



Westmorland
& Furness
Council

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Post-16 Transport Policy Statement

2023-2024



Post-16 Transport Policy Statement Academic Year 2023-2024

Transport policy statement for young people aged 16-18
in further education, continuing learners aged 19 and those
young people aged 19-24 (inclusive) with learning
difficulties and/or disabilities.

Department Responsible:
Transport Services Team

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01228 226428

Document first release:
May 2023

Contents

Introduction	1
Aims and Objectives	2
Transport and travel	2
Concessionary tickets for young people 16-25 from public transport providers	2
Travel support from schools and colleges	3
The 16-19 Bursary Fund	13
Young Parents / Care to Learn	13
LA support	14
LA support for young people without special educational needs or a disability	15
LA support for Learners with special educational needs or a disability	15
Refunds	16
Travel training	16
Apprenticeships	17
Those not in education, employment or training (NEET)	17
LA support in other circumstances	
Applying for LA transport support	17
Appeals	18

Introduction

Local authorities do not have to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.

All young people carrying on their education post 16 must reapply for travel support.

‘Sixth form age’ refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14).

Local authorities also have a duty to encourage, enable and assist young people with learning difficulties / disabilities to participate in education and training, up to the age of 25

This policy uses the term ‘Post 16’ to include both learners of sixth form age and those with learning difficulties / disabilities up to the age of 25.

This policy document specifies the support that Westmorland & Furness Council (the council) considers necessary to facilitate the attendance of Post 16 learners receiving education or training.

Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers.

Aims and Objectives

The council has the following aims and objectives when assessing transport / travel support:

The main objective of the Post-16 Transport Policy Statement is to specify the arrangements for the provision of transport or otherwise that the authority and Post-16 education providers consider it necessary to make to facilitate the attendance of all persons of sixth form age receiving education and training.

Young people are required to stay in education or training until their 18th birthday. There is no statutory requirement for young people to stay in school, they are able to choose one of the following options Post-16:

- Full time education;
- An apprenticeship;
- Part-time education or training if they are employed, self-employed or volunteering full time (which is defined as 20 hours or more a week).

Westmorland & Furness Council

Free transport for Post-16 Students will only be available from Westmorland & Furness Council in the following circumstances:

- Qualifying Post-16 students from 'low income' families;
- Qualifying Post-16 students who have a learning difficulty and/or disability.

Transport and travel support

Concessionary tickets for young people 16-25 from public transport providers

Reays Coaches and Stagecoach provide scheduled bus services in parts of Cumbria. Please follow the links below for further information about their fares and timetables.

reays.co.uk

stagecoachbus.com

Details of all rail services in Cumbria can be found on the National Rail link below

nationalrail.co.uk

Travel support from schools and colleges

Appleby Grammar School, Appleby

Please contact the school for details.

Caldew School, Dalston

The school is committed to maximising access to post 16 study for students who have attended the school in Years 7-11.

For all 6th Form students who reside within the catchment area the school operates a Post-16 Spare Seat Scheme in conjunction with Westmorland and Furness Transport Services Team. Information about applying for transport will form part of the 6th Form welcome pack. All transport applications are sent via the school to the Local Authority and the cost is determined by Westmorland and Furness Council. Where it is not possible to secure spare seats then other transport in the form of minibuses or taxis may be provided, wherever practical, for the same cost.

The Spare Seat Scheme allows students to travel in the morning and afternoon at the standard times on contracted vehicles.

Provision of assistance for learners with learning difficulties or disabilities will be made on an individual basis in line with Westmorland and Furness Council's Transport Policy.

We would encourage Post-16 students from low income families to apply for free discretionary transport through Westmorland and Furness Council if they fulfil the eligibility criteria. Financial assistance may also be available for eligible students from the 16-19 Bursary Fund.

No assistance is provided for students who attend a further education institution which is beyond their daily travelling distance in terms of accommodation.

The school may consider on an individual basis students who feel they have exceptional circumstances, although a guarantee to school transport cannot be made.

