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Ask for: Anna Taylor
Date: 4 March 2022

Dear Member

SCRUTINY COMMITTEE - TUESDAY, 8 MARCH 2022

I am now able to enclose, for consideration at next Tuesday, 8 March 2022 meeting of the Scrutiny Committee, the following report that was unavailable when the agenda was printed.

Agenda Item No

C1 **SEND Transport (Pages 1 - 6)**

Report to follow – report to Cabinet 3 March 2022 appended for Members' information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'B. Watts', is written over a faint, illegible printed name.

Benjamin Watts
General Counsel

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By: Anna Taylor, Scrutiny Research Officer

To: Scrutiny Committee, 8 March 2022

Subject: Special Educational Needs Transport

Summary: The Scrutiny Committee is asked to consider and respond to the update given at the meeting. The report on SEN Transport presented to Cabinet Committee on 3 March 2022 is appended for Members' information.

1. Introduction

- a) In February 2022 concerns were raised by a number of members of the Scrutiny Committee about the changes to the school transport system for children and young people with special educational needs and disabilities (SEND).
- b) The Scrutiny Committee convened a meeting to discuss Special Educational Needs Transport following a meeting of the Cabinet on 3 March. The report presented to Cabinet is appended for Members' information.

2. Recommendation

The Scrutiny Committee is asked to consider and respond to the update given at the meeting.

Background Documents

None

Contact Details

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From: Simon Jones, Corporate Director Growth, Environment and Transport
Matt Dunkley, Corporate Director Children, Young People and Education

To: **Cabinet**

Date: 2 March 2022 (for consideration on 3 March 2022)

Subject: **Special Educational Needs Transport**

Summary:

This report describes a retender of the Special Educational Needs Transport and highlights the problems encountered, which have impacted on students, parents, and carers in Kent. The efforts to resolve the problems are also outlined.

Recommendations:

Cabinet is asked to:

- a. Note the retender process, its issues, and acknowledge the impact upon Kent families who were affected by the programme.
- b. Note the conclusions contained herein and support a thorough review of the retender and related events.

1. Background

- 1.1 There is a statutory duty to provide free transport assistance to Special Educational Needs students that meet both the statutory entitlement to support as well as KCC's own Home to School Transport policy.
- 1.2 If a student has been assessed as requiring travel assistance KCC sources suitable transport services that meet the stipulated requirements of the student identified.
- 1.3 KCC provides these transport services via:
 - Public Bus & Rail Tickets
 - Contracted Vehicles (Hired services)
 - Independent Travel Training
 - Personal Transport Budgets
- 1.4 SEN Transport has seen a continued and significant increase in pupil numbers resulting in far reaching financial and subsequent market capacity issues across Kent's transport providers. Issues remained with scarcity of suitable operators, drivers, and vehicles/equipment and as a result it was becoming apparent that KCC were reaching a critical point where it could not guarantee suitable transport for all students.

- 1.5 To address this a new approach to transport allocation and route planning was implemented. This reviews the various transport routes alongside the particular and varied needs of students. It highlights the potential to allow the increased use of multi-occupancy vehicles, and where appropriate, alternative journey routing options.
- 1.6 KCC sought to retender the Kent SEN transport network and re-allocate transport to all students receiving free home to school transport by September 2021. This target was moved to December 2021 due to operational software implementation.
- 1.7 The programme subsequently slipped again to 3 February 2022, then 11 February, and then again to coincide with the start of the spring school term 21 February 2022.
- 1.8 Those students entitled to free home to school transport as on 07 December 2021 were included in the retendering programme
- 1.9 During this period, further students became eligible for transport. During the eligibility process these were advised that there could be some delay to the allocation of their transport. The plan was to allocate these children immediately following the completion of the retender process.
- 1.10 KCC provided information about the retender to both schools and parents through a mix of channels.

2. The Tender Process

- 2.1 Approved transport providers were invited to tender for various home to school routes. The tenders included differing numbers of children and highlighted the various transport requirements.
- 2.2 KCC used its established dynamic procurement system to tender, negotiate and contract with operators.
- 2.3 As operators reached capacity, KCC repeatedly worked through the next ranked operators. This added time as it repeated the process of negotiation and operator discussion and the programme slowed significantly.
- 2.4 To try to recover the schedule additional resources were deployed and the project team worked extended hours and weekends.

3. Provision of Transport - Current Situation

- 3.1 As of 14 February 2022, circa 26% of those students contained within the retendering programme remained without allocated transport.
- 3.2 As of 21 February (commencement of spring half term) circa 6% had not received allocated transport.

- 3.3 KCC offered to reimburse mileage and/or expenses to any parents that provided/procured home to school transport for their child themselves.
- 3.4 Parents and carers were written to twice during the week of the 11 February. KCC apologised for the anxiety and worry caused and updated on progress. The reasons for the delays were explained and KCC provided parents with an email address to contact the team if they were unable to find a way to get their child to school.
- 3.5 KCC received a high volume of enquiries through its contact centre, whilst significant correspondence was directed to elected members and KCC officers.
- 3.6 Whilst this correspondence related in the main to the lack of allocated transport, other enquiries raised issues around the suitability, and the safety of the provided transport.

4. Communication

- 4.1 KCC communicated its intention to retender its transport provision to both schools and parents directly.
- 4.2 Parents were directed to further information about both why and when changes in the service would be delivered, which was published on the website.
- 4.3 A message was posted on KCC social media networks so that Kent Parents And Carers Together (PACT) could share with their members across their networks to ensure as many families and carers of students as possible were informed and aware.
- 4.4 When it became clear on Monday 14 February that there was a significant number of parents who had not heard by the 11 February deadline, KCC emailed parents to explain the situation and to apologise for the distress this delay was causing them. This email was sent on Tuesday 15 February to the parents affected by the delay
- 4.5 During the half term week (12-20 February), KCC deployed further resources to try to accelerate the programme.
- 4.6 Despite these efforts the team were unable to balance resolving the programme delay against keeping parents informed. Many parents continued to contact the service expressing concern and anxiety about both the absence of and subsequent allocation of transport.

5. Conclusion

- 5.1 The scale of work involved in retendering Kent's Special Educational Needs Transport network was significant and complex.
- 5.2 The retender process was protracted and suffered significant delay. A full and thorough review of the process is required. This review will need to establish

areas which failed to meet expectation, areas to improve and a clear action plan to rectify and prevent any reoccurrence.

- 5.3 Engagement with parents and carers of families fell below the standard expected. A full review of the methods adopted will need to be undertaken to establish areas to improve and to define measures to restore faith and trust in the service.
- 5.4 Engagement with PACT fell below the standard expected. A full review of the relationship needs to be undertaken to establish areas to improve and to develop an improvement plan to ensure the needs parents and children represented by this body are properly embedded and continuously monitored.

Recommendations:

Cabinet is asked to:

- a. Note the retender process, its issues, and acknowledge the impact upon Kent families who were affected by the programme.
- b. Note the conclusions contained herein and support a thorough review of the retender and related events.