

SCRUTINY COMMITTEE

Wednesday, 13th September, 2023

10.00 am

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





AGENDA

SCRUTINY COMMITTEE

Wednesday, 13th September, 2023, at 10.00 am
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 T Bond, Mr D L Brazier, Mr N J Collor, Mrs L Game, Mrs S Hudson, Mrs S Prendergast and Mr O Richardson

Labour (1): Dr L Sullivan

Liberal Democrat (1): Mr A J Hook

Green and Independent (1): Rich Lehmann

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

Parent Governor (2): Ms R Ainslie-Malik and Ms H Carter

County Councillors who are not Members of the Committee but who wish to ask questions at the meeting are asked to notify the Chairman of their questions in advance.

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 meeting held on 19 July 2023 (Pages 1 - 10)

B - Any items called-in

- B1 Call-in of Decision 23/00069 - Post 16 Transport Policy Statement including Post 19 for 2024/25 (Pages 11 - 174)

C - Any items placed on the agenda by any Member of the Council for discussion

- C1 Joint Transportation Boards (Pages 175 - 180)
- C2 A28 Sturry Link Road Project
- C3 Decision 23/00058 - Highway Term Maintenance Service Contract (Pages 181 - 228)
- C4 Short Focused Inquiry - Home to School Transport (Pages 229 - 290)
- C5 Work Programme (Pages 291 - 294)

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

Tuesday, 5 September 2023

KENT COUNTY COUNCIL

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 19 July 2023.

PRESENT: Mr A Booth (Chairman), Mr P V Barrington-King (Vice-Chairman), Mrs R Binks, Mr T Bond, Mr N J Collor, Mrs L Game, Mr A J Hook, Mrs S Hudson, Rich Lehmann, Mr H Rayner, Mr O Richardson and Dr L Sullivan

IN ATTENDANCE: Ms S Annan-Veitch (Policy Advisor), Ms S Brinson (Community Safety Team Leader), Ms Z Cooke (Corporate Director of Finance), Ms E Feakins (Chief Accountant), Mr M Hill (Cabinet Member for Community and Regulatory Services), Ms J Mookherjee (Consultant in Public Health), Mr P Oakford (Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services), Mr S Peerbux (Head of Community Safety), Mr J Potts (Democratic Services Officer), Mr M Powell (Director of the Violence Reduction Unit), Supt Peter Steenhuis (Kent Police), Ms A Taylor (Scrutiny Research Officer), and Ms R Westlake (Senior Commissioner)

UNRESTRICTED ITEMS

6. Declarations of Interests by Members in items on the Agenda for this Meeting (Item)

Mr Hook made a declaration on item C1, that he worked for the CPS as a lawyer & that his wife was a probation officer.

Dr Sullivan made a declaration on item C1, that her husband was deputy leader of Gravesham Borough Council, was Chair of Gravesham Community Safety Partnership (CSP) and a member of Kent CSP.

7. Minutes of the meeting held on 6 June 2023 (Item A4)

RESOLVED that, subject to the inclusion of Mrs Game on the attendees of the meeting, the minutes were an accurate record and they be signed by the Chairman.

8. Kent Community Safety Agreement (Item C1)

Mr Hill OBE, Cabinet Member for Community and Regulatory Services, Mr Peerbux, Head of Community Safety, Superintendent Peter Steenhuis & Inspector Peter Ballard of Kent Police, Ms Mookherjee Public Health Consultant, Mr Powel, Director of the Violence Reduction Unit, Ms Annan-Veitch, Project and Programme Manager, Ms Westlake, Commissioner and Jess Harman, Prevent Co-ordinator were present for this item.

1. Mr Hill introduced the item.
2. Mr Peerbux provided an overview of the functions of the Kent Community Safety Partnership (KCSP). He explained that the Kent Community Safety Agreement drew together several partner agencies and the priorities arising from the local strategic assessments to set out priorities for the county.
3. Superintendent Steenhuis updated Members on actions taken by Kent Police. As part of their new neighbourhood policing approach, he told Members that all wards would be assigned a named beat officer who would act as a point of contact for the community and every district would have a neighbourhood task force established to address long term Anti-Social Behaviour (ASB). In addition, a Child Centred Policing Team had been established to engage with young people and schools. He assured Members that Strategic Prevention Command would oversee these areas and focus on the priorities set by the Community Safety Agreement. He told Members that an app, 'My Community Voice', had been established to connect the Police with community members. It would allow the sharing information both ways and would help map locations of concern.
4. Mr Powell provided an update on the work of the Violence Reduction Unit (VRU). He told Members that Central Government had placed a Serious Violence Duty on authorities and that this required specific authorities to establish organisational arrangements, produce a need assessment and develop a joint strategy by January 2024. He told Members that there were 20 authorities in Kent and Medway and that the VRU had been holding workshops with these authorities to draft plans in this area. He also explained that the VRU had been developing a shared database between organisations including KCC and Kent Police to cut down on the time taken to manually request and send information. He reminded Members that funding for the VRU from Central Government would only last until March 2025 and he felt the database would provide a legacy and good value for money. The VRU had also been working alongside the DWP to support those between the ages of 18-25 to reduce criminality. Lastly, he updated the committee on violence in Kent, he told Members that children were overrepresented as suspects and victims of violence, and this remained a concern. In particular they wanted to see a reduction in the number of children using and being harmed by weapons. He also told Members that since 2019 they had seen a reduction in the amount of violent behaviour caused by the nighttime economy –an area they had been monitoring closely.
5. Ms Mookherjee provided an update on the work of the Public Health team with a specific focus on substance misuse. She told Members that the Dame Carol Black Review into drugs published in 2021 had raised concerns over cuts to substance misuse care and rehabilitation services and this had been an area of focus for her team and central government, Kent had seen Drug and Alcohol deaths increase in recent years, but these were still below the national average. She told Members that Kent had received significant investment into drug treatment services in recent years and Ms Mookherjee reported that Kent had a higher-than-average rate of successful treatment. She told Members that the challenge had been getting people to come forward and access treatment and the number of people accessing detox services in Kent was

- lower than the national average. She told Members that to address this, her team had been working to train professionals in healthcare and adult social care to signpost people towards detox and substance misuse services.
6. Ms Annan-Veitch told Members her team had been working to develop a new Kent and Medway Domestic Abuse Strategy and a progress report outlining the successes of the previous strategy. They had held workshops with frontline staff to find areas of best practice and in need of improvement. The consultation would be between 24th July and 9th October and that an update would be given at the Policy and Resources Cabinet Committee. Ms Westlake discussed the integrated service commissioned to tackle domestic abuse. She told Members that a formal review had been completed and that the service was performing well. She told Members the contract for the service had been extended until the end of March 2026. She informed Members that new services had been commissioned since the introduction of the Domestic Abuse Act and the PCC was also working on tackling domestic abuse and had been increasing the number of independent domestic violence advisors.
 7. Mr Peerbux concluded the report by updating Members on the remaining priorities. On Violence Against Women and Girls (VAWG) he told Members that his team had delivered a conference aimed at increasing professional awareness on the issues and share best practice. He told Members the conference had been very successful and that 90% of respondents rated it as 'excellent' or 'very good'. Since then, they had produced a resource pack which had been shared with the delegates. On preventing extremism and hate he told Members that the Prevent Team along with Counterterrorism police had been undertaking work on this following the independent review of the Prevent scheme, which had made several recommendations in this area. He told Members the national threat level for terrorism was rated substantial, meaning that an attack is likely and that concerns had turned to self-initiated terrorists which were more difficult to disrupt. On Road safety he told Members that there had been a significant focus on strengthening county-wide collaboration in line with the Vision Zero Strategy. Lastly, on safeguarding vulnerable people, he told Members that KCSP works to address this, including by addressing scams through Trading Standards and the Community Wardens, and identifying lessons from domestic homicide reviews.
 8. Members made the following statements and asked the following questions.
 - a) The Chairman confirmed that in future he'd like the presentation provided ahead of the meeting to allow Members to provide better scrutiny and requested a copy of the presentation to be circulated to all Members.
 - b) Members asked how e-scooters on roads and pavements were being tackled. Mr Steenhuis told Members the police at the time were taking a warn and inform approach, taking peoples details and letting them know that E-scooters were illegal to use on the roads. Mr Steenhuis told Members that a paper was being developed on E-scooters for senior officers and that there were concerns around the use of E-scooters due to lack of cycle paths and other infrastructure better suited to them.
 - c) A Member applauded My Community Voice and its integration with the national neighbourhood watch organisation. They asked how the app

would be developed further and another Member asked how Community Voice was being publicised and was concerned that some Members were unaware of the scheme. A Member asked if crimes could be reported via the app. Mr Steenhuis told Members that in future they hope to broaden the app's use and provided the example of using the app to warn of flooding. On how the app was being publicised, Mr Steenhuis told Members that his team had been engaging with parish councils, hosting pop-up stands and speaking to local newspapers. He believed it was important to seek Members support and asked Members to spread awareness of the app.

- d) On rural crime, Mr Steenhuis told Members his team had developed a 3-day rural policing course as part of training for beat officers. The sergeant for the rural task force had attended a national course to further develop training for his officers. He told Members his team would liaise with rural communities to understand what area they would like officers to have greater training in.
- e) A Member asked how the police were tackling ASB and drug use amongst young people in education. Ms Mookherjee discussed her teams work with schools and told Members drugs and alcohol had been an area of focus. Mr Steenhuis added that his team worked with schools and that 70 officers had been assigned to engage with schools and increase confidence in the police.
- f) A Member applauded the work being done to tackle violence against women and girls (VAWG). They asked whether work was being carried out to address violence against men and boys. Mr Steenhuis told Members VAWG was a real issue and required further focus. He told Members that violence against other groups continued to be taken seriously but that VAWG had additional elements which required a separate approach and provided the example of addressing the culture of the night-time economy.
- g) A Member raised concerns about the number of people breaking the speed limit. Mr Steenhuis told Members this was always going to be a difficult issue and that the resources were not available to provide enforcement everywhere. He told Members that understanding the flow of traffic and designing infrastructure to prevent speeding would be the best way to address this problem.
- h) A Member noted that data shown that ASB was down 18% compared to previous years and asked whether this was due to the pandemic. Mr Steenhuis told Members that this was due to Covid-19 rules from the previous year counting towards ASB figures and as lockdown and rules were eased, the overall figure dropped. A Member asked if the figures could be provided with Covid-19 rules and regulations filtered out to better understand the current level of ASB.
- i) A Member raised concerns about Margate and Thanet, they told the committee that they'd had a taskforce in place for years and had not seen a reduction in crime or substance misuse. Mr Steenhuis told Members that the Taskforces had been very successful and used an evidence-based approach to tackle crime and substance misuse.