In the first instance contact the school office on **01228 710044** or **office@caldew.cumbria.sch.uk** if you have a complaint or concern.

Carlisle College, Carlisle

Please contact the school for details.

Dallam School, Milnthorpe

Please contact the school for details.

Furness College including Barrow Sixth Form College, Barrow-in-Furness

Furness College including Barrow Sixth Form College and Core is committed to maximising all opportunities for students to study at their chosen establishment.

To qualify for help from the College all students must live more than 3 miles from College and meet the household income criteria. The College will support qualifying students where public transport is available by preferably providing a Stagecoach bus pass or arranging funds for train travel where necessary.

Where students do not qualify for help from Furness College, we are able to offer substantially discounted travel passes with Stagecoach. Students at the College can use their Stagecoach bus passes at any time of day, including weekends during term time.

Free transport for post 16 students will only be available from Westmorland and Furness Council in the following circumstances:

- Qualifying Post 16 students from 'low income' families on £16,385 and not on any working tax credits.
- Qualifying Post 16 students who have a learning difficulty and/or disability.

If you would like to apply for Post 16 (low income) transport, please refer to Westmorland and Furness Council's application form with proof of receipt of eligible benefits from the website at www.westmorlandandfurness.gov.uk where you can also find details on whether you meet the criteria for 'low income'

If not in receipt of eligible benefits students/parents are offered the Furness College Learner Support Fund application and it is advisable to submit this as soon as possible. All applications are means tested.

Prospective students are provided with the information when they are interviewed from January onwards or follow the link www.furness.ac.uk/being-a-student/financial-support/

In exceptional circumstances where students meet the criteria, but there is no public transport, it may be possible to claim a mileage allowance. If a student does not strictly meet the funding criteria and there are extenuating circumstances, then we would assess the application on an individual basis. Please contact Student.Services@furness.ac.uk or ring **01229 844817** for more details.

Kendal College, Kendal

Please contact the college for details.

Keswick School, Keswick

For students who reside within the catchment area the school operates a Post-16 spare seat scheme in conjunction with Westmorland and Furness Council's Transport Services Team. This allows students to travel in the morning and afternoon at the standard times on contracted vehicles provided there are spaces available.

The Sixth Form Application Form asks students and families to inform us if they would like us to bid for a place on the spare seat scheme. All applications are sent to the Local Authority and the cost and number of seats are determined by Westmorland and Furness Council.

Keswick School does not have the capacity to make additional provision for catchment transport to or from school outside of that offered by Westmorland and Furness Council through their spare seat scheme. Therefore for students for whom spare seats are not available through the Local Authority, the school will advise families on how they can obtain alternative means of transport.

We would encourage Post-16 students from low-income families to apply for free discretionary transport through Westmorland and Furness Council's Student Support Fund if they fulfil the eligibility criteria. We also operate a Sixth Form Discretionary Bursary Scheme for students who are not eligible for free transport through Westmorland and Furness Council. Any student who applies to the Bursary Scheme will have their application considered by the bursary panel against a set of criteria outlined within the policy, which can then be used to pay for or subsidise travel to and from school.

If you require more information please call the Keswick School phone number on **017687 72605**.

Kirkbie Kendal School, Kendal

Kirkbie Kendal School works with the Westmorland and Furness Council Transport Services Team to make the Post-16 spare seat scheme available to our Post-16 Students. The scheme allows students to travel to and from school at standard times on contracted vehicles, if spaces are available. Applications are sent via the school to the Local Authority. The cost of the seat is determined by the Local Authority and places are not guaranteed and are offered on a first come, first served basis and only if seats are available, so please contact the team in plenty of time.

For further information about the Post-16 Scheme please contact the Transport Services Team by ringing Westmorland and Furness Council **01228 226430 / 226428 / 226427**.

We encourage Post-16 students from low income families to apply for free discretionary transport through Westmorland and Furness Council's Student Support Fund.

