

SPSO decision report

Case: 201303605, Comhairle nan Eilean Siar
Sector: local government
Subject: school transport
Outcome: upheld, recommendations

Summary

A firm of solicitors complained on behalf of their clients (Mr and Mrs A) that the council did not act reasonably and correctly when they withdrew school transport. The council had introduced a revised home to school travel policy, in line with national guidelines, which meant that Mr and Mrs A's children no longer qualified for free transport to school. They also said that proper procedures had not been followed when the council dealt with the case and the appeal. Mr and Mrs A were told they could not complain as the decision of the sub-committee was final.

Our investigation found that the appeal sub-committee that took the decision did not have full, accurate and relevant information about the route in question. Additionally, as there was no statutory right of appeal, Mr and Mrs A should have been signposted to us, as they were entitled to an independent review of their concerns. We upheld both complaints and made recommendations.

Recommendations

We recommended that the council:

- review their decision about the provision of transport in this case;
- review their policy wording to reflect advice on signposting for internal appeals procedures; and
- apologise for not signposting to SPSO at the end of the appeal process in this case.