- j) Members raised their concerns about the police's approach to ASB and young people. They believed that a lax response to ASB in youth was leading to more serious crime later in life. Ms Mookherjee responded that young people involved in ASB often have complicated lives and parents and that greater support needs to be given to these families. She told Members that had to be proportionate and that they currently used a carrot and stick approach. Mr Powell told Members that ASB caused by young people was a significant challenge and that his team focused on groups of young people operating together. He said it was important to provide support to the children but agreed that swift enforcement was necessary as a deterrent. He told Members that this was a resource intensive approach, and the VRU and Police can only focus on so many groups at once but that this approach was successful and was evidence-based. He said it was important to discover the driver of ASB and find alternative activities for young people. Mr Steenhuis added that seasonal campaigns were held where district commanders assessed ASB in their areas and placed a bid for additional funding. In addition, he said the Home Office had provided a considerable amount of funding to increase patrols in ASB hotspots during peak times. He said it was important now to develop community confidence and that this would be a long process. He told Members that the neighbourhood policing model was still being developed and was at 50% of maturity.
- k) A Member raised their concerns over the time taken to get domestic abuse victims and substance abusers support and access to programmes. Ms Westlake told Members that when police attend domestic abuse incidents information is shared with domestic abuse support providers who will contact victims as soon as possible. Ms Mookherjee added that multi-agency risk assessment conferences are help for people at 'high risk' of harm and that these meetings seek a multiagency response to support a person impacted by abuse. On substance abuse she told Members that the NHS had been developing integrated community teams to advocate for people across agencies and speed up access to services.
- l) A Member asked how successful community and safety partnerships were and asked whether there was difficulty in organising meetings. Mr Steenhuis said if Members were concerned about local CSPs to contact him, and this could be discussed.
- m) A Member asked whether KCC's approach to providing young people with community activities could impact crime as 80% of ASB offenders committed crime in childhood. Mr Hill responded that the family hub model provided support which included diversionary activities. He told Members that an inhouse provision would be provided in future. Mr Steenhuis added that the police worked with family hubs and youth justice teams and that diversionary activities were an important aspect of their work.
- n) A Member raised their concerns about distrust towards the police from young people and asked how their image could be improved amongst young people. Mr Steenhuis responded that an impact was seen

following the withdrawal of officers assigned to schools and headteachers had raised their concerns following the withdrawal. Since the introduction of the neighbourhood policing plan, 90 officers had been re-assigned and the police recognised that there was a lack of confidence and believed the new model was working and would increase trust.

- o) A Member raised their concern that people with children may be reluctant to access detox and rehabilitation services out of fears of Social Services getting involved with their parenting.
- p) A Member asked if criminal damage is considered ASB. Mr Steenhuis told Members that the Police take a holistic approach to what constitutes ASB to address the concerns of the community. Mr Steenhuis told Members that the Police had placed a greater emphasis on prevention, and this had been key to tackling ASB.
- q) A Member asked how serious violence was defined and asked why robbery had been included. Mr Powell responded that the Government's strategy and guidance did not give a clear definition and left this to be determined at a local level. He told Members that robbery had been included due to the high levels in Kent and the potential for serious harm during robberies. He told Members that it is important that they filter minor robberies from dangerous ones and told Members they were continuing to develop this area and would reflect on the process over the next year.
- r) A Member asked how the partnership had been affected by the increase in migrants coming to the UK and the increase in populations more generally. Mr Peerbux responded that this had put greater pressure on all public services particularly social care services.
- s) A Member asked how greater awareness and rise of vulnerable people and their needs had impacted the partnership. Mr Peerbux responded that the increase in vulnerable people in recent years had been felt across the service. Staff were having to be increasingly upskilled to understand complex needs and how best to respond to them. Ms Mookherjee told Members that working more closely with the NHS would be beneficial in this area.
- t) A Member asked how the loss of community wardens would impact services. Mr Hill responded that he was concerned about cuts to wardens but told Members the new Neighbourhood Policing Model did offset negatives somewhat. Mr Peerbux told Members that a public consultation was ongoing on the Community Wardens and their role and function. He said it was important to maintain the remit of Wardens and consider carefully where they are deployed. The consultation is due to run until the 3rd of October 2023.
- u) A Member asked if the Violence Reduction Unit could continue following the cessation of government funding in 2025. Mr Powell responded that they were a relatively small team and that their focus had been on collating and analysing information across organisations. He told Members they regularly scan through reports to establish trends and liaise with organisations to create a joined-up approach. He said it would be difficult to gain sufficient funding from partners to continue

with the same level of staffing and funding available to services but they were uncertain what central government would decide.

- v) A Member asked if prevent included environmental groups. Ms Harman told Members that it was important to tackle all ideological causes of terrorism and to rehabilitate people who would commit terrorist acts. She told Members that the recommendations of the review into prevent had been accepted by government and a new document released.
- w) A Member asked how best practice is shared between counties. Mr Hill told Members that there is a great deal of liaison within Kent but that there were opportunities for greater sharing with other authorities and agencies. He raised the VAWG conference as a good example of how liaison could work. Mr Steenhuis told Members that regional prevention and dover meetings were chaired by Kent Police who worked with neighbouring regions to co-ordinate policing. He told Members that best practice was important to Kent Police, and they had collaborated with Thames Valley Police recently to improve. Mr Peerbux added that KCC were part of a national forum which shares best practices in community safety.
- x) Mr Hill summarised that it had been a busy year and it had been difficult balancing economic pressures with the increase in number of people accessing services. He praised partners and the Chairman joined his praise.

POST MEETING NOTE: The presentation was circulated to Members on Thursday 20 July 2023.

RESOLVED – that the Scrutiny Committee note the refreshed Community Safety Agreement (April 2023) and ask that there be a continuation of the promotion of education work with services including Kent Fire and Rescue. There should also be a continued focus on youth provision.

9. Revenue and Capital Budget Outturn Report 2022-23

(Item D1)

Mr Oakford, Deputy Leader, Zena Cooke, Corporate Director for Finance and Emma Feakins, Chief Accountant were in attendance for this item.

1. Mr Oakford introduced the item. He told Members the 2022/23 budget had been prepared amongst increased spending pressures and complexity following the pandemic and invasion of Ukraine. He reminded Members that spending growth forecasts had been based on the inflation data at the time of the budget and that the risk reserves established in 2021 & 2022 were made available to mitigate the risks in the 2022/23 budget. He told Members that during 2022/23 the provisional revenue outturn position was an overspend of £44.4 million. He told Members there were significant overspends in Children's, Young People and Education of £32.7 million and in Adult Social Care totalling £24.4 million. He explained that the overspend would require the full utilisation of the risk reserve of just under £25 million with the remaining £22 million being drawn from the general fund reserve.
2. Members asked the following questions:

- a) A Member asked how much was currently in general reserves. Mr Oakford confirmed that £35 million was left in general reserves.
- b) A Member commented that the report was a comprehensive analysis and praised the amount of work that had gone into the report and its clear presentation of information. The Member raised concerns about the rate at which the budget for Adult and Children's Social Care Services was growing year on year. The Member said that these areas would need to be reviewed and a leaner service provided in future. The Member raised concerns at the amount needed to be drawn from the reserves and the difficulty ahead in balancing the budget.
- c) A Member raised concerns over the use of short-term beds and the high amount this was costing. With £30 million spent on this the Member asked if the money would not be better spent finding a long-term solution. They also raised concerns over the cost of supported living and asked why better provisions were not made for these services. They told the committee that given the number of people crossing the channel and entering Kent these services should expect growing demand and asked how the influx in migrants had impacted services. Mr Oakford responded that a comprehensive review into social services was underway. He said that he had concerns over how much of the Council's budget was being spent on a small percentage of the population. He also raised concerns by the way in which the NHS discharge patients and then transfer contracts for their beds to KCC and that this had accounted for much of the temporary bed costs. He also told the committee that the costs of looking after children had increased drastically and many of the children cared for in Kent came from other authorities including London. On migrants he said the cost of direct care was covered by central government, but costs had risen due to demands on education and other services supplied by KCC that could be accessed by Children. Mr Oakford told Members that he had been liaising with Kent MPs to ask them to engage with Ministers to get support for the county in areas of increased cost due to the county's unique geography. He raised his concerns that if the budgets for adult's and children's social care were not brought under control the council's overspend would reach a dangerous point.
- d) A Member raised concerns over the Faversham Swing Bridge they asked why the Medway Ports Authority were not contributing towards the costs of the project. Mr Oakford responded that KCC were responsible for a road across the body of water but that this could be a fixed bridge, however an agreement had been made many years ago.
- e) A Member commented that they would like to have seen how many service users are supported by each service to better understand costs per person. They raised concerns about the NHS discharge system and told Members they hoped more people could be discharged to their homes. Mr Oakford told Members that his team were looking into this and trying to find a cost per head for people per service to identify where costs are accrued. He told Members he was keen to find discrepancies and identify areas for savings.
- f) A Member told the committee that they didn't believe the Council got value for money from the sale of its assets. Mr Oakford responded that the approach was to maximise the value for each piece of property and that this had been effective. He told Members that KCC look at whether buildings can be better

utilised internally before it is decided to sell them. More recently this has included whether property being converted into accommodation would save KCC money.

- g) A Member asked for assurances that proper assessments would be taken before cuts were made. They also asked whether the cabinet Member had looked at the opposition's alternative budget. Mr Oakford told the committee that he had requested that Finance report were put on every cabinet committee agenda and that he intended to make cabinet members more responsible for the financial aspects of their brief. Mr Oakford told Members that the opposition budget was not a full budget and did not pass the rigorous tests required. He raised concerns over the deliverability of the opposition budget, and he reiterated the need to deliver savings quickly to deliver a balanced budget. The Chair interjected that he would like to see better cross-party co-operation on the budget. A Member added that the budget proposed by the opposition parties would not be sufficient to respond to the scale of problem facing KCC.
- h) A Member commented that they hoped efficiencies could be found to allow money to go further. The Member raised concerns about KCC's financial situation and asked the Cabinet Member when he would learn how much would be provided by central government. Mr Oakford responded that they would only find out how much they would receive from Government late into the year.
- i) Ms Cooke told Members that the concerns were real and serious. She told Members they could not afford to overspend in this financial year and decisions must be taken very rapidly to bring the council finances to a reasonable position. She told Members that the plan was to replenish the reserves over the next 2 years to the minimum required and this too would cost significant amounts.
- j) A Member raised concerns over commissioned services and the lack of scrutiny and accountability of these contracts.
- k) Mr Oakford concluded, expressing his wish that opposition Members engage with him at the earliest opportunity. He reiterated that ideas must be deliverable and that the Council must work at speed to solve the financial problems.

RESOLVED that the Scrutiny Committee note the report.

10. Work Programme

(Item E1)

1. Members requested a further update on Budget Monitoring, the timing of this to be confirmed.
2. Members also raised queries about the costs of Home to School Transport and requested that this be brought to the most appropriate committee.
3. A Member raised the costs of Thanet Parkway and the Sturry Compulsory Purchase Order decision – both of which would be considered for a future agenda.

RESOLVED that subject to the inclusion of the above items the work programme be noted.

By: Joel Cook – Democratic Services Manager
To: Scrutiny Committee – 13 September 2023
Subject: Call-in of Decision 23/00069 – Post 16 Transport Policy Statement including Post 19 for 2024/25

Background

1. The proposed decision was discussed at the [Children’s and Young People Cabinet Committee on 18 July, 2023](#) prior to the key decision being taken in August 2023.
2. Following the decision being taken, the call-in request was submitted by Mr Brady and Mr Lehmann, thus meeting the requirement for any call-in to be requested by two Members from different political Groups.
3. The reasons of the call-in were duly assessed by Democratic Services, including a review of the reasons given by those Members calling in the decision and an investigation into whether any issues raised in the call-in were adequately addressed by the decision paperwork, committee reports, responses to written questions or committee debate. The results of this review were considered by the Democratic Services Manager and the call-in was determined to be valid under the call-in arrangements set out in the Constitution. Call-in reasons must be clear, correct and align to one or more of the following criteria under s17.73 of the Constitution:

Members can call-in a decision for one or more of the following reasons:

- (a) The decision is not in line with the Council’s Policy Framework,
- (b) The decision is not in accordance with the Council’s Budget,
- (c) The decision was not taken in accordance with the principles of decision making set out in 8.5, and/or
- (d) The decision was not taken in accordance with the arrangements set out in Section 12.