Financial assistance may also be available for eligible students from the 16-19 Bursary Fund. Applications should be made by emailing **info@kksa.co.uk**.

Assistance may also be available for train travel on the Windermere to Kendal line, applications to be made at Windermere Train Station.

Please contact school for any further information on **01539 727422** or email **info@kksa.co.uk**

Kirkby Stephen Grammar School, Kirkby Stephen

Please contact the school for details.

Millom School, Millom

For students who reside within the catchment area the school operates a Post-16 Spare Seat Scheme in conjunction with the Council's Transport Services Team. This allows students to travel in the morning and afternoon at the standard times on contracted vehicles, where spare seats are available. Information about applying for transport will be provided by the school to all 6th form applicants in the summer term prior to joining. All applications are sent via the school to the Local Authority and the cost is determined by the Council.

Provision of assistance for learners with learning difficulties or disabilities will be made on an individual basis in line with the Council's transport policy. We would encourage Post-16 students from low income families to apply for free discretionary transport through the Council's Student Support Fund if they fulfil the eligibility criteria. Financial assistance is also available for eligible students from the 16 – 19 Bursary Fund.

Queen Elizabeth Grammar School, Penrith

Please contact the school for details.

Queen Elizabeth School, Kirkby Lonsdale

Queen Elizabeth School operates a Post-16 Spare Seat Scheme in conjunction with Westmorland and Furness Council's Transport Services Team. Applications are sent via the school to the Local Authority. The cost of the seats are determined by Westmorland and Furness Council and are offered on a first come, first served basis and only if seats are available.

We would encourage students from low income families to apply for free discretionary transport through Westmorland and Furness Council's Student Support Fund. Financial assistance is also available through our Sixth Form Bursary Fund. Please contact the school for further information **015242 71275**.

Queen Elizabeth Studio School, Kirkby Lonsdale

QE Studio School operates a Post-16 Spare Seat Scheme in conjunction with Westmorland and Furness Council's Transport Services Team. Applications are sent via the school to the Local Authority. The cost of the seats are determined by Westmorland and Furness Council and are offered on a first come, first served basis and only if seats are available.

We would encourage students from low income families to apply for free discretionary transport through Westmorland and Furness Council's Student Support Fund. Financial assistance is also available through our Sixth Form Bursary Fund. Please contact the school for further information **015242 71275**.

Richard Rose Central Academy, Carlisle

Please contact the academy for details.

St John Henry Newman Catholic School, Carlisle

Please contact the school for details.

The Lakes School, Troutbeck Bridge

Please contact the school for details.

The Nelson Thomlinson School, Wigton

Post-16 pupils need to contact the school transport team at the Local Authority in the first instance to discuss availability and fares for the spare seat scheme on the catchment transport.

Post-16 pupils need to contact the Transport Coordinator at the school for availability on the NTS T1405, T1406 and T1411 out of catchment transport routes.

Post-16 pupils need to contact Irvings of Dalston and Spencer Graham Coaches for availability and fares on their private transport routes.

Passes provided for travel can be used on the recognised school transport only. Pupils using service buses will need to contact the individual providers directly to confirm details.

You may be eligible for "low income" support to assist with the costs of school transport. Please contact the Sixth Form pastoral office in the first instance.

The Queen Katherine School, Kendal

Please contact the school for details.

Ullswater Community College, Penrith

Ullswater Community College aims to support students wherever possible when accessing the school's sixth form.

Families of students intending to study in the sixth form are required to confirm the need for transport through the application form on the school website. For students who reside within the catchment area, Westmorland and Furness Council's Transport Services Team operates a Post 16 spare seat scheme. This means sixth form students can buy bus passes for the spare seats (where they are available) on the school buses. This allows students to travel in the morning and afternoon at the standard times on contracted vehicles. The school collates the names and addresses of students requiring a bus pass and sends this information to Westmorland and Furness Council in the summer term and the cost is determined by Westmorland and Furness Council. Following the publication of GCSE results, Westmorland and Furness Council informs UCC and QEGS of the capacity on each bus route and the two schools work together to accommodate as many students as possible. In some instances the schools go back to Westmorland and Furness Council with requests for more seats, this process can take several weeks to resolve. Most bus passes are available to students before the start of term in September but this isn't always the case and whilst students are not allowed to travel on buses without a pass, UCC works with the bus companies whilst issues are resolved. For families on low incomes the school encourages applications via the Westmorland and Furness Council's low-income application process. If families are outside of these criteria but still require financial assistance then students may apply to the 16-19 Bursary Fund <https://ullswatercc.co.uk/sixth-form/bursary/>

