

Case: 201103205, Comhairle nan Eilean Siar
Sector: local government
Subject: school transport
Outcome: not upheld, recommendations

Summary

Mr C was unhappy about the council's decision to withdraw his children's school transport provision. He complained about the process followed by the council in reaching this decision, and about the the council's handling of his appeal.

During our investigation we found that the council had measured the distance between pupils' homes and their schools in preparation for the introduction of a new policy on school transport. As a result of the new measurements the council decided that Mr C's children were no longer entitled to free school transport as his house was less than a mile from the school. As this was a decision they were entitled to take, and there was no evidence of anything going wrong in the taking of the decision, we did not uphold the complaint.

We also found that as Mr C had disputed the measurements, the council decided to measure again during the appeal process. Mr C thought that the council should exercise their discretion in the circumstances and provide the transport, but the further measurements showed that his home was still outside the tolerances within which they could do this. Mr C still disputes the measurements but the evidence available demonstrated that the decision on the appeal was taken after considering all available information. However, while information on the appeal process had been given to Mr C we felt that it was not clear that the committee taking the decision could seek further clarification during the appeal meeting. We made a recommendation to address this matter.

Recommendation

We recommended that the council:

- explain in the leaflet outlining the process at the education and children's sub-committee that following the closing submissions, clarification of information may be sought by the sub-committee before reaching their decision.