4. The reasons submitted for this call-in are set out in Appendix 1.

Process

5. As per the call-in procedure, Democratic Services must consider all call-in requests against the criteria detailed in the constitution, which are themselves based on the legal requirements under the Local Government Act 2000 to have an appropriate mechanism to allow Executive decisions to be scrutinised. In determining the validity of any call-in, no judgement is made by Democratic Services as to whether

the decision itself is flawed, inappropriate or invalid. Similarly, where some individual reasons submitted for an overall valid call-in are not assessed as valid, this does not mean they merit no consideration as part of any subsequent call-in meeting.

6. The Cabinet Member and relevant Officers will be attending the Scrutiny Committee meeting to present their response to the call-in and to respond to questions.
7. The Scrutiny Committee should consider the reasons set out by the Members calling-in the decision, the documentation already available and the response from the Executive given at the meeting, giving due regard to the information made available during questioning and discussion on this item.
8. The decision papers remain available online but are republished in the agenda pack as appendices for ease of reference.

Options for the Scrutiny Committee

9. The Scrutiny Committee may:
 - a) make no comments
 - b) express comments but not require reconsideration of the decision
 - c) require implementation of the decision to be postponed pending reconsideration of the matter by the decision-maker in light of the Committee's comments; or
 - d) require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

Attached documents

- a) Appendix 1 - Scrutiny call-in reasons submitted by Mr Brady and Mr Lehmann.
- b) [23/00069 – Record of Decision](#)
- c) [23/00069 – Decision Report](#)
- d) [23/00069 – EqIA](#)
- e) [Appendix A – Post 16 Transport Policy Statement and Post 19 Transport Policy 2024](#)
- f) [Appendix B - Transport Consultation Report](#)
- g) [Appendix C – Analysis of wider UK Post 16 offer.](#)

Background Documents

Children's and Young People Cabinet Committee on 18 July, 2023

Report Author

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Scrutiny Call-in - 23/00069 - Post 16 Transport Policy Statement including Post 19 for 2024/25

Submitted by Mr Brady & Mr Lehmann.

This call-in request is principally related to the proposal to remove wholly free post-16 transport for learners with SEND and/or mobility problems. While I do not agree with this particular proposal, I am broadly in favour of the other changes that are set out in the Transport Policy Statement.

Reasons for call-in:

(a) Action proportionate to the desired outcome

It is stated in the decision report that 'Local authorities have a duty to encourage, enable and assist young people with Special Educational Needs and/or Disabilities (SEND) to participate in education and training, up to the age of 25'. While I acknowledge that KCC offers a particularly generous post-16 transport offer compared to other Local Authorities, I am concerned that this particular proposal will actually *discourage* children and young people with SEND from participating in further education. Indeed, having read the paperwork, it does not appear as though any level of risk analysis has been undertaken to establish the estimated reduction in the number of post-16 children and young people with SEND who will decide to not proceed with further education as a result of this decision. I worry that this decision will prevent some children and young people with SEND from accessing the education that they deserve, and that consequently we will see increasing numbers of young people with SEND not in education or training (NEET). I questioned the Cabinet Member for Education Skills on this very issue during the July CYPE Cabinet Committee meeting and he was unable to provide an adequate response. Fundamentally, the cost of transport should not be a barrier to education.

(e) Clarity of aims and desired outcomes / (f) Explanation of the options considered and giving reasons for decisions

Looking at the paperwork, there is very little detail regarding the level of financial support which will be provided to children and young people with SEND who cannot afford to pay £500 towards their transport costs. The report states that 'it is intended that an instalment option will be provided to all families', but that does not solve the problem if families simply cannot afford to pay £500, especially during a cost of living crisis. Granted, a higher subsidy option will be made available to families who qualify for low-income support, but again where is the explanation of what support will be made available to those families on low incomes who, fundamentally, cannot afford to contribute £250? Again, these were questions that I raised during the July CYPE Cabinet Committee but were not properly addressed by the Cabinet Member. What support will KCC provide to families of those children and young people with SEND who cannot afford the £500 or £250 contribution? Will we simply turn those young people away, denying them access to education? These questions are somewhat answered in the EqIA – it is stated that 'exceptional circumstances based on extreme financial hardship can still be considered via appeal' – but not fully. What constitutes 'exceptional circumstances' and 'extreme financial hardship'? The report lacks detail and lots of my questions remain unanswered, which is why I have decided to submit this call-in request.

a). The decision is not in line with the Council's Policy Framework

As we know, KCC has committed to improving SEND services across the board - mistakes have been made and these need to be put right. This commitment is reflected in Framing Kent's Future, where we pledge to 'work with our partners including schools and with the families of children with SEND to find sustainable solutions that provide the tailored support that these children need to access appropriate education and opportunities that will help them lead a good

life'. I appreciate that we are currently experiencing extremely difficult financial pressures, not least in the area of SEND, and that in order to deliver 'sustainable' services moving forward we will need to start looking at doing things differently. However, do we really think that charging families of children and young people with SEND (who are some of our most vulnerable individuals) for their transport is really the right call? Is this going to help restore trust and faith with parents (which is currently at an all-time low), or is it simply going to exacerbate the disconnect between the Local Authority and families of children with SEND, whilst potentially further disenfranchising those in our society who are most vulnerable?

Perhaps most importantly, in our commitment to working with parents to help put things right, we have said that we will listen to them and that we will take their advice and views on board. In this particular instance, however, this does not appear to be the case. If we look at page 5 of the consultation report, it is stated that '68% of respondents disagree with the proposal to remove wholly free post-16 transport for learners with SEND and/or mobility problems, with 59% of this cohort strongly disagreeing'. While this may not necessarily be representative of the wider Kentish population (it is a small sample size), it does demonstrate that the majority of respondents (over 2/3rds) are against this proposal. Why are we choosing to press ahead with this decision when we know it does not have the support of local residents, we know it will most likely lead to a further breakdown in already-poor relations between the Local Authority and parents of children with SEND, and when we know family budgets are already incredibly stretched. The timing of this decision really could not be any worse, and I urge the Executive to reconsider.

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TO BE TAKEN BY:

Rory Love,

Cabinet Member for Education and Skills

DECISION NO:

23/00069

For publication [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

Key decision: YES

Key decision criteria. The decision will:

- *be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:*
- *the adoption or significant amendment of major strategies or frameworks;*
- *significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.*

Subject Matter / Title of Decision

Post 16 Transport Policy Statement including Post 19 for 2024/25

Decision:

As Cabinet Member for Education and Skills, I agree the Post 16 Transport Policy Statement including Post 19 for the 2024/25 academic year.

Reason(s) for decision:

Background

Local authorities have a legal duty to annually publish a Post 16 Transport Policy Statement. This decision will put in place the policy for the academic year 2024/25.

KCC currently provides a Kent 16+ Travel Saver card to 4,765 pupils. Under the scheme, KCC subsidises 50% of the cost of bus travel, with a 50% contribution from families. KCC expects this card to be suitable for most learners, but where it is not KCC will consider applications for support – the policy statement sets out the assessment process and options available.

Equalities Impact Assessment

An EqIA has been completed and will be included in the report to the Children, Young People's and Education Cabinet Committee as well as the report presented to the Cabinet Member before this decision is taken.

Financial Implications

KCC's total estimated revenue costs for transporting Post 16 young people using either the KTS 16+ travel pass or KCC arranged transport/ Personal Transport Budget is approximately £14.6m per year, though this can vary depending on demand. Approximately £2.5m is recouped through the charging of the KTS16+ (currently £500 per year per child), with the balance of £12.1m met from the Home to School Transport revenue budget.

The financial impact of the proposals set out in this paper are estimated to achieve an annual saving of around £1.4m to £2.0m as set out below.

· The removal of wholly free Post 16 transport for learners with SEND and/or mobility problems, by charging the equivalent amount of a KTS16+ pass (currently £500 per

year, with a discounted rate for those eligible for Free School Meals) is estimated to generate additional income of approximately £0.5m per year.

· The removal of additional drop off and collection times for Post 16 learners to accommodate partial attendance is approximately £0.2m per year,

· Introduction of qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday could generate an annual saving of around £0.6m to £1.3m (this is dependent on the course undertaken and journey times).

The costs of implementation are estimated to be around £30k, which includes system changes and website development. The increase in capacity of the CYPE transport eligibility team is estimated to be £50k. Legal Implications The requirements placed on a local authority are defined in the Education Act 1996 (as amended), Education and Skills Act 2008, Education and Inspections Act 2006, Apprenticeships, Skills, Children and Learning Act 2009 and the Equality Act 2010. Local authorities do not have a general obligation to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training. Local authorities have a duty to encourage, enable and assist young people with Special Educational Needs and/or Disabilities (SEND) to participate in education and training, up to the age of 25. The policy statement sets out the duties on the LA to consider requests for transport support. Where additional support is refused, learners can appeal to the Transport Regulation Committee Appeal Panel.

Data Protection Impact Assessment The Kent 16+ Transport privacy statement can be found here (Kent Travel Saver and Kent 16+ Travel Saver privacy notice - Kent County Council) and advises parents that they are consenting to the usage of their submitted data, how the data will be used, who it will be shared with and how long it will be held, in line with KCC's duties. Changes associated with this decision do not affect the data that is collected or how it is used, so previous DPIAs remain valid and do not require revision.

Cabinet Committee recommendations and other consultation:

The Children's and Young People Cabinet Committee considered the decision on 18 July 2023.

Any alternatives considered and rejected:

These are outlined in the decision report attached to this document.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None



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signed

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date

From: Sarah Hammond, Corporate Director for Children, Young People and Education

To: Rory Love, Cabinet Member for Education and Skills

Subject: Post 16 Transport Policy Statement including Post 19 for 2024/25

Classification: Unrestricted

Past Pathway of Paper: Children, Young People and Education Cabinet Committee – 18 July 2023

Future Pathway of Paper: Cabinet Member Decision

Summary: Each year KCC has a legal duty to consult on its policy for Post 16 Transport and publish a Post 16 Transport Policy Statement.

Recommendation(s):

The Cabinet Member for Education and Skills is asked to take the proposed decision: to agree the Post 16 Transport Policy Statement including Post 19 for the 2024/25 academic year.

1. Introduction

- 1.1 Local authorities do not have a general obligation to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.
- 1.2 The requirements placed on a local authority are defined in the Education Act 1996 (as amended), Education and Skills Act 2008, Education and Inspections Act 2006, Apprenticeships, Skills, Children and Learning Act 2009 and the Equality Act 2010.
- 1.3 All young people carrying on their education post 16 must reapply for travel support annually.
- 1.4 The attached policy statement (Appendix A) makes it clear that in the first instance there is an expectation that learners will make use of the Kent 16+ Travel Saver. This is a generous discretionary scheme which aids access to both education and employment with training. This provides up to a 50% reduction in travel costs for the average user. Learning providers, at their discretion, can further subsidise this using bursary funding and we would expect bursary to be provided for up to 50% of the cost for low-income families.

Because schools and colleges use bursary funding at their discretion, some choose to subsidise other localised bus travel cards as opposed to the KCC scheme which offers a broader transport offer.

- 1.5 The policy statement also sets out the duties on the LA to consider requests for transport support. KCC is required to enable access to education and will consider applications for support where a Kent 16+ Travel Saver pass is not suitable. Where support is agreed, the policy makes clear that learners will initially be assessed for Travel Training and alternative transport arrangements will only be provided where this training is not appropriate. Where additional support is refused learners can appeal to the Transport Regulation Committee Appeal Panel.
- 1.6 Local authorities also have a duty to encourage, enable and assist young people with Special Educational Needs and/or Disabilities (SEND) to participate in education and training, up to the age of 25.
- 1.7 The policy statement provides information about the travel provision put in place for young adult learners aged 19 – 25 with an Education, Health and Care (EHCP).
- 1.8 KCC currently provides a Kent 16+ Travel Saver to 4,765 pupils. 1,334 Post 16 pupils receive support via a KCC provided vehicle. 148 Post 16 pupils are provided a Personal Transport Budget. The number of young people using KCC arranged transport to FE colleges has nearly doubled in the past 5 years, in line with the extension of duties for SEN up to 25, with the average cost of transport increasing by around 40% over the same period.

