda.
3. The elected Chairman will introduce the members of the Panel and Officers to the appellant.

Note: The Appellants name will not be used in the public session.

4. Item 2 - The Chairman will ask for any declarations of interest to ensure there are no conflict of interest issues.
5. Item 3- The Chairman will outline the hearing process as detailed within the agenda pack.
6. Item 4 – The Chairman will move into Closed session ‘Exclusion of Press and Public’ and the public meeting will then end.
7. The meeting will then move on to the hearing, which is conducted in private.
8. Those present at the private hearing will be:
 - The 3 Panel members,
 - An officer from the Passenger Transport Unit, or for Special Educational Needs transport appeal cases a representative of the Director – Families & Children’s Services, usually the SEN Transport Officer,
 - A Democratic Services Officer, who will act as the clerk to the panel,
 - The Appellant (accompanied by someone if agreed),
 - A representative of the Legal Section as required,

- Any other officer of the Council as appropriate.
- 9. Officer Report** - The Chairman will ask the Transportation/SEN Officer to explain the reasons why the application for transport assistance has been declined.
 - 10. Appellant Questions** - The Appellant or their representative can ask questions of the Transportation/SEN Officer for clarification and information.
 - 11. Panel Questions** - The Panel will then ask questions of the Transportation/SEN Officer for clarification and information
 - 12. Appellant's Case** - The Chairman will ask the Appellant or their representative to present their case. No new information should be introduced.
 - 13. Officer Questions** - The Transportation/SEN Officer, can ask questions of the Appellant for clarification and information
 - 14. Panel Questions** - The Panel will then ask questions of the Appellant for clarification and information.
 - 15. Summary** - Both the Transportation/SEN Officer, and the Appellant and/or their representative, will be given the opportunity to sum up.
 - 16.** The Chairman will thank all for attending and advise the Appellant that the clerk will telephone them later the same day with the decision. A formal decision letter will follow within 10 working days, usually by email.
 - 17.** The Transportation/SEN Officer and the Appellant (and their representative) will be asked to leave the hearing so that the Panel can consider the information and make a decision.
 - 18.** The Clerk to the Panel will remain in the meeting but only to record the proceedings and decision made. The Legal Officer will remain (if in attendance) to provide any further legal advice to the Panel.

Deliberation in closed session

The Decision

1. Each appeal will be considered on its own merits.
2. The decision will take full account of all submissions and information submitted to the panel and the Council's policy for home to school transport.

- 3.** The Appellant and the Transportation/SEN Officer will be notified of the decision in writing as soon as possible and in any event within 10 working days of the hearing.
- 4.** If the appeal has been upheld contact will be made by the Transportation/SEN Officer to make the necessary arrangements.
- 5.** There is no right of appeal against the decision of the panel.