

ORDER OF PROCEEDINGS AT THE CASE APPEALS HEARING

1. The clerk will introduce the appellant and the local education authority's representative.
2. The chair will introduce the members of the committee.
3. The proposed order of the proceedings will be as follows:-
 - (a) The case for the authority will be presented by the representative of the education department;
 - (b) The education department's representative may be questioned by the appellant and committee;
 - (c) The appellant or his/her representative may present their case;
 - (d) The appellant may be questioned by the education representative and committee members;
 - (e) The education department's representative may sum up;
 - (f) The appellant may sum up.

The committee members may ask questions at any time during the hearing if they require clarification of what is being said or if they need more information in order to reach their decisions.

In conclusion, the chair will inform all parties that the committee are required to consider the evidence and reach a decision in private and that the clerk to the appeal will notify the appellant and the education department of the decision within three working days of the hearing.

SCHOOL TRANSPORT AND APPEALS CURRICULUM COMMITTEE

AYOMIDE REBECCA SOETAN

HOME TO SCHOOL TRANSPORT APPEAL – STA 810

Report from/author: Laura Phillips, School Services Transport Manager

Summary

This report sets out details of an appeal against a decision not to provide travel assistance.

Particulars of Student:

Name	Ayomide Rebecca Soetan
Address	Flat 3, 19 Victoria Street, Rochester, Kent, ME1 1XJ
Date of birth	30.07.2007
School Year	Year 7
Preferred school	Walderslade Girls' School – 2.7180 miles (4374.1970 metres)
Nearest qualifying school	Walderslade Girls' School

1. Budget and policy framework

- 1.1 The setting of policy relating to school transport is the responsibility of the Cabinet. The remit of this Committee is to determine appeals relating to the application of the Council's policy for assisting with transport for pupils and students at schools and colleges.
- 1.2 All decisions of the Committee should be made on the basis of evidence produced by the appellant or the local authority - a decision may be subject to challenge if there is no evidence available on which the Committee could reasonably have formed its view.
- 1.3 The Council's Education Travel Assistance Policy must be given significant weight in determining appeals, so that the Council's discretionary powers can be exercised with proper consistency. However, the Committee must be prepared to consider making an exception to the general policy if the circumstances of the case justifies different treatment.

- 1.4 The Committee should avoid taking decisions which are inconsistent with Council policy unless there are adequate and relevant grounds for doing so. All decisions should be made on the basis of evidence produced by the appellant or the local authority – a decision may be unlawful if there is no evidence available on which the committee could reasonably have formed that view. Each party to the hearing (the appellant and the authority) should be given the opportunity to hear and answer evidence. Where matters are raised by a party for the first time at the hearing itself, the other party must be given opportunity to respond.
- 1.5 The Committee must give reasons for the decision that it has made

2. Background

2.1 Legislation

- 2.1.1 Under Section 444 of the Education Act (1996), parents have a duty to secure regular attendance of registered pupils at school. Under the requirements of this Section, together with Section 509, Local Education Authorities are obliged to make arrangements for the provision of free transport to the nearest qualifying school for children aged under eight, at the beginning of the school term, for whom the home to school journey is more than two miles, and for children aged 8 and above for whom the journey to the nearest qualifying school is more than three miles.
- 2.1.2 Children aged 11 years or older from low income families will also qualify if they live more than two miles but not more than six miles from one of their three nearest qualifying schools. Low income families are defined as where children are entitled to free school meals or where their parents receive the maximum level of Working Tax Credit.
- 2.1.3 The Act says that the measurement of the qualifying distance must be along the “nearest available route”. The Act does not define what constitutes the “nearest available route” but, where the definition of the route has been an issue, the Courts have decided that the route must be one along which a child, accompanied as necessary, can walk with reasonable safety. The route does not fail to qualify as available due to dangers, which may arise if the child remained unaccompanied. Regard has to be given to (amongst other things) the age of the child and to the nature of the route or alternative routes, which the child could reasonably be expected to take.
- 2.2 Medway's Education Travel Assistance Policy
- 2.2.1 The definition of home address is:
- The address that must be used for the assessment of eligibility for home to school transport is the child's main place of residence.
 - If the child is from a separated family and may live part time with each parent at two addresses, only the child's main place of residence can be

considered for home to school transport purposes and where the child spends the majority of the school nights.

2.2.2 The definition of the nearest qualifying school is:

- The geographically nearest school to the pupil's home address that is suitable to the pupil's age, ability and aptitude. For secondary school age pupils, Medway Council also take into account whether a child is selective (grammar) ability or non-selective (non-grammar) ability.
- Only one school can be deemed as the nearest qualifying school and this can include non-Medway schools.
- A parent's preference for a single sex, mixed or particular type of school or preference for a school because of its specialism or because it teaches certain subjects cannot be taken into account.
- A Medway grammar school will be considered as the nearest qualifying school for a child who has been deemed to be of selective ability under the Medway Test assessment procedures. This also includes The Howard School due to its Bi-lateral status.