2. Consultation

- 2.1 KCC has a duty to consult on and publish its Post 16 Transport Policy Statement every year. Whilst there is no statutory duty to provide transport for Post 16 Learners, there is a duty to consider applications for assistance with transport and to enable access to education and training. The transport policy sets out how KCC will meet this duty and what learners can expect by way of support.
- 2.2 KCC consulted with current and future service users between 25 January and 21 March 2023 on a Post 16 Transport Policy Statement including Post 19 for 2024/25. As changes were being proposed for the 2024/25 academic year, the consultation was held a year earlier than usual to ensure that pupils that would be affected by the potential changes had sufficient opportunity to consider the implications before future educational decisions are made. The consultation also included a new 4 - 16 Transport Policy (effective from 2024-25 Academic Year) which will be discussed in a separate paper.
- 2.3 It was necessary to consider changes to Kent's Post 16 offer for 2024/25 for the following reasons:

Parity – The proposed changes will align the Post 16 offer to ensure it is the same for both SEND and mainstream learners. Consideration will still be given to each learner's individual need and reasonable adjustments made, including for families of learners from low-income backgrounds.

Need - Kent has seen over an 80% increase in the number of children aged 16 and above with an EHCP since 2018. The provision of transport for this group is inevitably more complex. Based on this, we need to ensure that our policy and transport services are both appropriate to meet the specific travel needs of learners and is sustainable to meet predicted levels of need in the future.

Promoting independence - Priority 2 of the [SEND Strategy](#) sets out Kent's ambition to 'Ensure children, young people and their families have positive experiences at each stage of their journey including a well-planned and smooth transition to adulthood.' Developing independence is a key outcome of a young person's education journey and young people need to be adequately prepared for adulthood by encouraging and enabling them to access education. The proposed policy ensures that transport remains available to all pupils that require direct support, but in a way that mirrors the growing responsibility that all students will experience with age.

Financial sustainability - The cost of providing Post 16 transport has more than doubled since 2018 and continue to increase. The government does not provide any dedicated funding for this area of the duty. Even with changes to practice and improving how we use transport resources, if we carry on as we are then we will continue to exceed the available finances owing to increasing demand and pressures against the current policy provision. More information on the financial implications can be found in section 5.

2.4 KCC remains one of the last councils to offer a high level of discretionary support in their Post 16 travel policy, over and above what is required by law (see section 4). While we have fought to continue this position for many years, it cannot be maintained at the expense of fulfilling our statutory duties to all learners. Proposals are intended to ensure that available resources are targeted to those pupils with the highest need and entitlement, while also ensuring statutory duties are met.

2.5 The consultation sought feedback from consultees on the following proposals:

Removal of the discretionary provision of wholly free Post 16 transport for learners with Special Educational Needs and/or a disability and/or mobility problems - As is the case with mainstream pupils, these pupils would be expected to pay a contribution consistent with the subsidies under the Kent 16+ Travel Saver pass, which is currently £500 per year. A higher subsidy option would be made available to families who qualify for low-income support, requiring a £250 per year contribution. It is intended that an instalment option will be provided to all families.

This would mean that KCC still provide a greater level of support in many cases for pupils with SEND as a result of their increased need. The average cost of

transport for Post 16 pupils with an EHCP is £8,098. However, all pupils will be expected to make the same initial contribution regardless of total overall cost. This means on average KCC will continue to provide an subsidy of 94% of the total cost of transport for all affected pupils and 97% for families from low income backgrounds.

Removal the discretionary provision of additional drop off and collection times for Post 16 learners to accommodate partial attendance. This would mean that drop off and collections would only be at beginning and end of a normal full academic day.

Introduction of qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday. This means that when assessing the need for transport support for learners aged 19 to 25 who did not start a course before their 19th birthday, we would not consider it necessary, other than in exceptional circumstances, to provide transport for a learner to attend an additional Further Education course, at the same level or equivalent, where the learner had previously attended and completed a course within the Further Education sector.

Due to the differing legislation that applies to pupils with EHCP aged 19 who are not undertaking courses that started before their 18th birthday, transport must be provided free of charge for these pupils. The contribution detailed above will therefore not apply to pupils who continue to qualify for KCC support after their 19th birthday.

The consultation also included changes to both the 4 - 16 Transport Policy (effective from 2024-25 Academic Year) and Post 16 Transport Policy Statement including Post 19 for 2024/25, which will be referenced in both papers:

Automatic approval of transport to alternative addresses where there is zero cost to the council. Currently applicants must appeal to KCC Members if they need transport to more than one address, but this change will allow decisions to be made more quickly if the extra transport doesn't require more public money to be used.

Formalise KCC's Personal Transport Budget pilot scheme, which provides parents of eligible learners with a fund to make their own transport arrangements. The scheme currently operates as an ongoing pilot, but will now feature directly in the Post 16 Transport Policy Statement and the 4 to 16 Transport Policy. It does not affect the availability or implementation of the scheme.

- 2.6 The remainder of the Post 16 transport offer remains unchanged.
- 2.7 A copy of the consultation documentation including Equality Impact Assessments can be found at www.kent.gov.uk/schooltransportpolicy

3. Consultation outcomes

3.1 To raise awareness of the consultation and encourage participation, the following activity was undertaken:

- Emails to stakeholders including head teachers, FE providers, bus operators and other school transport providers, such as taxis.
- Email/letter to all parents of year 10, 11 and post 16 students with an EHCP.
- Invite on the launch of the consultation to 8,957 Let's talk Kent registered users who have expressed an interest in being kept informed of consultation regarding transport, education, young people and children and families and a reminder email to 9,480 users on 13 March.
- Media release - <https://news.kent.gov.uk/articles/consultation-opens-on-kccs-home-to-school-transport-policy>
- Reviewed consultation materials and policy with Kent PACT and developed parental engagement strategy through their communication channels.
- Promoted by Kent Association of Local Councils (KALC) through their newsletter, website and Facebook page.
- Promoted through KCC's resident e-newsletter, SEND newsletter and Kelsi e-bulletin and intranet.
- Posters provided to bus operators to display on buses.
- Posters displayed in libraries and Gateways and feature on home screen of public computers in libraries.
- Promotional banners added to Kent.gov homepage and relevant service pages.
- Social media via KCC's corporate Facebook, Twitter, Instagram, LinkedIn and Nextdoor accounts and paid targeted Facebook adverts.
- Promotion through KCC's intranet.
- All consultation material included details of how people could contact KCC to ask a question, request hard copies or alternative format.
- A Word version of the questionnaire was provided on the consultation webpage for people who did not wish to complete the online version. A Freepost address was provided for any hard copy responses.
- Large print, easy read and audio versions of the consultation material were available from the consultation webpage and on request.

The Assistant Director – Fair Access and (Interim) SEN Processes also attended Kent Youth County Council (KYCC) on 11 March 2023. KYCC members were given an overview of the legislation that informs each Council's formal responsibilities for home to school transport and how this is delivered in Kent. The content and scope of the consultation was then discussed.

Following this session, a number of young people took part in a focus group with the Assistant Director – Fair Access and (Interim) SEN Processes to discuss their thoughts in more detail. Suggestions for further changes to KCC's transport policies were explored, including discussions about how legislation limits some potential for adaptation. The delivery of the consultation was also covered, which provided some helpful suggestions on how to encourage more young people to take part. Participants acknowledged that while the proposals had the potential to

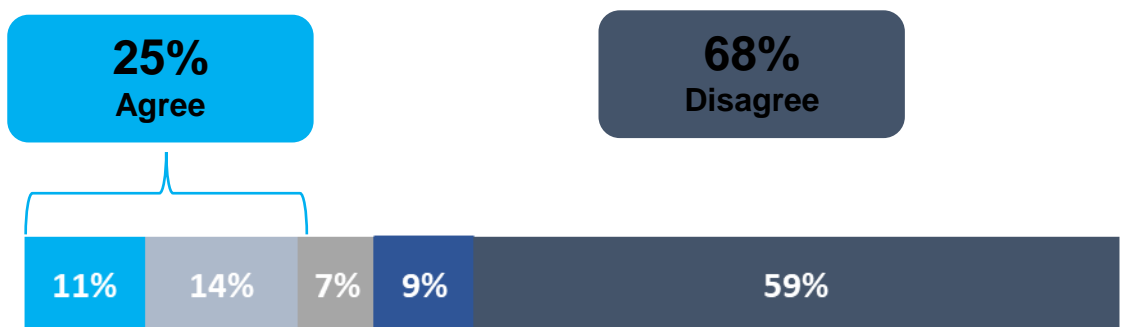
provide a less generous offer to some families, these changes had been designed to minimise this impact.

3.2 Engagement with the consultation webpage, material and social media:

- 7,510 visits to the consultation webpage, by 6,748 visitors.
- 2,018 document downloads, including 1,219 downloads of the Consultation Document
- 97 downloads of the 2024-25 Statement
- Organic posts had a reach of 21,531 on Facebook and 939 on Instagram. There were 8,572 impressions on Twitter and 1,242 on LinkedIn. Reach refers to the number of people who saw a post at least once and impressions are the number of times the post is displayed on someone's screen. The posts generated approximately 760 clicks through to the consultation webpage. (Not all social media platforms report the same statistics.)
- Paid Facebook advertising had a reach of 27,320, which resulted in 784 clicks on the link to consultation webpage. Post impressions totalled 115,730.
- 260 responses to 2024-25 Post 16 Transport Policy Statement sections of the consultation

3.3 A breakdown of demographics of respondents and a more detailed analysis of responses can be found in the full consultation report in Appendix B. However, it is important to highlight here that 43% of respondents indicated that they receive free school transport from Kent. As these policy changes relate solely to pupils that current receive free school transport, this metric should be noted when considering aggregate analyses.

3.4 **Removal of the discretionary provision of wholly free Post 16 transport for learners with Special Educational Needs and/or a disability and/or mobility problems:** A quarter (25%) of respondents agree with the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including those with SEND, with 11% strongly agreeing. 68% disagree with this proposal, with over half (59%) strongly disagreeing.