Ulverston Victoria High School, Ulverston

For students who reside within the catchment area the school operates a Post 16 spare seat scheme in conjunction with Westmorland and Furness Council's Transport Services Team. This allows students to travel in the morning and afternoon at the standard times on contracted vehicles. All applications are sent via the school to the Local Authority and the cost is determined by Westmorland and Furness Council. For students where spare seats are not available through the Local Authority, the school will work with parents to help facilitate transport. We would encourage Post-16 students from low-income families to apply for free discretionary transport through Westmorland and Furness Council's Student Support Fund if they fulfil the eligibility criteria. Financial assistance is also available for eligible students from the in school 16-19 Bursary Fund.

William Howard School, Brampton

The families of students currently using dedicated school transport are contacted by the school in Spring each year to determine potential demand for the following academic year. We ask that families update us with intentions as soon as is practical.

Post 16 In-Catchment students

We currently operate a Post-16 Spare Seat Scheme working with Westmorland and Furness Council's Transport Services Team. The cost for 2023/24 is determined by the Council and is dependent on the number of applications and whether additional capacity on oversubscribed routes will need to be purchased.

For families on low incomes we encourage application via Westmorland and Furness Council's low-income application process. If they are outside of the Council's criteria but still require financial assistance, families are able to apply to the 16-19 bursary fund administered by the school. Details are available on the school website.

Post 16-Out of Catchment

We currently operate four bus routes running from Carlisle with pick up points at various locations for students living outside the William Howard School catchment area.

More details and further updates for William Howard home to school transport can be found on the schools website <http://www.williamhoward.cumbria.sch.uk/parents-info/school-transport/>

Again, students from low-income families are able to apply to the 16-19 bursary fund administered by the school for financial assistance.

The 16-19 Bursary Fund

The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education.

There are 2 types of 16 to 19 bursaries:

1 A vulnerable bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:

- in care;
- care leavers;
- in receipt of Income Support, or Universal Credit in place of Income Support, in their own right;
- in receipt of Employment and Support Allowance or Universal Credit and Disability Living or Personal Independence Payments in their own right;
- discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment.

2 Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment.

To be eligible for the discretionary bursary young people must:

- be aged 16 or over but under 19 at 31 August 2023; or
- be aged 19 or over at 31 August 2023 and have an Education, Health and Care Plan (EHCP);
- be aged 19 or over at 31 August 2023 and continuing on a study programme they began aged 16 to 18 ('19+ continuers');
- be studying a programme that is subject to inspection by a public body which assures quality (such as Ofsted), the provision must also be funded by either a Government funding agency or the local authority.



Schools and colleges are responsible for managing both types of bursary. Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application.

Further information can be found at [gov.uk](https://www.gov.uk) search for post 16 bursaries.

Young parents/Care to Learn

If you are a young parent under 20, Care to Learn can help pay for your childcare and related travel costs, up to £160 per child per week, while you're learning.

Care to learn can help with the cost of:

- childcare, including deposit and registration fees;
- a childcare 'taster' session (up to 5 days);
- keeping your childcare place over the summer holidays;
- taking your child to the childcare provider.

Types of child care

The childcare provider must be Ofsted registered and can be a:

- childminder;
- pre-school playgroup;
- day nursery;
- out of school club;

If your child needs specialist childcare, the provider must also be on the Care Quality Commission's register or specialist provision.