2.2.3 If a child attends a school for faith reasons, we will count this as your nearest qualifying school and will provide free home to school transport if:

- Your child is a regularly practicing member of a church of the same faith as the school. Proof of faith/denomination will be required and the application form signed by the appropriate church authority, if such verification is not provided, the application cannot be considered on denominational grounds.
- They live at least 2 miles from the school if they are under 8-years-old or at least 3 miles from the school if they are 8 or older.

2.2.4 How walking routes and distances are measured:

- The distance calculated for home to school transport purposes will be measured from the pupil's home address to the school address using the shortest available walking route.
- Distances are calculated using the Medway geographical information software and may take account of footpaths, public rights of way, etc.
- The shortest available walking route is one along which a child can walk to school, accompanied as necessary, with reasonable safety.
- The safety of a route is considered and the relevant route safety assessment focuses primarily on identifying the road safety risks observed along the route. Such assessments are handled in accordance with the national 'Assessment of Walked Routes to School' guidelines produced by Road Safety Great Britain in 2012 which state 'Case law has found that assessments must look at the relationship between pedestrians and traffic only. Personal safety issues of children traveling alone are not considered. Local authorities are not legally obliged to provide free transport just because parents perceive the route to be unsafe on the grounds of personal safety and security.'

- The same method of measurement calculation is used for all applications to ensure that the nearest qualifying school can be identified. If the route calculated is determined to be unavailable, then the distance and route is used for measurement purposes only and there is no expectation for the child to walk the route determined

3. Background to the Case

- 3.1 On 10th December 2022, Ms A Faleye applied for free home to school travel assistance for her daughter Ayomide Soetan. (Appendix 1)
- 3.2 The School Admissions and Transport team wrote to Ms Faleye (Appendix 2) to explain Ayomide does not qualify for free home to school transport under the standard criteria. However, Ayomide may qualify under the low-income criteria if Ms Faleye can evidence she is in receipt of a qualifying benefit.
- 3.3 On 13th January 2022, Clare Foreman, the family's Senior Early Help Worker emailed the School Admissions and Transport team (Appendix 3) requesting the decision to be reviewed with the following reasons:
- Both of Ms Faleye daughters were subject to bullying at their previous school St John Fisher. Therefore, the family took the decision to move to Walderslade Girls' School.
 - The Walderslade Girls' School is much further and they will need to catch two busses.
 - Ms Faleye is a single parent, she works and is unable to apply for free home to school travel assistance under low-income. However, has limited funds to support paid transport.
 - The school is just under 3 miles from the home address and a 1 hour 10 minute walk.
- 3.4 The School Services Transport Manager did not uphold the stage one appeal (Appendix 4) with the following reasons:
- The distance between your home address and the school has been measured below the minimum statutory walking distance of 3 miles.
 - From the photos provided, The School Services Transport Manager has been unable to verify that Ms Faleye has an annual net earned income of no more than £7400, as assessed by earnings from up to three of the most recent assessment periods.
 - For the School Services Transport Manager to fully assess the low-income element of the application, they have requested Ms Faleye download and print, or email a full copy of Universale Credit Statements for the last 3 assessment periods.
- 3.5 The School Admissions and Transport team received an email from Clare Foreman (Appendix 5) providing further contextual information. The information was considered by the School Services Transport Manager. However, the decision was not overturned.

3.6 Ms Faleye has requested (Appendix 6) that members consider an appeal with the following reasons:

- Ms Faleye explains some of her outgoing payments are spent on her parents and braiding hairs for both daughters.
- Ms Faleye is ill and currently unable to work full time, last year Ms Faleye reduced her hours to part time.

4. Risk management

4.1 The Committee has a responsibility to have regard to the Council's Education Travel Assistance Policy and other relevant evidence produced by the parties when considering appeals for school transport assistance.

Risk	Description	Action to avoid or mitigate risk
Consideration of appeals for financial assistance for the cost of home to school transport.	The Council has agreed a policy for the granting of home to school transport. Such policy is administered within the Children and Adult's Directorate. Parents can appeal to the School Transport and Curriculum Appeals Committee against an Officer's decision to refuse home to school transport assistance. In considering such appeals, the School Transport and Curriculum Appeals Committee must have regard to the Council's policy and other relevant evidence produced by the parties. Failure to do so could result in a challenge to the decision of the Committee.	Clear advice to members of the School Transport and Curriculum Appeals Committee of the circumstances under which the Committee may uphold appeals.

5. Financial implications

5.1 The cost of providing travel assistance via public transport (bus) to Walderslade Girls' School would be £659 per annum. A minimum estimate of total costs during the period of compulsory education would be £3,295.

6. Legal implications

6.1 The legal implications are set out in the report.

7. Recommendation

7.1 Members are asked to decide whether travel assistance should be provided.

Lead officer contact

Laura Phillips, School Services Transport Manager, 01634 331045
laura.phillips@medway.gov.uk

Appendices

1. Application for free home to school travel assistance
2. Decision letter
3. First stage appeal request.
4. First stage appeal decision letter.
5. Additional information and response.
6. Appeal request.
7. Map of distance to school.