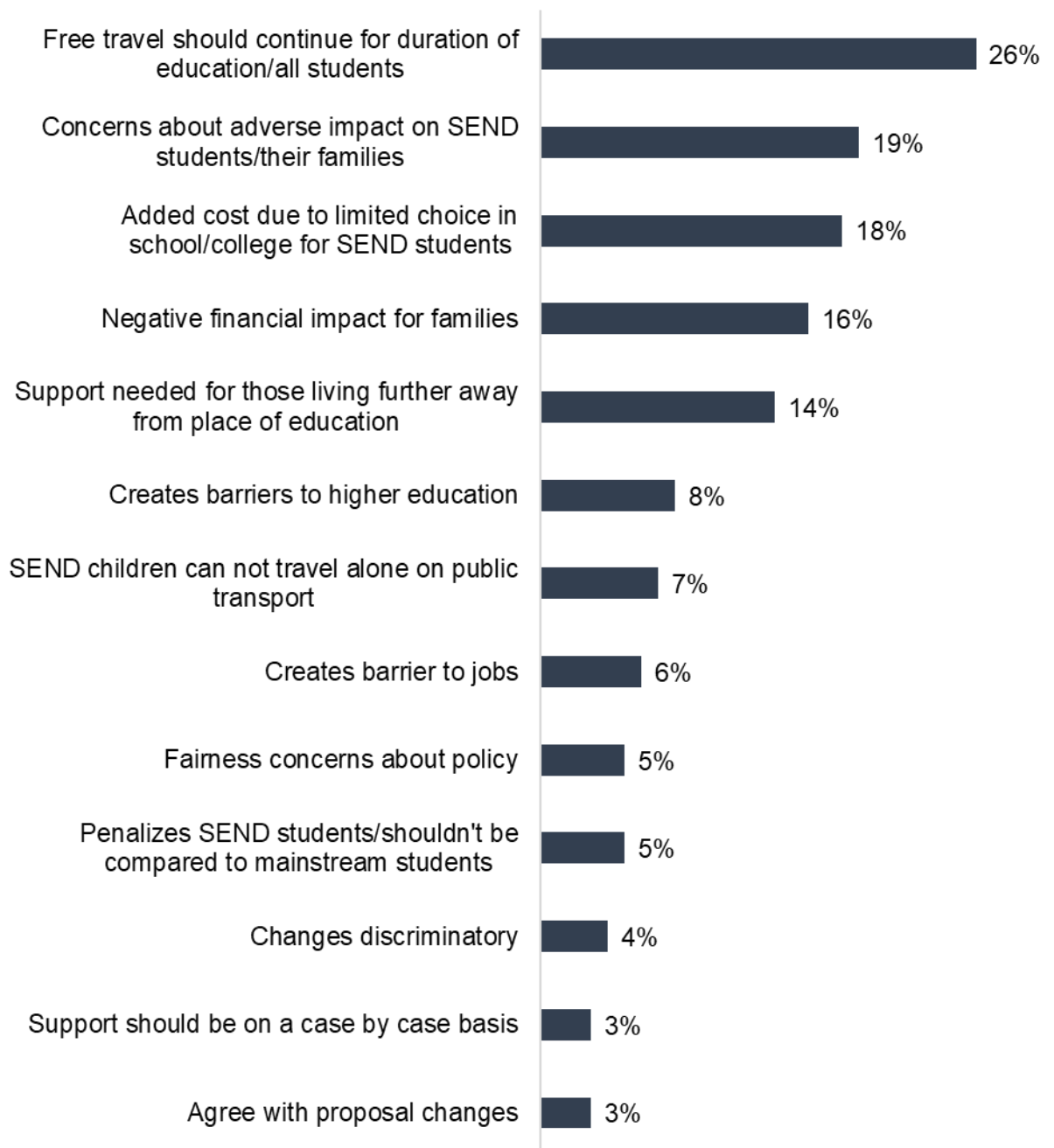


- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree

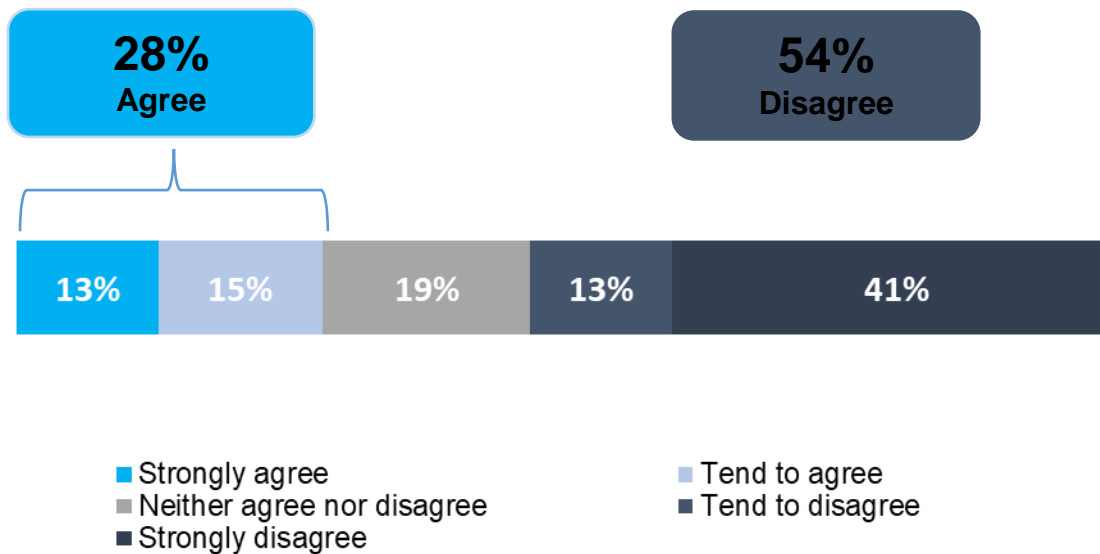
Key variations in support are summarised below:

- Those responding in another capacity (not student or parent/carer) are significantly more likely to agree with this proposal compared to parents/carers (40% cf. 22%).
- Respondents who have a child in secondary school with a KCC Travel Saver pass are significantly less likely to disagree with the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including those with SEND compared to those with a child in secondary schools who do not have a KCC Travel Saver pass (46% cf. 79%).
- Respondents with a child in secondary school who does not receive free KCC transport are significantly more likely to agree with this measure compared to those who do receive free transport (41% cf. 15%).
- Those without a disability are significantly more likely to agree with these proposals compared to those with a disability (32% cf. 13%).

Analysis of the comments given in relation to this proposals show that 26% felt that free travel should continue for the duration of education for all students. 19% raised concerns about the adverse impact the proposal with have on SEND students and their families, whilst 18% commented on the added cost due to limited choice in education establishments for SEND students.



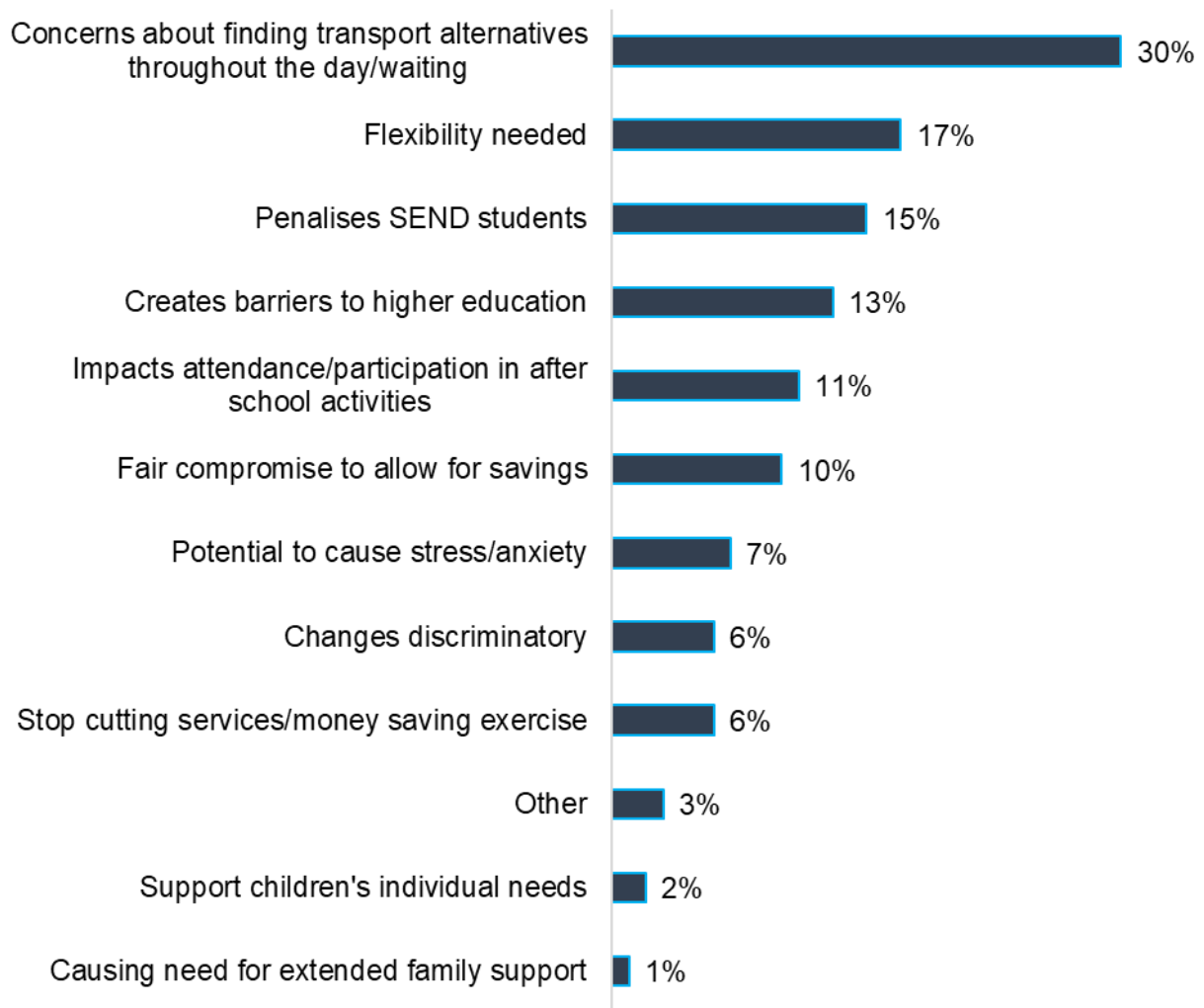
3.5 Removal the discretionary provision of additional drop off and collection times for Post 16 learners to accommodate partial attendance: Over a quarter (28%) of respondents agree with the removal of additional drop off and collection times for Post 16 pupils, with 13% strongly agreeing. Over half (54%) disagree with this statement, with 41% strongly disagreeing.



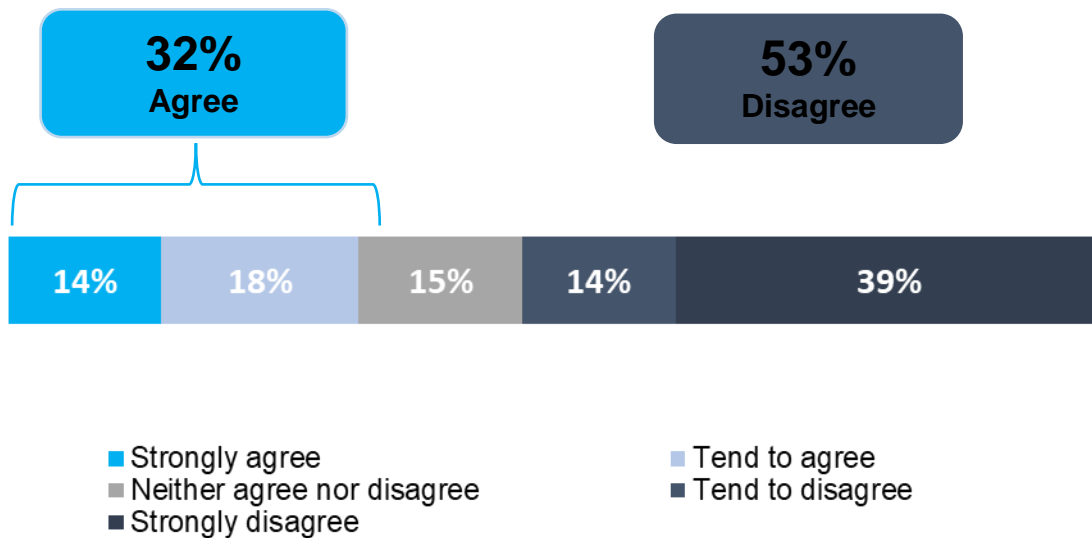
Key variations in support are summarised below:

- Those responding in another capacity (not student or parent/carer) are significantly more likely to agree with this proposal compared to parents/carers (48% cf. 23%).
- Respondents who have a child in secondary school with a KCC Travel Saver pass are significantly more likely to agree with this statement compared to the total average (41% cf. 28%).
- Respondents with a child in secondary school who receives free KCC transport are significantly more likely to disagree with this measure compared to those who do not receive free KCC transport (64 cf. 41%).

