

**SCRUTINY COMMITTEE**

**Wednesday, 20th April, 2022**

**2.00 pm**

**Council Chamber, Sessions House, County  
Hall, Maidstone**







## AGENDA

### SCRUTINY COMMITTEE

**Wednesday, 20th April, 2022, at 2.00 pm**  
**Council Chamber, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Anna Taylor**  
Telephone: **03000 416478**

#### **Membership**

Conservative (10): Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mrs R Binks, Mr N J Collor, Mr G Cooke, Mrs S Hudson, Mr D Jeffrey, Mr R C Love, OBE, Mr H Rayner and Mr O Richardson

Labour (1) Dr L Sullivan

Liberal Democrat (1): Mr A J Hook

Green and  
Independent (1): Mr P Stepto

Church  
Representatives (3): Mr J Constanti, Mr M Reidy and Mr Q Roper

Parent Governor (2): Mr G Godin and Mrs K Moses

## **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

### **A - Committee Business**

- A1 Introduction/Webcast Announcement
- A2 Apologies and Substitutes
- A3 Declarations of Interests by Members in items on the Agenda for this Meeting
- A4 Minutes of the meetings held on 8 March and 23 March 2022 (Pages 1 - 10)
- A5 Future meeting dates
  - Wednesday 21 September 2022 - 2pm
  - Thursday 11 October 2022 - 10am
  - Wednesday 7 December 2022 - 2pm
  - Wednesday 25 January 2023 - 2pm
  - Thursday 23 February 2023 - 10am
  - Thursday 20 April 2023 - 10am
  - Tuesday 6 June 2023 - 10am
  - Wednesday 19 July 2023 - 2pm

### **B - Ongoing Monitoring Items**

- B1 SEND Transport Update

### **C - Any items called-in**

None for this meeting.

### **D - Any items placed on the agenda by any Member of the Council for discussion**

None for this meeting.

## **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Benjamin Watts  
General Counsel  
03000 416814

**Friday, 8 April 2022**

**KENT COUNTY COUNCIL****SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 8 March 2022.

PRESENT: Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mr P Cole, Mr M Dendor, Mrs S Hudson, Mr D Jeffrey, Mr R C Love, OBE, Mr R A Marsh, Mr H Rayner, Dr L Sullivan, Mr A J Hook and Mr P Stepto

ALSO PRESENT: Mr D L Brazier (Cabinet Member for Highways and Transport), Mrs S Chandler (Cabinet Member for Integrated Children's Services), Mrs S Prendergast (Cabinet Member for Education and Skills), Ms M Dawkins, Mrs T Dean, MBE and Mr B H Lewis

IN ATTENDANCE: Mr M Dunkley CBE (Corporate Director of Children Young People and Education), Mr S Jones (Corporate Director for Growth, Environment and Transport), Mr B Watts (General Counsel), Mr P Lightowler (Interim Director of Transportation), Mrs C McInnes (Director of Education), Mr C Chapman (Head of Fair Access), Mrs A Taylor (Scrutiny Research Officer) and Mr M Dentten (Democratic Services Officer)

IN VIRTUAL ATTENDANCE: Mr A Brady, Mr N Collor, Mr K Constantine, Mrs K Grehan, Mrs K Moses

**UNRESTRICTED ITEMS****31. Declarations of Interests by Members in items on the Agenda for this Meeting**

*(Item A3)*

No declarations were received.

**32. SEND Transport**

*(Item C1)*

1. The Chairman introduced the item and stated that the meeting had been called at the request of members of the Committee, to discuss concerns related to recent changes to the provision of SEND home to school transport.
2. The Chairman invited the Cabinet Members present to provide an overview of the issue and recent developments.
3. Mr Brazier explained the division of responsibility between directorates, with Growth, Environment and Transport (GET) acting as the delivery agents for SEND transport. He summarised formal Council consideration to date, with a report outlining the issues presented to Cabinet on 3 March. He explained that the most significant issue had been that some SEND children were left without home to school transport, following the retender of the service. He added that

additional young people who had entered the scheme since 7 December 2021 were yet to be allocated transport. He remarked that he had apologised to parents and children for the distress caused and reminded Members of his response to Kent Parents and Carers Together (PACT) at Cabinet. He gave his commitment to make the necessary changes to improve future outcomes and recognised the reputational impact of recent developments.