If you want a relative to get Care to Learn for looking after your child they need to be both:

- providing registered childcare for children they're not related to;
- living apart from you and your child.

Payments

Childcare payments go directly to your childcare provider. Before your childcare provider can be paid:

- your childcare provider needs to confirm your child's attendance;
- your school or college needs to confirm that you're attending your course.

Payments for travel costs go to your school or college - they'll either pay you or arrange travel for you.

Attendance

Payments will stop if:

- you stop attending your course;
- you finish your course;
- your child stops attending childcare.

Eligibility

You can get Care to Learn if:

- you're a parent under 20 at the start of your course;
- you're the main carer for your child;
- you live in England;
- you're either a British citizen or a national of a European Economic Area (EEA) country;
- your course is publicly funded (check with your school or college);
- your childcare provider is registered with Ofsted or the Care Quality Commission.

Type of course

Care to Learn is only available for courses in England that have some public funding. This includes courses that take place in:

- schools;
- school sixth forms;
- sixth form colleges;
- other colleges and learning providers, including Foundation Learning;
- your community at Children's Centres.

Young parents are also entitled to apply for an Under 19 Bus Only Ticket or for those aged 19 and over can apply for the 19-25 card.

For more information please visit gov.uk/care-to-learn/how-to-claim

LA support

LA support for young people without special educational needs or disabilities

Post-16 students who meet the 'low income' criteria can apply for free transport through the Student Support Fund if they are:

- A resident of Cumbria;
- Aged 16 years old, but under 19 on 31 August 2023, and have started the course before the age of 19;
- Undertaking a full time course of at least 17 hours study hours per week;
- Attending either:
 - The 6th Form in their catchment secondary school (if the catchment area secondary school does not have a 6th Form, another school is designated as the catchment school for 6th form studies). A-level subject combination is not considered when determining whether a student qualifies for transport support;
 - Their nearest college providing the chosen vocational area;
 - A denominational school on the basis of religion, provided the distance between the school exceeds the statutory walking distance of 3 miles.

Spare capacity on vehicles contracted by the Council for pupils with a statutory entitlement will be offered to Post-16 Education Providers at a cost of £504.30 per seat.

To qualify for Post-16 transport on low income grounds, parents/carers must provide evidence (dated within 3 months of the commencement of their course) that they are in receipt of one of the following:

- Income Support.
- Income based jobseekers allowance.
- An income related employment and support allowance.
- Support under Part VI of the Immigration and Asylum Act 1999.
- Child Tax Credit (provided you are not entitled to Working Tax Credit) and have an annual income that does not exceed £16,190 as assessed by Her Majesty's Revenue and Customs.
- The Guarantee element of State Pension Credit.
- Universal Credit.

Please note: If a parent/carer is in receipt of Working Tax Credit you will not be eligible for free transport through the Student Support Fund.

Should the family income increase above the threshold limit for low income families, the free transport will continue up to the end of the academic year.

Transport can be provided free from the nearest pick up point, to Post-16 students under the age of 19 on 1 September 2023 who are attending either the 6th Form in their designated catchment school or their nearest college offering the vocational area they wish to study, where the distance exceeds the statutory walking distance of three miles.

If you think you may qualify for Post-16 transport please complete a Student Support Fund application form which can be downloaded from www.westmorlandandfurness.gov.uk or by phoning the Commissioning, Procurement and Contract Management Hotline on **01228 226428**, or email school.transport@westmorlandandfurness.gov.uk

Please remember to submit your evidence of low income with your application form.

LA support for Learners with special educational needs or a disability

What is Special Needs Transport?

A student is considered to have special transport needs if evidenced by an approved Educational Health Care Plan, or transport is recorded in Part 6 of his/her most recent statement of special needs.