Background papers

None

Application for Education Travel Assistance - mainstream pupils

Do not complete this form if your child has an Education, Health and Care Plan (EHCP).

Appendix 1

You will need to complete the EHCP pupils application form.

Please complete in BLOCK CAPITALS and tick the relevant boxes.

Pupil name: AYOMIDE REBECCA SOETAN

Date of birth: 30/07/07 Year group: 10 Male ☐ Female ☒

Address: FLAT 3 VICTORIA HOUSE
19 VICTORIA STREET
ROCHESTER Postcode: ME1 1XJ

Date moved to this address: 31/08/2018

Name of parent/carer (including title): MS ABIGAIL FALEY

Phone: 07737826920 Email: FALEYEADEOLA@YAHOO.COM

Name of school (or educational scheme): WALDELSADE GIRLS SCHOOL.

Previous school (if different): ST JOHN FISHER.

Is the pupil on a Managed Transfer?: Yes ☐ No ☒ (with Medway Council's Inclusion Team)

Type of travel: Bus ☒ Rail ☐ Departure station: STARHILL Arrival station: POACHERSPOCK Fuel allowance: ☐

Date transport needed: 13/12/21

FOR OFFICE USE ONLY

SYNERGY ID:

Low-income - If you are applying on the grounds of low-income, please complete the section below or attach proof of benefit:

I agree that you will use the information I have provided to process my claim for free home to school transport and will contact other sources as allowed by law to verify my initial and ongoing entitlement. I understand that the results of any free school meal check may also be used to assess my entitlement to other benefits. If this section is not completed your child's application for free home to school transport may only be considered under the standard criteria and not on the grounds of low-income.

Claimant's surname:

NI number:

Claimant's date of birth:

Denominational travel for Medway looked after children and low-income families only

Assistance will be given to the nearest qualifying church school or if on low-income, one of your three nearest qualifying church schools, only if the school is more than the minimum distance from your home address and the child is of the same denomination as the school concerned. This form must be signed by your local vicar or priest.

I certify that is a regularly practising member of

Church in

Signed: Print name:

Vicar/Priest:

I understand that School Admissions and Transport will aim to process all applications within four weeks of receipt, however, this may take longer over the summer seasonal peak. Photographs are not requested at application stage; you will be advised if one is required to issue a pass. I certify that the information on this form is correct to the best of my knowledge and belief.

Signed: *Abigail Faley* Print Name: ABIGAIL FALEYE(MS) Date: 07/12/21

Please contact: School Admissions and Transport

Our ref: PID: 1029125

Date 06 January 2022

Ms A Faleye
Flat 3 Victoria House
19 Victoria Street
Rochester
Kent
ME1 1XJ

**School Admissions and Transport
Children and Adults – learning and caring directorate**

Gun Wharf
Dock Road
Chatham
Kent ME4 4TR

Telephone: 01634 306000

Direct line: 01634 331155

Facsimile: 01634 331614

e-mail: schooltransport@medway.gov.uk

Director: Dr Lee-Anne Farach

Dear Ms A Faleye

Application for Travel Assistance for Ayomide Soetan attending Walderslade Girls School

After assessing your application, I can confirm that Ayomide does not qualify for free home to school transport under the standard criteria. However, your child may qualify for free home to school transport under the low-income criteria, if you can evidence that you are in receipt of one of the below qualifying benefits:

- Income Support
- Universal Credit (provided you have an annual net earned income of no more than £7400, as assessed by earnings from up to three of your most recent assessment periods)
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- The guaranteed element of State Pension Credit
- Support under Part VI of the Immigration and Asylum Act 1999
- Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)

Or

- The maximum level of Working Tax Credit (WTC).

If you think you may be eligible to claim free home to school transport under low-income and would like the School Admissions and Transport to reassess your child's application, please provide the School Admissions and Transport team with proof of benefit.

Proof of benefit must be a letter of entitlement dated within the last six weeks and include all of the pages. In the case of a tax credit award notice, we must have the full document which covers the current financial year. We require a full copy of the universal credit statement for the last three assessment periods.

For more information please read the next steps for parents/carer's guide. This is available at https://www.medway.gov.uk/info/200137/schools_and_learning.

If you have any questions please do not hesitate to contact us.

Yours sincerely
School Admissions and Transport

From: foreman, clare
Sent: 13 January 2022 13:17
To: transportappeals
Subject: RE: Soetan/Isaiki

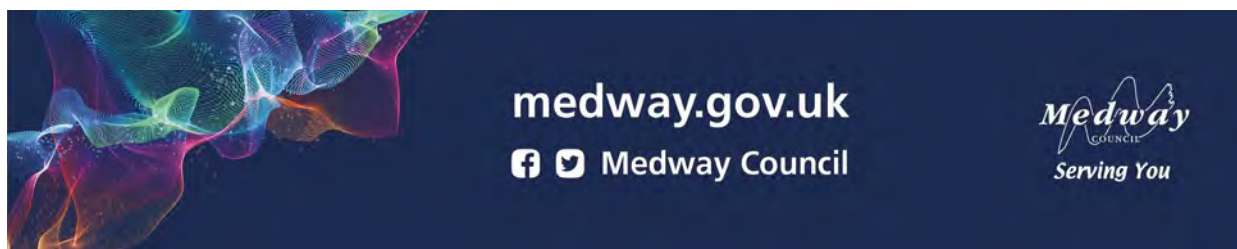
In response – Thank you
Ayomide Soetan 30/07/2007 (14 years old)
Khadijat Isiaka 10/08/2009 (12 years old)