4. Mrs Prendergast assured Members that the issue had been the Cabinet Members' focus over the previous weeks. She acknowledged that investigating which children were without transport and facilitating suitable replacements were the priorities. She confirmed that schools were told that children may have issues attending, with guidance provided and advice to offer virtual learning where possible. She recognised the pain and distress caused to children and parents. It was confirmed that as of 7 March 6 children were without transport or an appropriate offer.
5. Mr Dunkley committed to incorporate parent views into future SEND service recommissioning activities.
6. A Member raised concerns that the relevant governance procedures had not been adhered to, with no executive key decision or formal member consideration carried out in public.
7. A Member asked how many children had been affected by increased journey times. Mr Lightowler confirmed that analysis of journey times was ongoing and that a systemwide figure was not yet available.
8. Mr Watts confirmed, following a request from the Chairman, that he would write to all Members, at the earliest opportunity, setting out the timeframe for a review. He added that the role of the authority's Proper Officers was to commission the review. The Cabinet Members committed to cooperate with an independent review.
9. In response to a question from a Member, Mr Brazier agreed that 2-hour journey times were unacceptable and that further work was required to reduced times. Mr Lightowler reassured Members that whilst journey times had since been reduced where possible, some journeys would take up to 75 minutes due to the location of schools and individual needs of students.
10. Mr Lightowler confirmed that a risk assessment into the impact of transport changes had not been undertaken prior to the retendering exercise, following a question from a Member.
11. A Member asked what had been done to mitigate against the impact of driver shortages. Mr Jones confirmed that the service were aware of changes in market capacity and lower single occupancy vehicle supply, with multi occupancy vehicle used where appropriate. He added that there had been a 30% increase in service demand over the previous 5 years.

12. Following a question from a Member, Mr Lightowler confirmed that the modelling tool used to plan routes took account of individual needs and travel requirements, with schools involved in the initial modelling process between July and October 2021.
13. Speaking on the impact of the service changes on parents, a Member asked whether there was a scheme in place to reimburse travel expenses and any related loss of income incurred as a result of parents facilitating home to school transport. Mr Jones confirmed that parents were reimbursed for both legs of their journeys within 4 days of their claim. Mr Watts agreed to circulate clarification on the Council's support related to any losses of income.
14. Mr Dunkley clarified, following a question from a Member, that the information used in the transport tool was sourced from Education, Health and Care Plans (EHCPs), with the plans produced by CYPE and passed to GET for service delivery.
15. A Member asked for assurance that all parents affected had been contacted. Mr Lightowler confirmed that all parents affected had been notified by email, with postal notices issued if no email was available.
16. A Member asked that a review takes account of the wider impact of changes on students, including developmental, school and homelife impacts.
17. Members shared their concern that the issue had negatively impacted trust between parents and KCC. Mr Dunkley acknowledged the reputational impact and informed Members that the Director of SEND met with parents on a weekly basis.
18. A Member commented that it was important to support parents and inform them of any future changes well in advance of implementation.
19. A Member stressed the need to improve coproduction between CYPE and GET. Following a question, Mr Dunkley confirmed that a joint transportation board, involving both directorates, had been created prior to the issue arising. He recognised that cross directorate governance and information sharing would be key areas for review.
20. Dr Sullivan and Mr Hook asked that an independent external review be carried out, including a review of all SEND services provided by the County Council.

RESOLVED to note the answers received and request that the Monitoring Officer provide a further update at the Committee's next meeting.

POST MEETING NOTE: Further information relating to the scope and timeframe of the review is to be shared with the Committee at its meeting on 20 April.

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## KENT COUNTY COUNCIL

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### SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 23 March 2022.

PRESENT: Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mr N J Collor, Mrs S Hudson, Mr D Jeffrey, Mr R C Love, OBE, Mr H Rayner, Dr L Sullivan, Mr A J Hook and Mr M Hood

ALSO PRESENT: Mr R W Gough (Leader of the Council), Mr D L Brazier (Cabinet Member for Highways and Transport), Mrs S Prendergast (Cabinet Member for Education and Skills) and Ms M Dawkins

IN ATTENDANCE: Mr S Jones (Corporate Director for Growth, Environment and Transport), Mrs S Hammond (Director of Integrated Children's Services), Mrs A Taylor (Scrutiny Research Officer) and Mr M Dentten (Democratic Services Officer)

IN VIRTUAL ATTENDANCE: Mrs S Chandler (Cabinet Member for Integrated Children's Services), Mr B Watts (General Counsel) and Mr P Lightowler (Interim Director of Transport)

### UNRESTRICTED ITEMS

#### **33. Declarations of Interests by Members in items on the Agenda for this Meeting** *(Item A3)*

No declarations were made.