The criteria are:

- a) a long term impairment* which will affect the student's ability to travel without assistance ie:
 - i mobility (although mobility or independence training should be undertaken);
 - ii eyesight (although mobility or independence training should be undertaken);
 - iii perception of the risk of physical danger.

or

 - b) an impairment which is likely to last no longer than 12 months and has a medical report signed by a doctor specifying the students difficulty and implications for independent mobility (This will be time limited but open to continuation should the impairment continue).
- *i has lasted at least 12 months; or
 *ii is likely to last 12 months; or
 *iii is likely to last for the rest of the life of the person.

Who is eligible?

Currently any student with an Educational and Health Care Plan (EHCP) and who is attending a full time course of education (17 hours or more per week) and who is:

- a) Under the age of 19 (on 31 August); or
- b) Began a course before attaining the age of 19 and continues to attend the course and has special transport needs which prevent him/her from travelling safely.

All existing SEND young people with a Statement of Educational Needs and Disabilities have had their Statements converted to Educational and Health Care Plans. EHCP's replace statements, they commit education, social care and health to agree a plan and meet the provisions of that plan. That will include, if appropriate, transport provision.

The plan is for young people up to the age of 25 and will end when the outcomes have been achieved so plans may change before the age of 25. Beyond 19 the transport needs will need to be identified on an individual basis and funded by the most appropriate agency, linked to the outcomes of the plan.

To which establishments does it apply?

Special Needs transport will be provided for attendance of students of sixth form age receiving full-time education at:

- a) Schools maintained by the Local Authority with designated sixth forms including out of county schools; or
- b) The nearest institution maintained or assisted by the Local Authority which provides further education or higher education (or both); or
- c) The nearest institution within the further education sector; or
- d) Recognised out of county residential schools with sixth forms.

What will be provided?

There is no minimum eligible distance for students requiring special transport, however students with special needs who can use public transport will be expected to do so, by either:

- a) The most economic means:
 - i a seat on an existing service or
 - ii. a grant or;
- b) specialist transport services as required or;
- c) in the case of out of county special schools at the beginning and end of each

designated term/half term or as specified in the statement of education need.

Students travelling on combined transport routes will not receive transport should their course not last all day and they will be expected to remain in College for the full day.

Section 9 of the Education, Health and Care needs Code of Practice, paragraph 9.214 states: *'The parent or young person's preferred school or college might be further away from their home than the nearest school or college that can meet the child or young person's SEND. In such a case, the local authority can name the nearer school or college if it considers it to be appropriate for meeting the child or young person's SEND. If the parents prefer the school or college further away, the local authority may agree to this but it is able to ask the parents to provide some or all of the transport funding.'*

What about Residential Colleges?

For those attending residential colleges out of Cumbria, transport will be on the same basis for those attending residential school. Transport to and from the college will be provided at the beginning and end of each designated term/half term. Transport will, where possible and compatible with the needs of the young person and the encouragement of appropriate independence, utilise public transport facilities. Transport will be provided up until the end of the course the student started prior to his/her 19th birthday.

Refunds

The Council does not offer an applicable refund policy.

Travel training

The Council is considering the introduction of independent travel training for relevant students.

Apprenticeships

The Council does not have transport support available for Apprenticeships.

Those not in educational, employment or training (NEET)

Cumbria County Council does not have transport support available for NEET at this time.

LA support in other circumstances

Exceptional circumstances will only be considered for 'low income' students who qualify for assistance through the Student Support Fund.

The Council does not provide assistance for learners who attend a further education institution which is beyond daily travelling distance from the student's home address.

Applying for LA transport support

Post-16 students who may meet the 'low income' criteria should complete an application form which can be downloaded from www.westmorlandandfurness.gov.uk or by phoning the Commissioning, Procurement and Contract Management Hotline on **01228 226428**. Evidence of low income (for the 2023/2024 financial year) must be submitted with the form.

Continuing students can apply at any time before the start of the new academic year. Applications are processed in order of receipt and transport arrangements can take time to be actioned. Until an application is approved the Council is not responsible for any travel costs incurred by students.

Other Circumstances

In the absence of any other options, it is the learner's responsibility to arrange suitable transport to their place of education.

