



Dear Member

**GOVERNANCE AND AUDIT COMMITTEE - TUESDAY, 15 NOVEMBER 2022**

I am now able to enclose, for consideration at next Tuesday, 15 November 2022 meeting of the Governance and Audit Committee, the following report(s) that were unavailable when the agenda was printed.

**Agenda Item No**

7

**SEND Transport Review Report - Management Response Update (to follow)**  
**(Pages 1 - 14)**

Yours sincerely

A handwritten signature in black ink, appearing to read 'B. Watts', is written over a faint circular stamp.

Benjamin Watts  
General Counsel

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From: Ben Watts, General Counsel  
To: Governance and Audit Committee, 15 November 2022  
Subject: Lessons Learned Update  
Status: Unrestricted

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## Recommendation

The Governance and Audit Committee is asked to:

- a) **NOTE** the update on management action taken and planned in relation to the Review Report; and
  - b) **AGREE** the regularity of future updates to be brought before the Committee
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## 1. Introduction

- a) At the meeting of the Governance and Audit Committee on 29<sup>th</sup> September 2022, Members received and discussed the SEND Transport Lessons Learned Review report.
- b) After discussion between the General Counsel, the Corporate Director for Children, Young People and Education and the Corporate Director for Growth, Environment and Transport, this report brings a summary table of a range of management actions and activity that are being undertaken by officers in the areas where the report author recommended that lessons be learned.
- c) The summary table is attached at Appendix 1 and Members will note that this includes operational activity and governance matters. Members will also be aware that in addition to the work occasioned by the report that officers had also been working on activity on an ongoing basis and this work is also referenced in places.

## 2. The Purpose of the Management Action Table

- a) Over the course of the past nine months, officers have apologised in a number of meetings to the families that were affected by the significant service failures in February 2022 and those are repeated.
- b) Staff across the Council are rightly keen to emphasise that they are motivated on a daily basis to support the families of Kent and they are acutely aware that every action and task they complete relates to a child and the education they

receive. As the report recognises, failures did not occur as a result of a lack of caring or an absence of hard work.

- c) The purpose of the Management Action Table is to provide Members of Governance and Audit Committee with an overview of the activity being undertaken to address a number of areas where governance procedures and cross-directorate responsibilities have slowly deviated from expected practice over a number of years. It is also intended to pull together existing and planned activity and keep Members updated on progress on the management activity to address
- d) Ultimately, these actions are being taken by management in the context of the Council's current operating and financial position. Having undertaken the review and developed a management response, the intention of officers is to place activity and resources into the delivery of those priority actions.
- e) As such, the table demonstrates how the work will be taken forward and outcome reports will be brought back to this Committee as the work detailed in the table is delivered.
- f) It is intended that the Management Action Table is an iterative rather than static piece of work. This is because of the dynamic nature of the services being provided and the needs being met in the context of the resources provided, market conditions and government policy. In short, we will need to continue to adapt.
- g) Finally, Members will note that the Management Action Table includes activity that reaches across the broader Council and isn't limited to the immediate areas subject of the review. It is felt important to ensure that learning is shared and implemented across all services.

### **3. The Role of Governance and Audit**

- a) From a management perspective, it is important that discussion and oversight from Governance and Audit now shifts to the delivery of the actions identified in the table and it is a matter for Members as to how regularly they wish to see the updated table brought back for assurance.
- b) Separately, Members will see activity reflected in the 2021/22 Annual Governance Statement which will be presented to the January meeting and forthcoming papers around governance to the County Council in December and this will provide a further opportunity for Members to cross-check and assure themselves that actions are being taken forward.
- c) Future activity will be within the terms of reference for this Committee and the reviewing for assurance of the discharge of activity of the Management Action Table falls squarely within that remit.