In regard to this proposal , 30% raised concerns about finding transport alternatives throughout the day, whilst a further 28% felt that flexibility was needed. A further 15% also made comments on the fact they felt this policy penalises SEND students.



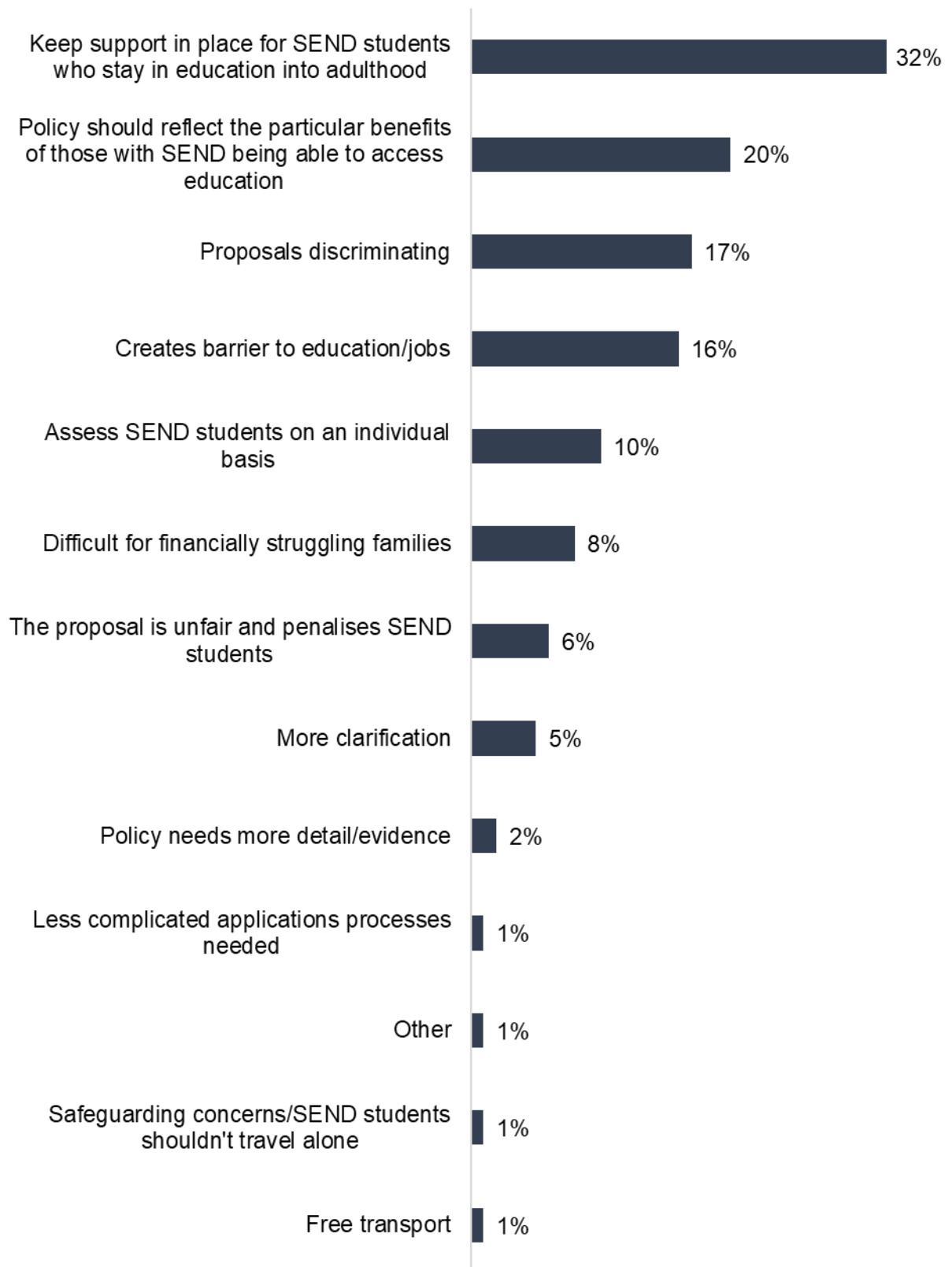
3.6 Introduction of qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday: A third (32%) of respondents agree with the introduction of qualifying criteria for learners seeking transport support for new courses started after their 19th birthday, with 14% strongly agreeing. Just over half (53%) disagree with this statement, with 39% strongly disagreeing. 15% gave a neutral response.



Key variations in support are summarised below:

- Those responding in another capacity (not student or parent/carer) are significantly more likely to agree with this proposal compared to parents/carers (53% cf. 28%).
- Respondents who have a child in secondary school with a KCC Travel Saver pass are significantly more likely to agree with this statement compared to the total average (47% cf. 32%).
- Respondents with a child in secondary school who does receive free KCC transport are significantly more likely to agree with this measure compared to the total average (46% cf. 53%).

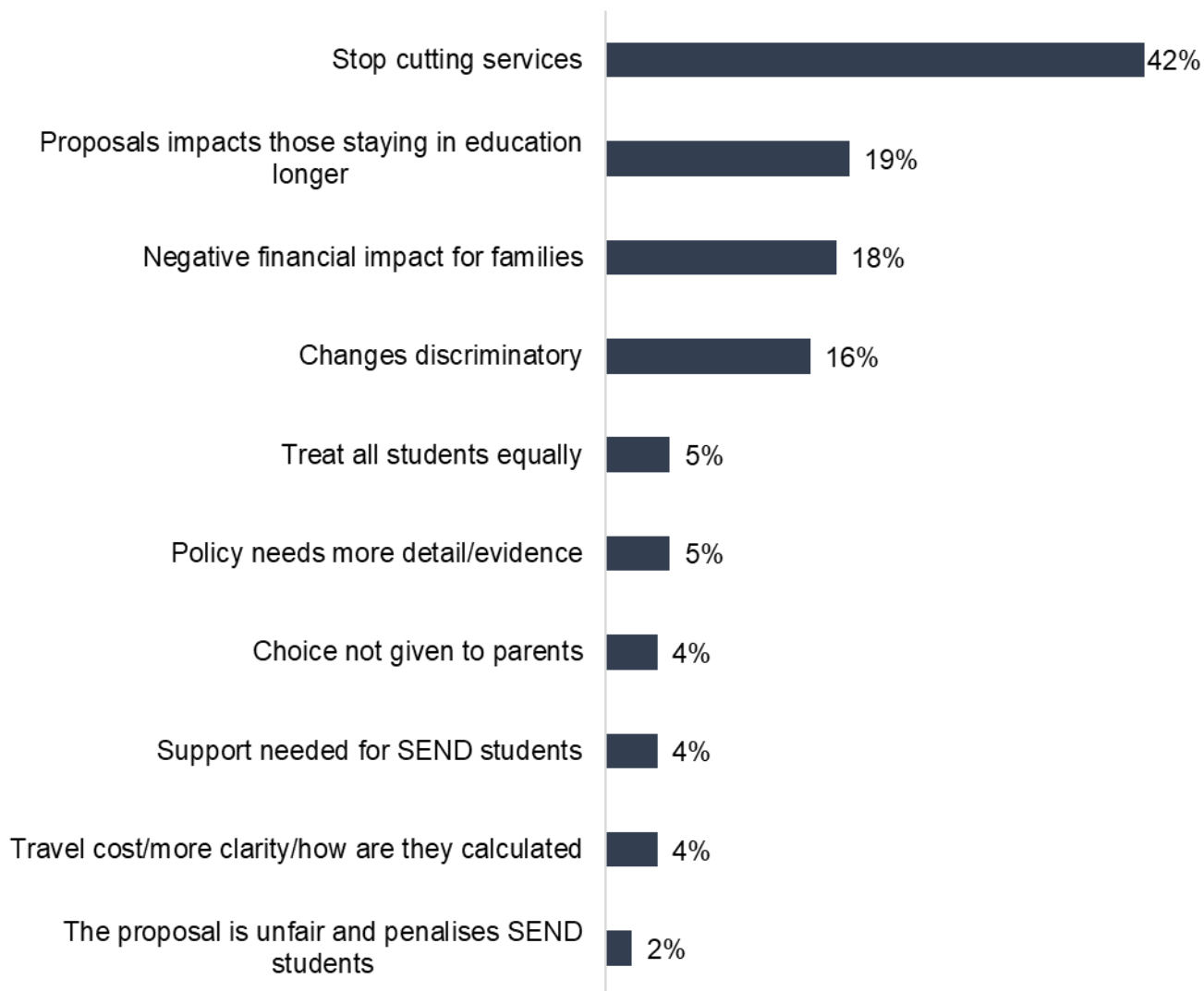
When asked for any other comments pertaining to this proposal, a third (32%) suggested KCC should keep support in place for SEND students who stay in education into adulthood, whilst 20% of respondents said that KCC’s policy should reflect the benefit of those with SEND being able to access education.



- 3.7 **Automatic approval of transport to alternative addresses where there is zero cost to the council:** 78% of respondents agree that KCC should automatically approve transport to alternative addresses where there is zero cost to KCC, with over half (55%) strongly agreeing. Only 7% disagree with this.
- 3.8 **Formalise KCC's Personal Transport Budget pilot scheme, which provides parents of eligible learners with a fund to make their own transport arrangements:** 71% agree that KCC should formalise the Personal Transport Budget scheme, with 8% disagreeing.

4. Equality Impact Assessment

- 4.1 When asked for views on the equality analysis for the draft 2024-25 Post 16 Transport Policy Statement, including how KCC can lessen the impact on learners and their families, the overwhelming sentiment was resistance to any changes. Over four in ten (42%) of the comments at this question suggested that KCC should stop cutting services in the area of post 16 transport.
- 4.2 Respondents were provided an opportunity highlight where they thought there were alternatives that could do to lessen the impacts on learners and their families:



4.3 While it is understood that any reduction in offer will have a detrimental impact on those affected families, Section 2 highlights why it has been necessary to consider these changes. It also highlights that parents of pupils with SEN have historically received additional support beyond that which has been made available to mainstream parents of children of the same age. KCC's current Post 16 provision significantly exceeds its statutory duties and will continue to do so in spite of proposed changes. This can be best evidenced by considering KCC's proposed offer for 2024/25 to those of similar and neighbouring Local Authorities.

5. Comparisons to other LAs

5.1 While it is for each Local Authority to decide what level of Post 16 transport support is appropriate for their local area, it is helpful to consider Kent's reviewed offer against those that are made available elsewhere in the country.

5.2 Appendix C details the equivalent Post 16 offer current available to residents of 18 Local Authorities. Key details from this analysis show:

- No LAs provide wholly free transport to pupils with SEN
- 8 LAs (44%) offer no Kent 16+ Travel saver equivalent subsidised transport support at all
- Only 2 LAs will offer transport at a lower price point than Kent's proposals (Bexley £400 and Derbyshire £438)
- The average cost across all LAs is £782.64
- The highest charge per year is £1736 (Hampshire for SEN pupils travelling over 10 miles)
- The highest fixed charge that does not account for distance is £990 (Suffolk).

