

Inter-Municipal Specialized Transit Committee Appeals Committee

Purpose

The Regional Inter-Municipal Specialized Transit Service Appeals Committee has been put in place to allow those applicants whose applications have been originally rejected and who now have new information to present, and for those who have received a suspension from using the service and wish to appeal the suspension.

Any Appeals are to be heard in accordance with the guidelines set out in these Terms of Reference.

All appeals to this Committee will be presented as a “numbered” appeal so that the name and address of the appellant will not be disclosed.

Responsibility

The primary responsibility of the Appeals Committee is to allow someone who has had their application rejected, an opportunity to appeal the decision and have the decision reviewed relative to the approved Eligibility Criteria.

The Appeals Committee will base its decision on an appeal of the rejection of an application or the suspension of service, either on new information provided by the appellant and/or a claim or misinterpretation of previously submitted information.

Appeals based simply on compassionate grounds will not be considered.

The Appeals Committee's decisions will be reported to the Regional Inter-Municipal Specialized Transit Advisory Committee. The Appeals Committee may, from time to time, suggest amendments for consideration to staff involving the application, assessment and appeals processes.

Minutes of the Appeals Committee will indicate the decision regarding the appeal as well as the rationale for the decision. The supporting documents and the minutes will not be made public and will remain confidential.

Inter-Municipal Specialized Transit Committee Appeals Committee

Terms of Reference

The Appeals Committee will consist of a maximum of five (5) members from the Regional Inter-Municipal Specialized Transit Advisory Committee who are representative of the health care community and/or those who have expertise and experience with the disabled community.

Members of the Appeals Committee may not serve concurrently as a member of the Eligibility Committee.

Staff will provide administrative support and present the initial evaluation results and the basis for the action taken. Notifications of the Committee's decision will be sent out as soon as possible.

Qualifications

Members of the Appeals Committee will have an understanding of the different types of disabilities and the functional capabilities and characteristics of each. Knowledge of the following would be useful; however, it is not a requirement.

- An awareness and understanding of the governing principles supporting the development and delivery of accessible public transit services.
- An understanding of the "Eligibility Criteria" for the specialized service, and;
- An understanding of the Appeal Process including the basis for appeals.

Term of Appointment

The term of appointment for the members of the Appeals Committee will coincide with the term of Regional Council.

The Appeals Committee members serve at the pleasure of Regional Council and Council may, at its discretion, rescind the appointment of an Appeals Committee member prior to the expiration of the assigned term.

Appointment Process

Vacancies on this Committee will be filled from the Regional Inter-Municipal Specialized Transit Advisory Committee. If vacancies cannot be filled by members from this Committee then, subject to Council approval, members will be solicited from the community at large, with expertise and experience specific to the needs of the Appeals Committee.

Quorum

A quorum for a meeting shall be any three (3) of the appointed five (5) Members.

Chair

The Chair will be on a rotating basis with each member of the Committee taking a turn. At the start of each year a list of the members and the order in which they will serve as Chair will be published. Should the scheduled Chair not be able to attend the meeting he/she is scheduled to chair, then a switch will be made with the next on the list to Chair.

Voting

The decision will be made by majority vote and confirmed by the Regional Inter-Municipal Specialized Transit Advisory Committee.

The Chair may only vote in the event of a tie.

Meetings

Meetings will be at the call of staff.

Attendance at Meetings

Members of the Appeals Committee may be required to tender their resignation from this Committee if they are absent from three consecutive meetings of the Appeals Committee without prior confirmation or unless they are absent for confirmed health reasons.

All absences will be recorded in the minutes and reports of the Appeals Committee.

Agendas

Agendas will be based on the Appeals requested. The agenda and related information will be distributed at least two business days in advance of the meeting.

Revised: Tuesday, August 22, 2006