Home to School Transport Appeals Process

There are limited grounds on which you can challenge the Council's decision in respect of school transport. Those grounds are:

- The transport arrangements offered.
- The pupil's/student's eligibility.
- The distance measurement in relation to statutory walking distances.
- The safety of the route.

All other concerns or complaints should be registered via the Council's Corporate Complaints Procedure, please see link below:

The Council's Home to School Transport Appeals Process consists of 2 stages, as detailed below.

Stage 1 – Review by a Senior Manager

You have 20 working days from receipt of the Council's home to school transport decision to make a written request asking for a review of the decision. The written request should detail why you believe the decision should be reviewed and give details of any personal and/or family circumstances you believe should be considered when the decision is reviewed. Please make sure your request for a review relates to one the grounds of appeal listed above.

Please submit your appeal using the on-line form **here** or complete the form on page 18 of this document and post to the following address:

Home to School Transport Stage 1 Appeal, Transport Services, Cumbria County Council, Parkhouse Building, Baron Way, Kingmoor Business Park, Carlisle CA6 4SJ
Within 20 working days of receipt of your written request a Senior Manager will review the Council's original decision and provide you with a detailed, written notification of the outcome of your review setting out:

- 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 how you can escalate your case to stage 2.

Stage 2 – Review by an Independent Appeal Panel

You have 20 working days from receipt of the Council's stage 1 written decision to make a written request to escalate the matter to stage 2. The two grounds on which the Independent Appeal Panel can allow an appeal are as follows:

- That the Council has not applied its Home to School Transport Policy.
- That there are compelling grounds to justify making an exception to the terms of the Council's Home to School Transport Policy.

Please submit your appeal using the on-line form [insert link here] or complete the form on page 19 of this document and post to the following address:

Home to School Transport Stage 2 Appeal, PA to Assistant Director – Highways and

Transport, Cumbria House, 117 Botchergate, Carlisle CA1 1RD

Stage 2 Procedure

Within 40 working days of receipt of your request, an Independent Appeal Panel ('the Panel') will convene to consider your appeal. You are entitled to attend your appeal hearing and to make representations. You may be accompanied by a maximum of 2 individuals to provide you with support and/or assistance.

You will be given at least 20 working days' notice of the appeal hearing

At this stage you will be asked to confirm if you are able to attend and who will be attending. If you fail to attend the appeal hearing without prior notification the Panel clerk will endeavour to contact you to establish the reasons for this. Unless there are mitigating circumstances the Panel will proceed in your absence and will consider your representations based on your written submission. Any additional representations must be submitted to the Council 10 working days prior to the appeal hearing unless there are extenuating circumstances.

The Panel will consider any documentation submitted by the above stated deadline, along with any papers submitted with your application and/or with your stage 1 review. They will also carefully consider any representations made at the appeal hearing.

An officer from the Commissioning, Procurement and Contract Management Team and Transport Services Team will attend the Panel to present the case on behalf of Council ('the Council's Representative').

The appeal hearing operates in accordance with 'natural justice'. This means that every effort will be made to ensure the appeal hearing is fair, impartial, and as far as possible, informal and accessible. Hearings are not to be recorded except where this may help a parent/carer with a stated disability. Permission must be sought prior to the appeal hearing if a recording is needed.

The Panel will consist of the following representatives from the Council who will all be independent of the original decision making process:

- The Chair, a Council officer ..
- Two other panel members will be officers from other service areas within the Council.

There will be a clerk at the Panel who will take a formal note of the discussion, but not take part in the decision making. The usual format of the Panel will be as follows:

- The Chair will welcome you and introduce everyone present.
- The Chair will explain how the proceedings will be conducted.
- The Council's Representative will explain the Council's decision.
- You will be given the opportunity to question the Council's Representative as will the Panel.
- You will be given the opportunity to present your appeal. We recommend you prepare a summary of your case to assist you with this.
- The Panel and the Council's Representative will be allowed to ask you questions.
- The Chair will ask you if you have raised all the issues you wanted to and give you the opportunity to sum up your case. It is important that you have told the Panel everything at this point, as there will be no further opportunity to introduce additional information at the summing up stage.
- The Chair will explain the decision making process as stated below.