#### 4. Looking Forward

- a) Any lessons learned report naturally includes a focus on the future improvements that can be made and the Management Action Table sets out how those improvements will be delivered. It is important to reflect that whilst officers are committed to resolving things as quickly as possible within available resources, these are not all actions that can or should be delivered within weeks.
- b) The relevant Corporate Management Team members (General Counsel, Corporate Director CYPE and Corporate Director GET) are positive about the opportunities for improvement. Both they and their management teams are confident about quick improvements that can be made alongside systemic changes to ensure similar issues cannot occur again.
- c) While efforts will continue to ensure that the findings of this report will be implemented, it is hoped that Kent families can take comfort that fundamental reform is already underway, which can be evidenced by the recent work undertaken to support pupils transferring to new schools in September 2022.
- d) While this vital work did not yet have the benefit of the findings of the report, officers within CYPE and GET worked in conjunction with Kent PACT to redesign assessment and implementation processes to better serve pupils with SEN, a point reflected upon by PACT in this Committee's last meeting.
- e) As a result, over 98% of all on time Secondary Transfer applications for free school transport were successfully implemented before the start of the new school year. Further development and strengthening is now possible as Officers work collaboratively to implement the further findings of this report. Officers will continue to improve services in aspiration of 100% success rates.
- f) It is important to also build on where existing and planned improvement work is going well and reflect that in future plans. The above context is important in that regard.

#### 5. Recommendations

The Governance and Audit Committee is asked to:

- a) **NOTE** the update on management action taken and planned in relation to the Review Report; and
- b) **AGREE** the regularity of future updates to be brought before the Committee

#### 6. Report Author and Relevant Director

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## Lessons Learned – Management Action Table

<u>Action Ref.</u>	<u>Activity Defined</u>	<u>Activity Delivered</u>	<u>Target Date</u>	<u>CMT Owner</u>	<u>Progress Indicator</u>
1	A review of all mechanisms (including the SITREP) to monitor and track pupil's transport arrangements.	SITREPS have been established and are now produced fortnightly and shared with management and Cabinet Members.  Work has been ongoing in both directorates in relation to data sharing which worked effectively in September and will be included in the review.	December 2022	GET CYPE	
2	<b>Defining Co-Production.</b> Work to be undertaken to define what is meant by co-production and include within the refreshed Operating Standards for all officers.		December 2022	ALL	
3	Establish and communicate how parent/carer feedback will be used to inform management actions and decisions.		November 2022	ALL	
4	Review of processes and constitution to determine circumstances where consultations are required on major projects affecting service delivery to residents.		December 2022	GLD	
5	Reminder to all staff and advice note on importance of Equality Impact Assessments as		November	GLD	

## Lessons Learned – Management Action Table

	part of key decision and project activity.		2022		
6	Refresh of Operating Standards to fully reflect and remind officers across the Council of fundamental expectations.		January 2023	GLD	
7	<b>Working with PACT, Families and Schools.</b> Work to be undertaken to define expectations and relationships between the County Council and these key groups so that there is clarity on future working arrangements and the role/responsibilities of the Council and relevant stakeholders.		December 2022	CYPE	
8	Review of directorate governance arrangements.		December 2022	GLD	
9	Urgent Reminder on corporate governance arrangements.	Discussion with Corporate Management Team on 25 <sup>th</sup> October 2022.  Recirculation of Introduction to Governance Guide.  Reminder of Corporate Director Delegations and Duties	November 2022	GLD	Complete
10	Review of officer governance, accountabilities and delivery of cross directorate working (including consideration of SLA and reflection in Operating Standards).		December 2022	ALL	



## Lessons Learned – Management Action Table

11	Project Governance arrangements minimum specification to be defined and included in Operating Standards		January 2023	GLD	
12	Further awareness/Training Sessions on when a key decision is required to be arranged for officers and Members.	Recirculation of Introduction to Governance Guide.  E-Learning on “Working in a Political Environment” already available.	December 2022	GLD	
13	GLD to be invited to governance discussions at DMT within Directorates.		December 2022	CYPE GET	
14	Formal agreement on how the SEND HTST budget is managed and monitored jointly between CYPE and GET with improved and formal communication and accountability, roles and responsibilities being clearly defined.	Teams already meeting to discuss costs, issues and other elements. These meetings involve Transport Eligibility, CYPE finance business partner, finance support team and public transport business team.	November 2022	CYPE GET	
15	Review of the CYPE Commissioning Plan to consider inclusion of the commission of SEND Transport to ensure there is relevant oversight at a strategic level.		December 2022	CYPE	
16	CYPE and GET consider a Project Board structure to ensure the strategic aims of commissioning	Home to School Transport Board established. Involves key public transport and transport	November 2022	CYPE GET	Complete