#### **34. Minutes of the meeting held on 20 January 2022** *(Item A4)*

RESOLVED that the minutes of the meeting held on 20 January 2022 were an accurate record and that they be signed by the Chairman.

#### **35. SEND Transport Update** *(Item A5)*

*Mr D Brazier, Cabinet Member for Highways and Transport; and Mrs S Prendergast, Cabinet Member for Education and Skills were in attendance and Mrs S Chandler, Cabinet Member for Integrated Children's Services; and Mr B Watts, General Counsel were in virtual attendance for this item.*

1. The Chairman addressed the Committee's future consideration of the Home to School Transport Short Focus Inquiry (SFI) report. He recognised that the recent issue with SEND transport fell within the subject area of the SFI and that the internal audit review needed to be respected. The Chairman agreed to discuss the timing of the report consideration with Opposition Group Leaders following the meeting.

2. Mr Watts, as Monitoring Officer, gave an update on the internal audit review of SEND transport. He confirmed that he and the Head of Internal Audit had met with Kent Parents and Carers Together (PACT) to gather first-hand accounts of their experiences. He reassured Members that the Head of Internal Audit would meet with Kent PACT throughout the review. It was explained that the review was in its fact-finding stage. He informed the Committee that he had met with Group Leaders, with further meetings on the issue planned. He agreed to share further updates and information with the Committee throughout the review process.
3. Mr Brazier explained that Cabinet Members and officers had met regularly to discuss the situation since the previous Scrutiny Committee meeting. He confirmed that daily situation reports were shared between directorates. Mr Jones shared the steps undertaken to address parent complaints and issues raised, which included working with parents directly on modifications to make routes as short as possible. He verified that the volume of complaints had reduced.
4. Mrs Prendergast reassured Members that she had met with Kent PACT on multiple occasions to understand parent and child experiences as well as any ongoing issues.
5. A Member asked what impact the review had on Internal Audit operations, including whether additional external resource was required. Mr Watts confirmed that the review was being prioritised within the existing resource, with the review factored into the audit plan in order to manage service capacity.
6. A Member asked what reassurance could be given to parents to explain that an internal review was the most appropriate measure. Mr Watts confirmed that the Head of Internal Audit had a range of professional duties which prevented him from being influenced by Members or officers throughout the review process, which ensured an impartial and transparent review.

RESOLVED that the update be noted.

**36. 21/00124 - Kent Travel Saver Price Increase**  
(Item B1)

*Mr D Brazier, Cabinet Member for Highways and Transport; and Mr S Jones, Corporate Director for Growth, Environment and Transport were in attendance and Mr P Lightowler, Interim Director for Transport was in virtual attendance for this item.*

1. The Chairman introduced the item and invited the proposer of the call-in, Ms Dawkins, to provide an overview of the reasons for her call-in. Mr Hood as the seconder was also invited to speak.
2. Ms Dawkins set out the reasons for her call-in. She stated that the decision was not made in line with the Council's policy framework, as the increase in

the price of the Kent Travel Saver pass was likely to increase car usage, which went against the climate commitments made within the Kent and Medway Low Emissions Strategy and Outcome 4 of Local Transport Plan 4: Delivering Growth without Gridlock 2016–2031, ‘to deliver schemes to reduce the environmental footprint of transport.’ Mr Hood shared his concern that no environmental impact assessment had been carried out and asserted that the decision would impact air quality and congestion around schools.