Clare Foreman

Clare Foreman | Senior Early Help Worker
Children & Family Hub, Magpie Hall Road, Chatham, ME4 5AZ
Mobile 07712 697105

In my absence please contact Team Leader Zenab Salami 07568 601484

Direct Dial: 01634 338873 | **Web:** medway.gov.uk | **Twitter:** [@medway_council](https://twitter.com/medway_council) | **Facebook:** [Medway Council](https://www.facebook.com/MedwayCouncil)



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From: transportappeals <transportappeals@medway.gov.uk>
Sent: 13 January 2022 10:20
To: foreman, clare <clare.foreman@medway.gov.uk>
Subject: RE: Soetan/Isaiki

Dear Clare,

Thank you for your email.

Please could you provide the children's full names and dates of birth, in order that we can consider your review request.

Thank you

Kind regards,

Laura Phillips | School Services Transport Manager | Medway Council
01634 331045 | School Services | Gun Wharf | Dock Road | Chatham | ME4 4TR



From: foreman, clare <clare.foreman@medway.gov.uk>
Sent: 10 January 2022 17:05
To: transportappeals <transportappeals@medway.gov.uk>
Subject: Soetan/Isaiki

Flat 3
19 Victoria Street
Rochester
ME1 1XJ

An application has been declined for this family to have free school transport.
I have discussed travel to school and bus passes, completing the form for free travel, with Mum – Abigail Faleye.

I have been working with the Family on an Early Help Assessment and Plan.
Part of the actions for this plan are to support with the incidents over a period of time from May 21 to December 21– where both girls attending St John Fisher and were subjected to bullying.
There has been support and intervention/reparation work – but both girls have suffered significantly – and the family took the decision is to move schools to Walderslade Girls, this is much further for them – they will need to catch two busses to travel there.

Mother is a single parent – she works so is not entitled to apply for free passes for a low income family – however – has limited available funds to support paid transport, and the walk to school for the girls is just under 3 miles and a 1hr 10 minute walk

Please can you re- consider this application

Clare Foreman

Clare Foreman | Senior Early Help Worker
Children & Family Hub, Magpie Hall Road, Chatham, ME4 5AZ
Mobile 07712 697105

In my absence please contact Team Leader Zenab Salami 07568 601484

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Universal Credit Abigail Faleye : Sign out

Payments

Abigail Faleye

Flat 3, Victoria House
19 Victoria Street
ROCHESTER
ME1 1XJ

Assessment period: 20 September to 19 October 2021
[Need help understanding your assessment period?](#)

Your payment this month is

£1,088

This will be paid by 8pm on 26 October 2021

What you're entitled to

Standard allowance

£324.84

You get a standard amount each month. You said you're single

You were receiving a temporary increase of £86.67 to your standard allowance each month due to the coronavirus (COVID-19) pandemic. This temporary increase has now ended. The increase was

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Universal Credit Abigail Faleye : [Sign out](#)

Payments

Abigail Faleye

Flat 3, Victoria House
19 Victoria Street
ROCHESTER
ME1 1XJ

Assessment period: 20 October to 19 November 2021
[Need help understanding your assessment period?](#)

Your payment this month is

£577

This will be paid by 8pm on 26 November 2021

What you're entitled to

Standard allowance

£324.84

You get a standard amount each month. You said you're single

Housing

£775.00

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Universal Credit Abigail Faleye : Sign out

Payments

Abigail Faleye

Flat 3, Victoria House
19 Victoria Street
ROCHESTER
ME1 1XJ

Assessment period: 20 November to 19 December 2021
[Need help understanding your assessment period?](#)

Your payment this month is

£1,319

This will be paid by 8pm on 26 December 2021

What you're entitled to

Standard allowance

£324.

You get a standard amount each month. You said you're single

Housing

£775

Please contact: Laura Phillips
Our ref: 1029125/1029572
Date: 26 January 2022

Ms A Faley
Flat 3 Victoria House
19 Victoria Street
Rochester
Kent
ME1 1XJ

**School Admissions and Transport
Children and Adults**
Gun Wharf
Dock Road
Chatham
Kent ME4 4TR
Telephone: 01634 331055
Facsimile: 01634 331614
e-mail: transportappeals@medway.gov.uk
Director of Children & Adults: Dr Lee-Anne Farach

Dear Ms Faley

Transport applications for Khadijat Isiaka 10-Aug-2009 Year 8 and Ayomide Soetan 30-Jul-2007 Year 10 attending Walderslade Girls' School

Thank you for your email of 14th January 2022, providing your payslips and photos of your Universal Credit Statements. I am also in receipt of an email dated 10th January 2022 from Clare Foreman, Senior Early Help Worker, requesting that the decision to refuse home to school transport assistance for Khadijat and Ayomide be reviewed.