## Lessons Learned – Management Action Table

	SEND transport are being met through the operational delivery being managed by GET.	eligibility staff, head of public transport, Director of Education, Education Cabinet Member and Highways and Transport Cabinet Member. Meetings monthly. Meetings recorded and with actions.			
17	Consideration of a centralised PMO function for the whole of the Council as a means of ensuring consistency in the application of project management approaches and principles.	This will be picked up by the Strategic Reset Programme.	March 2023	ALL	
18	Additional training for Cabinet Members relating to the Council’s governance arrangements and their role within them.  Training to specifically include the role of executive Members in providing scrutiny / challenge over proposed budget savings to ensure the proposals are reasonable / deliverable.		February 2023	GLD	
19	Additional training offer for non-executive Members in relation to the Council’s governance arrangements and their role within them.		February 2023	GLD	
20	Advice from Monitoring Officer to Leader of Political Groups and Chair of Scrutiny on Scrutiny arrangements and role.		December 2022	GLD	

## Lessons Learned – Management Action Table

21	Revisit by Monitoring Officer of assurances provided through the Annual Governance Statement process by relevant directorates to test responses and check assurance.		November 2022	GLD	
22	Review of operational level governance arrangements within all directorates to ensure compliance with constitutional obligations is built in.		December 2022	GLD	
23	Advice to Leader, copied to Opposition Group Leaders on review of informal governance arrangements by Monitoring Officer.  This will include the specific lessons learned around notes and nature of meetings, role of informal governance and clarification and training.		January 2023	GLD	
24	Clarification statement to confirm the way in which the budget will be managed moving forwards with work being done to identify accountabilities and responsibilities relating to the cross-directorate and within directorate teams working in this space.		December 2022	GET CYPE	

## Lessons Learned – Management Action Table

25	Clarification statement to confirm the way in which the operations will be managed moving forwards with work being done to identify accountabilities and responsibilities relating to the cross-directorate and within directorate teams working in this space.		December 2022	GET CYPE	
26	Short Term changes to the constitution following from the lessons learned report and work undertaken by services since February 2022.		December 2022	GLD	
27	More detailed changes to the constitution following from the lessons learned report and work undertaken since February 2022.		March 2023	GLD	
28	Operational Level Governance arrangements finalised.		March 2023	GLD	
29	Review of the way in which future budget savings proposals are proposed and costed, with clarity around accountabilities and responsibilities clearly set out contemporaneously.		December 2022	GLD	
30	Review of earlier decision making where possible in relation to budget decisions and the additionality of information where possible and appropriate at the time of budget decision.		December 2022	GLD	

## Lessons Learned – Management Action Table

31	Review of all cross directorate working arrangements affecting frontline service delivery to clearly document accountabilities and responsibilities.		February 2023	ALL	
32	Review of the way directorates and decision makers record their decision making and the outputs and tracking of outcomes, delivery and milestones.  This will include explicitly addressing a number of lessons raised including the full costing of savings plans, the inter-directorate commitments and expectations.		March 2023	GLD	
33	Review of project management arrangements within the directorates and generally to clarify accountability and responsibility.		January 2023	CYPE GET	
34	Review of risk management within the directorate to ensure that appropriate risks are included within the directorate, project and divisional registers.		December 2022	CYPE	
35	Review of risk management within the directorate to ensure that appropriate risks are included within the directorate, project and divisional registers.		December 2022	GET	

## Lessons Learned – Management Action Table

36	Review of directorate management systems to ensure the early escalation of issues, risks and projects.		December 2022	GET	
37	Review of directorate management systems to ensure the early escalation of issues, risks and projects.		December 2022	CYPE	
38	Identification of and dedicated training for nominated individual in each directorate who will be responsible for the delivery of DPIA regarding future home to school transport changes.  Corporate Director as Information Asset Owner to retain accountability.		Identification November 2022  Training December 2022	CYPE GET	
39	Written explanation of the meetings, mechanisms, accountabilities and responsibilities used in the officer management of Home to School transport.		December 2022	CYPE GET	
40	Review of Judicial Review and other legal challenges made against the Council		December 2022	GLD	

## Lessons Learned – Management Action Table

41	Finalisation of Annual Governance statement delayed to capture lessons learned and reflect the retendering exercise and subsequent activity.		January 2023	GLD	
42	Co-ordination of risk registers. Process for consideration and discussion of shared risks to be reviewed.		November 2022	CYPE GET	
43	Review of findings of February 2021 Continuous Improvement work to inform extent this can influence future activity.		December 2022	CYPE GET	
44	Review of commissioning, legal, finance and technology support requirement, resources and funding necessary for future.		December 2022	ALL	

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