



London Borough of Enfield

Travel Assistance Policy

Appeals Process

This document incorporates Travel Assistance in respect of post 16 Education and Training

Introduction

Enfield's [Travel Assistance Policy](#) sets out how the Council will identify and support those children and young people who need travel assistance and provide it in a consistent, transparent and fair way.

As a general rule, the Council believes that, as the majority of children and young people, up to the age of 16 (up to 18 if they are in education or training), are able to travel on free public transport this is therefore sufficient to meet their transport needs.

We have used the term "travel assistance" as in practice the form of assistance will vary, depending on the age and needs of the child or young person, the needs of the family and the school or setting the child attends. If travel assistance is agreed we will work with parents, carers, families and schools to establish the most appropriate assistance which is both suitable for the individual and the school or setting and makes the most effective use of resources. Any agreement to provide travel assistance will be for a time limited period – usually the current academic year - and must be renewed regularly and/or when there is a change in circumstances.

Appeals Process

Not all applications for Travel Assistance we receive will be successful as

- you may not have provided sufficient information or evidence to support your application. We will request this information from you but in the meantime travel assistance may not be provided. We would not usually consider an appeal at this stage
- we may decide your child is not eligible and therefore we have turned down your application
- you may not be happy with the quality or delivery of the travel assistance you have been awarded. This will generally be dealt with as a complaint rather than an appeal and you should refer to the Council's Complaints process
<https://new.enfield.gov.uk/contact-us/are-you-unhappy-with-something/>

If you are not happy with the outcome of your application Enfield has an Appeals process as set out below. The grounds you may appeal on are decisions about:

- your/ your child/young person's eligibility
- the distance measurement in relation to statutory walking distances
- the safety of the route or
- consideration of exceptional circumstances

If the application for assistance has been made for a young person is aged over 16 the same appeals process will apply. Statutory Guidance refers to this process as a "complaint or an appeal".

Stage one: Review by a senior officer

Following an application for travel assistance we will write to you, usually within 15 working days, to tell you our decision and explain what will happen next. If we have refused your application, and you wish to make an appeal, you have 20 working days in which to do so. This should be done by writing to the address provided in our notification and asking for a review of the decision. Your appeal will be reviewed by a Senior Council Officer who was not part of the original decision making panel.

You should include:

- why you believe our decision was incorrect and therefore should be reviewed
- any further information/details/personal and/or family circumstances you believe should be considered when the decision is reviewed.

We will respond to you within 20 working days of receipt of your written request setting out:

- our decision and the rationale for it
- how the review was conducted and what factors were considered
- information about other departments and/or agencies we consulted as part of the process
- information about how the you can escalate your case to stage two (if appropriate).

Stage two: Review by an independent appeal panel

If you remain dissatisfied with our decision you have 20 working days from receipt of our stage one written decision notification to make a written request to escalate the matter to Stage two.

Within 40 working days of receipt of your letter an independent appeal panel will be convened to consider written and verbal representations from both the applicant and officers involved in the case. You will then receive a detailed written notification of the outcome within 5 working days of the panel meeting. This will include:

- the decision reached and the rationale for it
- how the review was conducted (including any relevant guidelines or standards)
- information about other departments and/or agencies that were consulted as part of the process
- what factors were considered
- information about the applicant's right to take the matter to
 - the Local Government Ombudsman (see below) for children and young people up to the age of 16
 - the Secretary of State for young people aged over 16

Please note: Although there is a right of appeal to the Local Government Ombudsman, s/he will only investigate if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled.

If the complainant considers the decision of the independent panel to be flawed on public law grounds, they may also apply for judicial review.