The Council's policy (which can be found at www.medway.gov.uk/gettingtoschool) states that transport assistance is normally only granted when a child meets one of the following eligibility criteria:

Standard Criteria	Where the school being attended is the nearest suitable school, meaning the nearest qualifying school to the home address with places available that provides education appropriate to the age, ability and aptitude of the child, and is over the minimum statutory walking distance* from the home address using the shortest available walking route.
Low-income Criteria	Where the school being attended is one of the three nearest suitable schools, meaning the nearest qualifying schools to the home address with places available that provides education appropriate to the age, ability and aptitude of the child, between two and six miles from the home address, using the shortest available walking route. To qualify the parent/carer is in receipt of one or more of the benefits that would qualify a child for free school meals. These are <ul style="list-style-type: none"> • Income Support • Universal Credit (provided you have an annual net earned income of no more than £7400, as assessed by earnings from up to three of your most recent assessment periods) • Income-based Jobseeker's Allowance • Income-related Employment and Support Allowance • The guaranteed element of State Pension Credit • Support under Part VI of the Immigration and Asylum Act 1999 • Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190) Or Where a family is in receipt of the maximum level of Working Tax Credit (WTC).

*The minimum statutory walking distance by the shortest available walking route are:

- For a child under eight years of age and low-income families – two miles
- For a child aged eight and over – three miles

Cont'd

All distances calculated for home to school transport purposes are measured using the shortest available walking route from the home address to the school address.

Distances are calculated using the Medway geographical information software and may take account of footpaths, public rights of way, etc. The shortest available walking route is one along which a child can walk to school, accompanied as necessary, with reasonable safety.

I have investigated your case and note that the distance between your home address and Walderslade Girls' School has been measured below the minimum statutory walking distance of 3 miles.

As indicated in our decision letter in respect of Ayomide, she will only qualify for transport under the low-income criteria, if you can evidence that you are in receipt of one of the low-income benefits outlined overleaf. This is because Walderslade Girls' School is not her nearest suitable school with a place available, but is one of her 3 nearest suitable schools. Additionally, the distance between your home address and the school has been measured below the minimum statutory walking distance of 3 miles.

Our decision letter in respect of Khadijat stated that she would not qualify for home to school transport under the standard or low-income criteria because there are three schools that have been measured closer to your home address.

As part of my review, I have considered whether any closer schools could have offered her a place. Once the closer schools that do not have a place in year 8 have been discounted from our assessment, Walderslade Girls' School is one of Khadijat's 3 nearest suitable schools. This means that as in Ayomide's case, she will only qualify for transport under the low-income criteria, if you can evidence that you are in receipt of one of the low-income benefits outlined overleaf.

I have reviewed the documents that you have provided in respect of low-income. Regrettably, payslips do not provide us with the information required to confirm that you are in receipt of one of the qualifying low-income benefits. I have tried to establish whether Ayomide and Khadijat are in receipt of free school meals, and using the sources available to me, I have been unable to confirm that they qualify.

I understand that you are in receipt of Universal Credit. However, from the photos that you have provided, I have been unable to verify that you have an annual net earned income of no more than £7400, as assessed by earnings from up to three of your most recent assessment periods. Please download and print, or attach to an email, a full copy of your Universal Credit Statements for the last 3 assessment periods, in order that we can fully assess this element of your application.

I am sorry to learn that Ayomide and Khadijat have experienced bullying. Whilst I empathise and understand that the decision was taken to move them to an alternative school because of this, the qualifying criteria for free home to school transport is clear, and it cannot be provided on this basis.

Having reviewed your case noting all of your comments and based on the information currently available I can confirm that the decision not to offer transport assistance for Ayomide and Khadijat is correct and in accordance with the Council's policy.

You may make a formal Stage 2 appeal to Members of Medway Council against this decision if you wish, and I enclose further information about this process, together with an appeal form. If you decide to submit a formal appeal, please complete the form and return it to me within 20 working days from the date of this letter. You will see from the enclosed information that you may seek representation at the appeal from one of your local councillors. The councillors for your ward are:

Name:	Councillor Teresa Murray
Address:	318 City Way Rochester Kent ME1 2BL
Email:	teresa.murray@medway.gov.uk
Tel:	01634 409486/ 07855 378043

Before making a formal appeal to Members of Medway Council, I would like to notify you of the Medway Youth Pass, which entitles all young people who live in Medway to pay half the adult fare at all times when travelling on any local bus service, up to the end of the academic year after their 18th birthday. To qualify, the bus journey must start in Medway and can be to any destination in Medway or Kent (as long as any changes of bus are in Medway). The pass will be valid for three academic years (including the academic year your child is currently in) or until the end of Year 11, whichever is sooner. **You can apply for a 16-18 pass as soon as your child turns 16 years old.**

Application forms are available from all Medway schools, Strood, Rochester, Chatham and Gillingham libraries, and the Council offices at Gun Wharf and the Council Contact points.