6. Financial Implications –

6.1 The total estimated revenue costs for KCC of transporting Post 16 young people using either the KTS 16+ travel pass or KCC arranged transport or personal transport budget is approximately £14.6m per year of which approximately £2.5m is currently reimbursed through the charging of the KTS16+. The Post 16 transport scheme is uncapped and costs will vary depending on take up levels and journeys undertaken by young people, and so the overall costs of the scheme will vary year to year. The remaining subsidy paid for post 16 transport is approximately £12.1m and is met from the Home to School Transport revenue budget. The KTS 16+ pass charge is currently £500 per year. The annual charge for the pass is normally increased in line with increases in the operators inflationary costs, however for the 2023-24 academic year the charge for the pass has been frozen, with additional operator costs covered by the Bus Subsidy grant (as outlined in Key Decision 23/00027). The financial impact of the proposals set out in this paper is estimated to achieve an annual saving of around £1.4m to £2.0m as set out below.

6.2 Removal of the discretionary provision of wholly free Post 16 transport for learners with Special Educational Needs and/or a disability and/or mobility problems –

Over, 1,080 learners with Special Educational Needs, Disability or Mobility problems are aged 16-19 and are receiving wholly free post 16 transport. The proposal is to charge learners the equivalent amount of a KTS16+ pass, currently £500 per year, with a discounted rate for those eligible under the Free School Meals criteria. This is estimated to generate an additional income to the Council of approximately £0.5m per year.

For eligible learners, it is proposed payment is made on a termly basis, at the beginning of each term, and arrangement of transport (via KCC organised transport) is subject to successful receipt of payment. For learners in receipt of a PTB, the equivalent of £500 or discounted rate will be deducted from the total value of the PTB before being paid in monthly instalments. This will mitigate against possible bad debts.

6.3 Removal the discretionary provision of additional drop off and collection times for Post 16 learners to accommodate partial attendance –

The estimated saving to the Council from removing the discretionary provision of additional drop off and collection times for post 16 learners is c£0.2m per year, reducing the number of additional trips per week by around 80 per week. The exact number of journeys will fluctuate during the year depending on the college timetables.

6.4 Introduction of qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday –

Current legislation does not allow for Post 19 transport to be partially funded by parents/young people as outlined in section 6.2, rather the Council must either fully fund the transport for eligible young people or not pay at all. To avoid unnecessary disruption to a learner's course it is proposed qualifying criteria is introduced for post 19 learners whereby transport will continue to be funded by the council to the end of their current course and further support will be conditional on course progression. There are approximately 400 young learners aged 19 and over receiving free transport from the Council. The saving relating to this proposal are difficult to quantify and will depend on both the course undertaken by the learner and journey arrangements. A small sample has indicated around 20% to 40% of Post 19 learners may no longer be eligible for free transport. Using the average cost transport as a guide this could equate to an annual saving of around £0.6m to £1.3m.

6.5 Automatic approval of transport to alternative addresses where there is zero cost to the council

There are no direct costs associated with the proposal to automatically approve transport to an alternative address where there is zero cost to the council. There will be some indirect time savings from avoiding appeals.

6.6 Formalise KCC's Personal Transport Budget pilot scheme

There are no direct costs associated with formalising the Personal Transport Budget scheme. The pilot has been running since 2013/14 and current budget for PTBs is £1.4m, delivering an estimated saving of £1.2m compared to equivalent KCC provided transport. Costs of running the scheme are estimated to be £80k.

6.7 Instalment and Implementation Costs

It is planned to make use of existing systems to reduce possible costs associated with the introduction of these changes. Implementation of system changes and website development to allow payment to be made is estimated to be around £30k one-off cost. Increase in capacity of CYPE transport eligibility team is estimated to be £50k.

7. Legal Implications

- 7.1 The requirements placed on a local authority are defined in the Education Act 1996 (as amended), Education and Skills Act 2008, Education and Inspections Act 2006, Apprenticeships, Skills, Children and Learning Act 2009 and the Equality Act 2010.
- 7.2 Local authorities do not have a general obligation to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.
- 7.3 The policy statement also sets out the duties on the LA to consider requests for transport support. KCC is required to enable access to education and will consider applications for support where a Kent 16+ Travel Saver pass is not suitable. Where support is agreed, the policy makes clear that learners will initially be assessed for Travel Training and alternative transport arrangements will only be provided where this training is not appropriate. Where additional support is refused learners can appeal to the Transport Regulation Committee Appeal Panel.
- 7.4 Local authorities also have a duty to encourage, enable and assist young people with Special Educational Needs and/or Disabilities (SEND) to participate in education and training, up to the age of 25.
- 7.5 Section 1 of this report highlights how this policy fulfils KCC's statutory duties in this area. Section 5 analyses comparable offers from similar and neighbouring Local Authorities.

8. Data Protection Impact Assessment

- 8.1 The Kent 16+ Transport privacy statement can be found here ([Kent Travel Saver and Kent 16+ Travel Saver privacy notice - Kent County Council](#)) and advised parents that they are consenting to the usage of their submitted data, how the data will be used, who it will be shared with and how long it will be held, in line with KCC's duties.
- 8.2 Changes associated with this consultation do not affect the data that is collected or how it is used, so previous DPIAs remain valid and do not require revision.

9. Draft Policy

- 9.1 The policy is attached as appendix A and the Cabinet Member is asked to note the following areas from the policy: KCC will:

		Reference
A	Remove the discretionary provision of wholly free Post 16 transport for learners with Special Educational Needs and/or a disability and/or mobility problems. Introduction of an initial contribution equivalent to the corresponding annual price of the Kent 16+ Travel Saver (currently £500) or half equivalent price for parents qualifying under low income criteria. A termly instalment option will also be developed.	6.3
B	Remove the discretionary provision of additional drop off and collection times for Post 16 learners to accommodate partial attendance.	6.5
C	Introduce qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday.	5.4
D	Automatically approve transport to alternative addresses where there is zero cost to the council.	8.14
E	Formalise KCC's Personal Transport Budget pilot scheme, which provides parents of eligible learners with a fund to make their own transport arrangements	7.10-7.20

10. Conclusions

10.1 While it is understood that the majority of respondents to the consultation were not in favour of proposals, this paper highlights that KCC continues to provide a significantly more generous offer to its residents than most other local authority equivalents. These adjustments are necessary to ensure the ongoing sustainability of the whole scheme and have been designed to ensure that negative impacts are mitigated as far as reasonably possible. It is therefore necessary to implement these changes from September 2024.

11. Recommendations

The Cabinet Member for Education and Skills is asked to take the proposed decision: to agree the Post 16 Transport Policy Statement including Post 19 for the 2024/25 academic year.

12. Background Documents

- Appendix A - Post 16 Transport Policy Statement including Post 19 for 2024/25
- Appendix B – Transport Consultation Report
- Appendix C – Analysis of wider UK Post 16 offer
- Consultation documents including EQIA can be found at www.kent.gov.uk/schooltransportpolicy

13. Contact details

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Relevant Director

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EQIA Submission – ID Number

Section A

EQIA Title

Post 16 Transport Policy Statement including Post 19

Responsible Officer

Craig Chapman - CY EPA

Type of Activity**Service Change**

No

Service Redesign

No

Project/Programme

No

Commissioning/Procurement

No

Strategy/Policy

Strategy/Policy

Details of other Service Activity

No

Accountability and Responsibility**Directorate**

Children Young People and Education

Responsible Service

Fair Access

Responsible Head of Service

Craig Chapman - CY EPA

Responsible Director

Christine McInnes - CY EPA

Aims and Objectives

To develop a Post 16 Transport policy for Kent County Council that enables access to education for Kent learners. To assist Kent's young adults in accessing their education in schools, colleges and through apprenticeships or work-based training provision.

Kent County Council (KCC) has provided students with the opportunity to apply for a Kent 16+ Travel Saver Card which is subsidised by the Council and can be purchased through their learning provider. The Kent 16+ Travel Saver Card gives unlimited access to the public bus network and learning providers can choose to further subsidise this charge to their students or trainees if they wish in cases of financial hardship.

With the participation age continuing to 18, the Kent 16+ Travel Saver Card widens the opportunity for Kent's young adults to access the education provision of their choice at a subsidised cost. This may be at schools, academies, colleges or in the workplace through an apprenticeship or other work-based training provision.

Support for accessing education is not prescribed and Kent use the Kent 16+ Travel Saver Card to meet its duty to enable users access to education.

Where learners can demonstrate that the 16+ Travel Saver Card does not enable access to education, learners can appeal to the Local Authority with a view to accessing alternative assistance.

KCC will also aim to improve the independence of learners with Special Educational Needs or

Disabilities (SEND), by providing travel training to students who will then be able to access public transport with the use of the Kent 16+ Travel Saver Card.

Increased demand for Post 16 transport is creating significant budget pressures even with changes to practice and improving utilisation of transport resources. The increase in EHCP population, as well as a lack of dedicated government funding for this area of duty mean demand and cost is expected to continue to increase.

The Council currently provides over and above the statutory transport requirement and therefore the purpose of this project is to review current practice and implement changes in line with the resource available, while also ensuring statutory duties are met.

The objective of the project is to review and update the Post 16 Transport Policy Statement leading to changes in delivery.

The review will have a particular focus on the three areas listed below:

- Removal of discretionary provision of wholly free SEND Post 16 Transport with an introduction of a mandatory contribution consistent with the subsidies applied to the Kent 16+ Travel Saver paid by mainstream learners, with increased subsidises for low income learners
- Removal of discretionary provision of additional collection and drop off times for Post 16 learners throughout the academic day
- Introduction of qualifying criteria for learners seeking support for new education courses initiated after their 19th birthday

The drivers underpinning the work include:

Need - Kent has seen over an 80% increase in the number of children aged 16 and above with an EHCP since 2018. The provision of transport for this group is inevitably more complex. Based on this, we need to ensure that our policy and transport services are both appropriate to meet the specific travel needs of the learners and is sustainable to meet predicted levels of need in the future.

Financial Sustainability - The government does not provide any dedicated funding for this area of the duty. Even with improvements to how we use the transport resources available to us, the cost for transport continues to exceed the planned budget. This is due to increasing demand and pressures against the current policy provision.

KCC remains one of the last Councils to offer a discretionary Post 16 travel policy, over and above what is required by law. While we have fought to continue this position for a number of years, it cannot be maintained at the expense of fulfilling our statutory duties to all learners.

We are proposing changes to ensure that available resources are targeted to those pupils with the highest need and entitlement, while also ensuring statutory duties are met.

Promoting Independence - Young people need to be adequately prepared for adulthood by encouraging and enabling them to access education, as well as developing their independence. The proposed policy ensures that transport remains available to all pupils that require direct support, but in a way that mirrors the growing responsibility that all students will experience with age.

Parity – The proposed changes will look to align the Post 16 offer to ensure it is more similarly applied to both SEND and mainstream learners. Consideration will still be given to each learner's individual need and reasonable adjustments made, including for families or learners from low-income backgrounds.

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?

Yes

It is possible to get the data in a timely and cost effective way?

Yes

Is there national evidence/data that you can use?

Yes

Have you consulted with stakeholders?

Yes

Who have you involved, consulted and engaged with?

This Equality Impact Assessment is being developed using historic annual consultations, but is intended to be further refined via public consultation planned for January 2023

Stakeholders include:

- Parents and guardians of mainstream and SEND pupils
- Pupils
- Schools and further education providers, including governing bodies
- Bus Operators
- District and Borough Councils
- Parish and Town Councils
- Kent PACT
- Parent carer forums
- Information, Advice and Support Kent (IASK)

Has there been a previous Equality Analysis (EQIA) in the last 3 years?

Yes

Do you have evidence that can help you understand the potential impact of your activity?

Yes

Section C – Impact

Who may be impacted by the activity?

Service Users/clients

Service users/clients

Staff

No

Residents/Communities/Citizens

Residents/communities/citizens

Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?