3. The Chairman invited Mr Brazier to provide an overview of the decision.
4. Mr Brazier gave an overview of the decision, to increase the cost of the Kent Travel Saver pass from £370 to £450. He informed Members that the Pass was a discretionary scheme and stressed that savings could only be made from non-statutory services. He recognised the difficulty of setting a balanced budget and the resulting financial impact that the change would have on residents purchasing the pass. He stated that the prospect of abandoning the scheme and subsidy would have had a greater negative impact on residents than the decision to increase the price of the Pass. He confirmed that increasing the cost allowed KCC to maintain the scheme in the 2022/23 financial year. He accepted that whilst there was a possibility that car use would increase, there was no evidence to indicate that the decision would have an adverse environmental impact.
5. Mr Lightowler explained that approximately 4,000 passes were provided free of charge annually, including to children within the Council’s care. He confirmed that the decision did not impact the low-income or sibling pass concessions. He reminded Members that the Kent Travel Saver could be paid for in monthly instalments and noted that the scheme was unique amongst county councils. He verified that the decision did not impact the Public Transport provision within the Reconnect Programme.
6. A Member asked that an equality questionnaire be included as a section within the pass application, in order to inform future decisions and understand the impact of changes on pass users.
7. A Member asked what other options were considered before the decision was taken. Mr Brazier confirmed that a 5% price increase was rejected as a viable option as it would not reduce the net cost of the scheme to an extent that mitigated budget saving pressures.
8. A Member noted that, given current high fuel prices, the pass provided good value for money, which would be enhanced with further fuel price increases.
9. Mr Jeffrey moved and Mr Love seconded recommendation (a) “that the Scrutiny Committee make no comments”.
10. Members voted on the motion. The motion was carried.

RESOLVED that the Scrutiny Committee make no comments.

### **37. Unaccompanied Asylum-Seeking Children and Asylum Update**

*(Item C1)*

*Mr R Gough, Leader of the Council; Mr M Dunkley CBE, Corporate Director of Children, Young People and Education; and Mrs S Hammond, Director Integrated Children's Services (Social Work Lead) were in attendance and Mrs S Chandler, Cabinet Member for Integrated Children's Services was in virtual attendance for this item.*

1. Mrs Chandler gave a verbal overview of the written update on Unaccompanied Asylum-Seeking Children and Asylum, since the protocol between Kent County Council, the Home Office and Department for Education was initiated in September 2021. She recognised that transfers had not happened in the desired timeframe, which was linked to volume and other authorities taking UASC into their care for the first time. She confirmed that the most vulnerable children and young people were prioritised. Mr Dunkley stated that he was satisfied that the appropriate mechanisms were in place to handle and care for UASC. Mrs Hammond added that there had been a decrease in the use of hotels for UASC over winter, though it was recognised that the number of UASC entering Kent by boat had increased substantially over the previous 10 days in particular.
2. Mr Gough highlighted the resettlement scheme as an example of successful local-central government collaboration and assured Members that KCC was ready to work with government on its response to the Ukrainian humanitarian crisis.
3. Members noted that the number of UASC entering Kent in January 2022 had significantly increased when compared to previous years.
4. Following a question from a Member, Mrs Chandler confirmed that the maximum number of UASC in KCC's care was capped at 242, plus an additional 120 who would be transferred under the National Transfer Scheme within 10 working days, in line with the protocol.
5. Mrs Hammond was asked what impact recent UASC volumes had on social workers and services. She confirmed that there were two types of UASC social work, long-term dealing with permanent care and short-term handling reception and initial care. She noted that social workers had volunteered to be involved with UASC care, with the service meeting demand since September 2021.
6. In relation to immigration status, Mrs Hammond informed the Committee that 10-15% of UASC in KCC's care became adults without their status confirmed. She reassured Members that it took 13 weeks for UASC to qualify for care leaver status and that KCC worked with the Home Office throughout the process.
7. A Member asked how UASC schooling and language support was arranged and funded. Mrs Hammond confirmed that there were permanent English for

speakers of other languages (ESOL) arrangements in schools and further education colleges, as well as interpreter support, which were government grant funded.

8. Mrs Hammond reassured Members that there was a clear protocol between KCC, Kent Police and the Home Office for handling UASC missing before transfer. She explained that the protocol was under constant review and took account of national police data. She added that upon arrival social workers asked UASC whether they had any existing contacts in the UK, with the susceptibility for exploitation taken into account.
9. The Chairman recognised the sacrifices made by voluntary organisations, especially the RNLI, involved in facilitating the safe passage of Unaccompanied Asylum-Seeking Children.
10. The Chairman thanked Mr Gough, Mrs Chandler and Mrs Hammond for the report and commended the work of Cabinet and senior officers in lobbying the government for fairer outcomes for Kent.

RESOLVED to note:

- a) the number of UASC Kent County Council has accommodated since 10 September 2021 and the significant contribution this has made to reducing the number of UASC in hotels used by the Home Office since Summer 2021; and
- b) the refugee resettlement that is taking place within Kent under official government schemes.

### **38. Work Programme**

*(Item D1)*

1. A further update on Unaccompanied Asylum-Seeking Children and Asylum was added to the work programme.

RESOLVED that the report be noted.

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