Yours sincerely

Laura Phillips
School Services Transport Manager

CC: Clare Foreman, Senior Early Help Worker

From: transportappeals
Sent: 04 February 2022 14:56
To: foreman, clare; murray, teresa
Subject: RE: Soetan/Isaiki 1029125/1029572

Dear Clare,

Thank you for your email, and the additional information that you have provided.

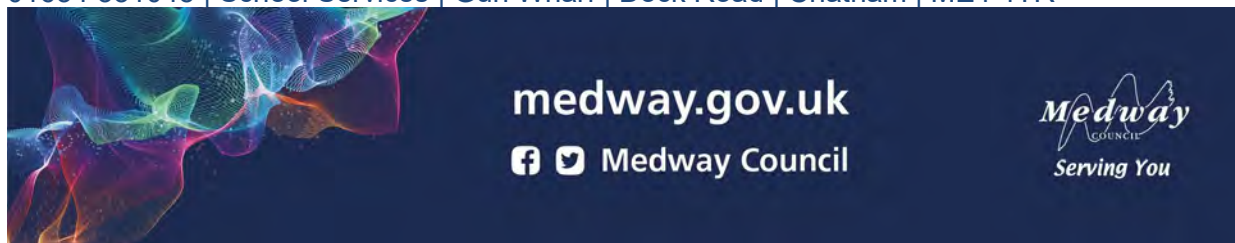
I understand the reasons that Ms Faleye decided to move her daughters to another school, and have considered this as part of my review. Whilst I empathise, this information does not change the decision not to offer transport.

Even if Walderslade Girls' School were considered Kadijat and Ayomide's nearest suitable school, the distance between their home address and the school is below the minimum statutory walking distance of 3 miles to qualify under the standard criteria. Both girls will qualify for transport under the low-income if the parent can evidence that she is in receipt of one of the qualifying benefits as outlined in my letter. To clarify, the requested proof of benefit can be submitted for assessment without the case going to appeal.

Ms Faleye does also have the option to appeal to Members, who will consider the case and whether the policy has been correctly applied, and where it has, if any exceptional circumstances justify a departure from the policy.

Kind regards,

Laura Phillips | School Services Transport Manager | Medway Council
01634 331045 | School Services | Gun Wharf | Dock Road | Chatham | ME4 4TR



From: foreman, clare <clare.foreman@medway.gov.uk>
Sent: 02 February 2022 07:47
To: transportappeals <transportappeals@medway.gov.uk>; murray, teresa <teresa.murray@medway.gov.uk>
Subject: RE: Soetan/Isaiki
Importance: High

Good morning Laura, School Services Transport Manager, and Councillor Murray,

Reference 1029125/1029572 – Declined Transport Applications for Khadijat Isaika and Ayomide Soetan – attending Walderslade Girls School.

Thank you Laura for copying me into the response and further appeal process for this family, I have read and fully understand that the criteria has not been met.

By further appeal on the Low-Income Criteria – the family will still be above threshold.

Abigail received the letter and was disappointed at the appeal decision, saying that she will 'just give up', however, I asked her to continue the appeal process as I believe that she has acted in the best possible way to safeguard and

manage her situation to bring about the best possible outcome for her daughters; I would like to share this with you, although I fully understand that there is a criteria that needs to be met.

As Family Solutions – Early Help, we see the bigger picture – the holistic view – the impact on the children – rather than the facts and figures as shown and completely agree that the application for Free School Transport does not meet criteria – which is why I am writing this email – rather than supporting Abigail to complete the second appeal form – based entirely on her income.

Abigail has consented to Early help and therefore consents to share with professional supporting the family. So I will discuss the original referral to MASH – outcoming in allocation to Family Solutions in September 2021 on the girls return to school following the Summer Holidays.

Ayomide – now aged 14 now, is known as Rebecca. Rebecca had a relationship with a young male who attended St John Fisher – this relationship started during the first lockdown – over social media.

After the initial lockdown and return to school/bubbles in 2020 and 2021 – and following the second, longer lockdown, the relationship developed in to what can be described as unhealthy.

The relationship was abusive, controlling, sexual, obsessive, and violent - the incident that prompted the referral was an incident of abuse that left Rebecca needing to attend A&E following a ‘fight at school’.

School safeguarding, police and Mum were all involved, and Rebecca’s safety was managed – but the episode resulted in her having a lot of problems at school and at home; other pupils were being reactive to the drama and rumours passed around the school about her. This fed into Year 8 – and Khadijat – known as Ayo – defending her sister – also became involved in fighting. In a head to head with Mum – Rebecca walked out of her home late at night and was returned safely by police – but the pattern of behaviours was concerning.

There has been intensive work with Rebecca, Ayo and Mum from Family Solutions; reparation was attempted at St John Fisher – however – with the other young person still attending the school – this was still a ‘source of interest’ and Rebecca was unable to heal and move on.

Abigail decided Walderslade Girls (an all girls school was a preference) and I fully supported this application. An application was also made to Brompton Academy – which was declined. In fact – WGS was the only school that agreed to accept both girls’ in term application.

Both have settled well, both have made new friendships and Rebecca is achieving again.