Stage 2 Decision

In making their decision the Panel will take into account the Council's Home to School Transport Policy, any timely information/documentation provided by you and/ or the Council's Representative, along with any verbal representations you and the Council's Representative make at the appeal hearing.

The Panel will reach their decision and will provide you with a detailed, written notification of the outcome, within 5 working days, setting out:

- 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 your right to put the matter to the Local Government and Social Care Ombudsman.

Referral to Local Government and Social Care Ombudsman

The decision of the Panel is final. When you receive the decision letter, if you consider that there has been a failure to comply with the procedural rules, or if you feel there are any other irregularities in the way your appeal was handled, you may have a right to refer the matter to the Local Government and Social Care Ombudsman for further investigation, please see link below. Please note that this is not a further right of appeal.

<https://www.lgo.org.uk/>

Alternatively, you may be able to seek a Judicial Review of the decision. However, this is a complex process and it is advisable to seek legal advice prior to pursuing this route.

Further Appeals

Please be aware that a further appeal will not be agreed unless there has been a significant and/ or exceptional change to your circumstances, and this change directly affects your application for transport.

Stage 1 Appeal Form – Review by a Senior Manager

Parent/carer name(s):

Parent/carer postal
address(s):

Parent/carer telephone number(s):

Parent/carer e-mail address(s):

Accessibility or other requirements which we need to be aware of to assist with processing your appeal:

Pupil's/student's name:

Pupil's/student's date of birth:

Pupil's/student's place of education:

Please select the main ground which your appeal is based on from the list below:

☐

The transport arrangements offered.

☐

Pupil's/student's eligibility.

☐

The distance measurement in relation to statutory walking distances.

☐

The safety of the route.

Please outline the reasons for your appeal and attach documentation to support your case, where applicable.

When complete post to the following address:

Home to School Transport Stage 1 Appeal, Transport Services, Parkhouse Building, Baron Way, Kingmoor Business Park, Carlisle CA6 4SJ



Stage 2 Appeal Form – Review by an Independent Appeal Panel

Parent/carer name(s):

Parent/carer postal
address(s):

Parent/carer telephone number(s):

Parent/carer e-mail address(s):

Accessibility or other requirements which we need to be aware of to assist with processing your appeal:

Pupil's/student's name:

Pupil's/student's date of birth:

Pupil's/student's place of education:

Please select the main ground which your appeal is based on from the list below:

☐

That the Council has not applied its Home to School Transport Policy.

☐

That there are compelling grounds to justify making an exception to the terms of the Council's Home to School Transport Policy.

Please outline the reasons for your appeal and attach documentation to support your case, where applicable.

When complete post to the following address:

Home to School Transport Stage 2 Appeal, PA to Assistant Director – Highways and Transport,
Cumbria House, 117 Botchergate, Carlisle CA1 1RD

Translation Services

If you require this document in another format (e.g. CD, audio cassette, Braille or large type) or in another language, please telephone: 0300 303 2992.

আপনি যদি এই ডকুমেন্টটি অন্য কোনো ফর্ম্যাটে (যেমন CD, অডিও ক্যসেট, ব্রাইল বা বড় অক্ষর) বা অন্য ভাষায় চান, তাহলে দয়া করে ০৩০০ ৩০৩ ২৯৯২ নাম্বারে ফোন করুন।

如果您希望透過母語了解此信息，
請電 0300 303 2992

Jeigu norėtumėte gauti šią informaciją savo kalba,
skambinkite telefonu 0300 303 2992

W celu uzyskania informacji w Państwa języku proszę
zatelefonować pod numer 0300 303 2992

Se quiser aceder a esta informação na sua língua,
telefone para o 0300 303 2992

Bu bilgiyi kendi dilinizde öğrenmek istiyorsanız lütfen
0300 303 2992 numaralı telefonu arayınız