I believe that Abigail made the right choice.

Abigail works part time – and has some physical health problems, which she is having treatment for and DWP are currently supporting her with PIP. Her income and expenditure have been reviewed – she is able to provide for her family within a strict budget. Abigail is a single mother and father to the children, Ade lives in London, fully supports her and the three children – however – he is also supporting his other family in Nigeria, and cannot add to the child maintenance that he pays for Ayomide, Khadijat and Adenji.

Due to Mums work hours – the girls have to collect their 7 year old brother from school (St Michaels)

Please can you consider this appeal as ‘close to the expenditure limits’, and reconsider the decline to support with Free School Transport?

Many Thanks

Clare Foreman

Clare Foreman | Senior Early Help Worker

Children & Family Hub, Magpie Hall Road, Chatham, ME4 5AZ

Mobile 07712 697105

In my absence please contact Team Leader Zenab Salami 07568 601484

Direct Dial: 01634 338873 | **Web:** medway.gov.uk | **Twitter:** [@medway_council](https://twitter.com/medway_council) | **Facebook:** [Medway Council](https://www.facebook.com/MedwayCouncil)

**MEDWAY COUNCIL
SCHOOL ADMISSIONS AND TRANSPORT
GUN WHARF, DOCK ROAD, CHATHAM, KENT ME4 4TR**

Appendix 6

21 FEB 2022

HOME TO SCHOOL TRANSPORT APPEAL

This form should be completed and returned to the School Admissions and Transport Management Team at the above address within 20 working days of the receipt of the first stage review decision letter.

If you decide to lodge an appeal please set out your reasons in full and provide any supporting information with this form. Once we receive your appeal, you will receive a further letter from the Council's Democratic Services Team setting out the arrangements for your appeal hearing and notifying you of the final deadline for the submission of any additional evidence or information. Please note that supporting information received close to or on the day of the appeal hearing may not be considered, particularly if it is a significant amount of information. In these circumstances, it is likely that your hearing would need to be deferred to the next meeting of the School Transport and Curriculum Appeals Committee.

It is advisable to submit as much detail as you can with this form.

Name of child:	Ayomide Rebecca Sostan	
Date of birth:	30/07/2007	Boy <input checked="" type="checkbox"/> Girl <input type="checkbox"/> (please delete as appropriate)
School to which transport is requested:	Walderslade C of E School	

Title:	Mr/Mrs/Ms/Rev/Dr (please delete as appropriate)
Name of Parent/Carer	Abigail Faley
Address: (including postcode)	Flat 3, 19 Victoria Street ME1 1XJ
Home telephone:	
Mobile telephone:	07737826920
Work telephone:	
E-mail address	faleyadeola@yahoo.com

Signature of Parent/Carer:



Date: 15/02/22

I appeal on the following grounds: (please tick the appropriate box)

1 That the policy has not been properly applied in respect of one or more of the following

- a) Your child's eligibility ☐
- b) How the distance from your home to the school has been measured ☒
- c) The safety of the route ☒

2 That the policy has been properly applied, however there are exceptional circumstances which could include financial hardship or medical conditions for example ☒

The Appeals Committee will usually expect to see evidence of exceptional circumstances

If your appeal is based on medical grounds then you are requested to provide evidence from a medical practitioner.

If your appeal is based on financial hardship then you are requested to complete the financial statement form and provide supporting evidence which could include, but is not limited to, bank statements, payslips and benefit letters.

Please state the reasons for your appeal, and continue on a separate sheet if necessary:

I have a second daughter too that am speaking for -

Khadijat Ayomiposi Isidoka

10/08/09

female

Walden Road Girl School

Same living address too.

I have some outgoing money that

I have to mention here too.

I have aged parents that I give money monthly £200.00

boarding fees for the girls monthly £120.00

Am also ill, I could not work full time at work anymore. I reduced my hours to part time last year when I

could not cope. Thanks. And I have emailed my local council too.

FINANCIAL STATEMENT

21 FEB 2022

Weekly Income *monthly*

Earnings	£ 883		
Partners Earnings	£ /	DLA Care	£ /
Working/Child Tax Credits	£ /	DLA Mobility	£ /
Jobseeker's Allowance	£ /	Attendance Allowance	£ /
Child Benefit	£ 140.60	Other income <i>universal</i>	£ 1319.97
State Pension	£ /	Please state the source	
Private Pension	£ /		
Maintenance	£ 200.00	Total	£ 2843.17

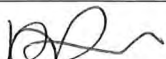
Weekly Expenditure *monthly*

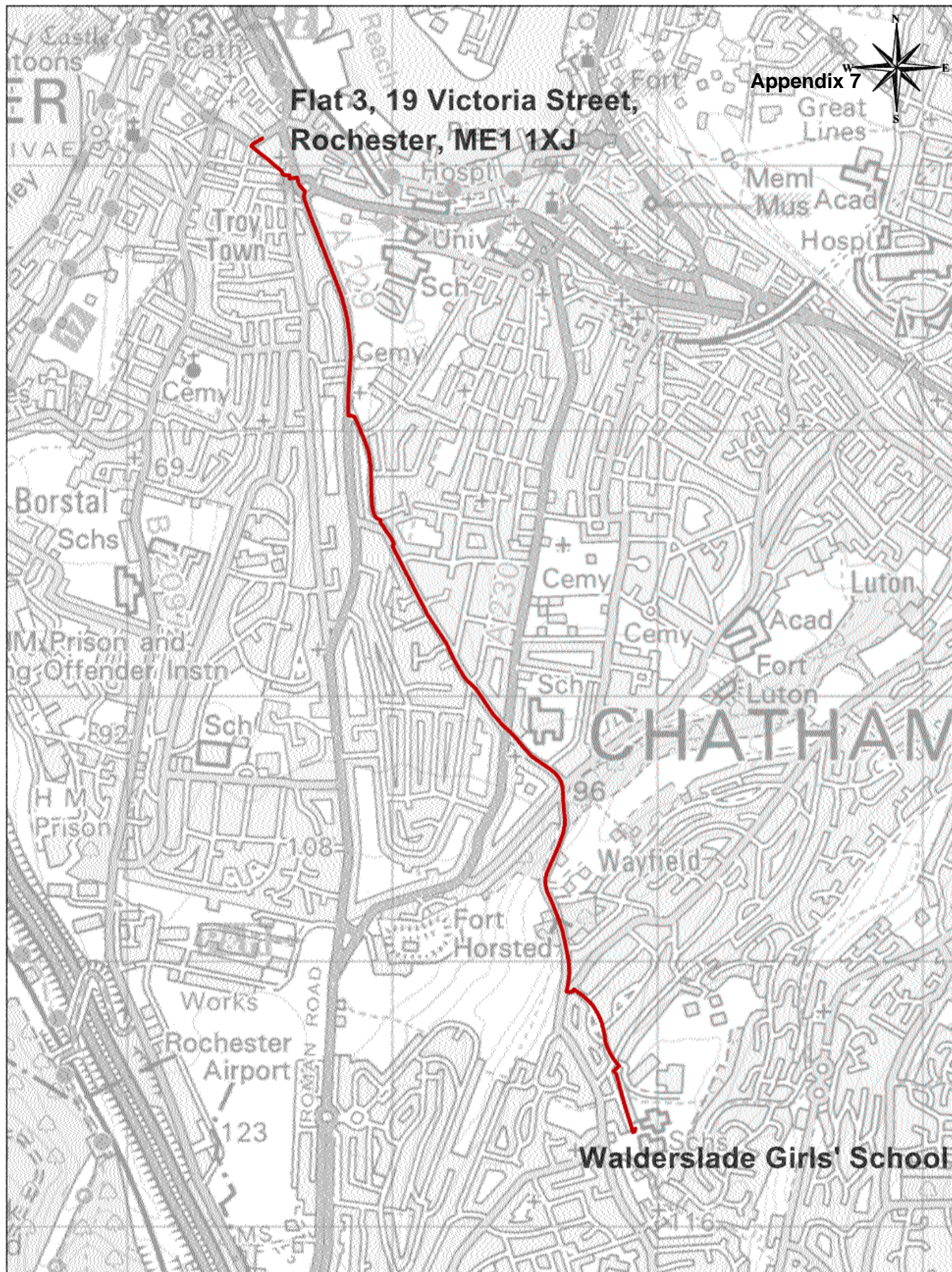
Food costs	£ 350	Car tax and insurance	£ /
Mortgage or Rent	£ 775	Prescriptions	£ 10.81
Council Tax	£ 90	Catalogues	£ 180
Petrol	£ /	Respite Care	£ /
Insurances	£ /		
Water Charges	£ 48		
Gas	£ 60	Priority Fines	£ /
Electricity	£ 80	Magistrates Fines	£ /
Other Fuel	£ /	CCJ	£ /
Registered Childcare Costs	£ /		
Clothing	£ 100	Debts	
School Meals	£ 142	Loan shark	£ /
Maintenance/CSA	£ /	Payday loans	£ /
Digital TV/Internet	£ 23	Loan Repayments	£ 196.70
TV Licence	£ /	Purpose of loan	£ /
Telephone	£ 70	Other credit debts	£ /
Mobile telephone	£ 62	Loans from family	£ 1800
Travel expenses	£ 70	Arrears	
School Meals	£ /	Mortgage	£ /
		Rent	£ /
		Council Tax	£ /
		Other expense	£ /

Savings/capital details

Total

Bank accounts	£	Any other savings and capital	£
Stocks and shares	£		£
Savings accounts	£		£
Premium bonds	£		£
Additional property	£		£

How long do you expect your current financial situation to last?		
Can anyone else help with your regular outgoings?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
This information is correct to the best of my knowledge and belief, and can be evidenced by supporting documents		
Signed: 		Date: 15/02/22



Appendix 7

**STA810 and STA811 Transport and Appeals committee,
distance from Flat 3, 19 Victoria Street, Rochester, ME1 1XJ
to Walderslade Girls' School is 2.7180 miles
(4374.1970 metres)**

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Scale:1:20000 04/03/22

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