Yes

Details of Positive Impacts

The policy ensures:

- Provision of support for all Post 16 pupils and offers a range of options to allow continued access to education or training
- Changes would make sure that support can be targeted to those with the highest need
- Independent Travel Training supports young people with learning difficulties and/or disabilities to engage in activities which support outcomes associated with growing independence.

The Council recognises that Independent Travel Training has the following immediate benefits for the student:

- Enables the students to be more independent and use his or her own initiative
- Improves self-confidence

- Enables students to access positive social, educational and professional development activities
- Reduces the student's reliance on family, friends and professionals and builds resilience.
- Helps to improve social skills and maintain relationships
- Can have physical health benefits where the student walks all or part of the way.

To prepare children for adulthood it is expected that where appropriate, the majority of young people beyond the age of 16 will travel independently to their place of education.

Negative impacts and Mitigating Actions

19. Negative Impacts and Mitigating actions for Age

Are there negative impacts for age?

Yes

Details of negative impacts for Age

In bringing KCC's Post 16 transport offer in line with statutory duties, pupils would receive less support than they currently enjoy. In particular, pupils aged 19 who started their course after their 19th birthday would no longer be treated in the same way as pupils aged 16-19, with potentially fewer qualifying for support.

This mirrors the current experience of mainstream pupils, who transition from free school transport legislation at 16 and are expected to provide a contribution towards transport to access their place of learning. No support is provided under legislation for mainstream pupils still in education after their 19th birthday.

Mitigating Actions for Age

A phased introduction for the changes, so that current pupils are not impacted until their next transport assessment.

A Communications Plan will ensure parents/carers and learners understand the changes and are therefore able to plan accordingly.

The financial contribution to Post 16 students with SEND is still less than the average cost of transport for these students.

Exceptional circumstances based on extreme financial hardship can still be considered via appeal.

Responsible Officer for Mitigating Actions – Age

Craig Chapman

20. Negative impacts and Mitigating actions for Disability

Are there negative impacts for Disability?

Yes

Details of Negative Impacts for Disability

Proposed policy change would have a negative financial impact on this cohort who have previously been afforded free school transport arrangements where they meet the necessary threshold for support.

As wholly free transport has only been provided to SEND Post 16, this impact would only be felt by this cohort.

Mitigating actions for Disability

KCC is consulting with families a year before changes will come into effect, to ensure they can be considered when education decisions are made.

A phased introduction for the changes, so that current pupils are not impacted until their next transport assessment.

Provision of instalments to allow overall costs to be spread throughout the academic year.

Provision of reduced charges for low income families.

A Communications Plan would ensure parents/carers and learners understand the changes and are therefore able to plan accordingly.

The financial contribution to Post 16 students with SEND is still less than the average cost of transport for these students and when considered against mainstream costs.

Exceptional circumstances based on extreme financial hardship can still be considered via appeal.

Responsible Officer for Disability

Craig Chapman

21. Negative Impacts and Mitigating actions for Sex

Are there negative impacts for Sex

No. Note: If Question 21a is "No", Questions 21b,c,d will state "Not Applicable" when submission goes for approval

Details of negative impacts for Sex

Not Completed

Mitigating actions for Sex

Not Completed

Responsible Officer for Sex

Not Completed

22. Negative Impacts and Mitigating actions for Gender identity/transgender

Are there negative impacts for Gender identity/transgender

No. Note: If Question 22a is "No", Questions 22b,c,d will state "Not Applicable" when submission goes for approval

Negative impacts for Gender identity/transgender

Not Completed

Mitigating actions for Gender identity/transgender

Not Completed

Responsible Officer for mitigating actions for Gender identity/transgender

Not Completed

23. Negative impacts and Mitigating actions for Race

Are there negative impacts for Race

No. Note: If Question 23a is "No", Questions 23b,c,d will state "Not Applicable" when submission goes for approval

Negative impacts for Race

Not Completed

Mitigating actions for Race

Not Completed

Responsible Officer for mitigating actions for Race

Not Completed

24. Negative impacts and Mitigating actions for Religion and belief

Are there negative impacts for Religion and belief

No. Note: If Question 24a is "No", Questions 24b,c,d will state "Not Applicable" when submission goes for approval

Negative impacts for Religion and belief

Not Completed

Mitigating actions for Religion and belief

Not Completed

Responsible Officer for mitigating actions for Religion and Belief

Not Completed

25. Negative impacts and Mitigating actions for Sexual Orientation

Are there negative impacts for Sexual Orientation

No. Note: If Question 25a is "No", Questions 25b,c,d will state "Not Applicable" when submission goes for approval
Negative impacts for Sexual Orientation
Not Completed
Mitigating actions for Sexual Orientation
Not Completed
Responsible Officer for mitigating actions for Sexual Orientation
Not Completed
26. Negative impacts and Mitigating actions for Pregnancy and Maternity
Are there negative impacts for Pregnancy and Maternity
No. Note: If Question 26a is "No", Questions 26b,c,d will state "Not Applicable" when submission goes for approval
Negative impacts for Pregnancy and Maternity
Not Completed
Mitigating actions for Pregnancy and Maternity
Not Completed
Responsible Officer for mitigating actions for Pregnancy and Maternity
Not Completed
27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships
Are there negative impacts for Marriage and Civil Partnerships
No. Note: If Question 27a is "No", Questions 27b,c,d will state "Not Applicable" when submission goes for approval
Negative impacts for Marriage and Civil Partnerships
Not Completed
Mitigating actions for Marriage and Civil Partnerships
Not Completed
Responsible Officer for Marriage and Civil Partnerships
Not Completed
28. Negative impacts and Mitigating actions for Carer's responsibilities
Are there negative impacts for Carer's responsibilities
No. Note: If Question 28a is "No", Questions 28b,c,d will state "Not Applicable" when submission goes for approval
Negative impacts for Carer's responsibilities
Not Completed
Mitigating actions for Carer's responsibilities
Not Completed
Responsible Officer for Carer's responsibilities
Not Completed

Kent County Council

**Post 16 Transport Policy
Statement including Post
19
for the
2024/25 Academic Year**

Produced by:

Fair Access – Transport Eligibility

DRAFT

Introduction

1.1 Local authorities do not have a general obligation to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.

1.2 The requirements placed on a local authority are defined in the Education Act 1996 (as amended), Education and Skills Act 2008, Education and Inspections Act 2006, Apprenticeships, Skills, Children and Learning Act 2009 and the Equality Act 2010.

1.3 All young people carrying on their education post 16 must reapply for travel support annually.

1.4 'Sixth form age' refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14).

1.5 Local authorities also have a duty to encourage, enable and assist young people with Special Educational Needs and/or Disabilities (SEND) to participate in education and training, up to the age of 25.

1.6 This policy document specifies the support that Kent County Council (KCC) considers necessary to facilitate the attendance of Post 16 learners receiving education or training.

1.7 The statement also provides information about the travel provision put in place for young adult learners aged 19 – 25 with an Education, Health and Care (EHCP).

1.8 Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers.

1.9 Where the policy refers to parents, it should be understood to equally apply to guardians and carers. Where a young person applies on their own behalf, the equivalent responsibilities that apply to their parent will transfer.

1.10 Where situations arise that are not directly addressed within this policy, Transport Officers will work in conjunction with the Head of Fair Access to apply the principles contained below to identify a suitable resolution.

This policy supersedes all previous policies and applies from the academic year 2024/25.

Transport and travel support

Kent 16+ Travel Saver

2.0 KCC considers that in most circumstances the provision of a subsidised KCC 16+ Travel Saver card is sufficient to facilitate the attendance of Young People (YP) of sixth form age at their chosen education or training provider. This may be at schools, academies, colleges or in the workplace through an apprenticeship or other work-based training provision.

2.1 The KCC 16+ Travel Saver card is available to purchase from KCC, with details of pricing and application processes available [here](#). The KCC 16+ Travel Saver card offers free at point of travel access, to the entire public bus network operating in Kent including single destination journeys out of Kent and back into the County. It is available for use 24 hours a day, 7 days a week. Learning providers can choose to further subsidise this charge to their students or trainees if they meet Bursary conditions.

2.2 The KCC 16+ Travel Saver card may be available at an even lower rate for young people with parents on a low income. Applications for cards at this lower rate should begin with the YP's education provider.

2.3 Alternatively, YP who are not otherwise eligible for help with transport can apply for a seat on vehicles hired by KCC under the Vacant Seat Payment Scheme (VSPS).

2.4 Vacant seats on hired vehicles that meet suitability requirements are only made available after the start of term, once all statutorily entitled YPs have been accommodated onto transport and vehicle spaces are known. Consequently, parents seeking to purchase a vacant seat may need to make other arrangements for their child to access school during the period when vacant seats are being collated for allocation. This will not be refunded by KCC. VSPS awards seats on a first come first serve basis.

2.5 It will also be necessary for applications for VSPS to consider Public Service Vehicles Accessibility Regulations 2000, which potentially limit a number of larger vehicles from being considered for use in the scheme if they are not suitably accessible to all potential passengers. The Department for Transport have applied a number of exemptions which have delayed the implementation of these regulations, however, KCC will be required to apply them in the event that no further extensions are granted.

2.6 Where a VSPS seat is granted, it may have to be withdrawn at a later date for a YP who is entitled to free transport, if KCC decide to stop running the vehicle or if it is decided to run a smaller vehicle.

2.7 If the seat is taken away, parents will be given until the end of the academic year when they will then have to make their own arrangements.

2.8 VSPS is not available on public transport.

Young people who are not in education, employment or training (NEET)

2.9 To support the provision of suitable education or training for young people who are 16 and 17 years old and not in education, employment or training (NEET), KCC may offer fixed term (up to one month) travel cards at subsidised rates to facilitate travel to interviews, work experience and other activities necessary to secure appropriate provision. To be eligible, young people must be registered and receiving support through Early Help and Preventative Services

Active Travel

2.10 Our Active Travel Strategy aims to make active travel an attractive and realistic choice for short journeys in Kent. Active travel means walking or cycling as a means of transport, in order to get to a particular destination such as school, the shops or to visit friends. Active travel can be for complete journeys or parts of a journey, and more people in the community making more active travel journeys can lead to a range of positive individual and shared outcomes. These include improved health, reduced traffic congestion, reduced pollution and financial savings to the individual and businesses. More information is available at www.kentconnected.org.

The 16-19 Bursary Fund

2.11 The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education.

2.12 There are 2 types of 16 to 19 bursaries:

- 1) A vulnerable bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:
 - in care
 - care leavers
 - in receipt of Income Support, or Universal Credit in place of Income Support, in their own right
 - in receipt of Employment and Support Allowance or Universal Credit and Disability Living or Personal Independence Payments in their own right
 - discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment

- 2) Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment

To be eligible for the discretionary bursary young people must:

- be aged 16 or over but under 19
- be aged 19 or over and have an EHCP

- be aged 19 or over and continuing on a study programme they began aged 16 to 18 ('19+ continuers')
- be studying a programme that is subject to inspection by a public body which assures quality (such as Ofsted), the provision must also be funded by either a Government funding agency or KCC.

2.13 Schools and colleges are responsible for managing both types of bursary. Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application.

Young parents / Care to Learn

3.0 If you are a young parent under 20, Care to Learn can help pay for your childcare and related travel costs, up to £160 per child per week, while you're learning.

3.1 Care to Learn can help with the cost of:

- childcare, including deposit and registration fees
- a childcare 'taster' session (up to 5 days)
- keeping your childcare place over the summer holidays
- taking your child to the childcare provider

Types of child care

3.2 The childcare provider must be Ofsted registered and can be a:

- childminder
- pre-school playgroup
- day nursery
- out of school club

3.3 If your child needs specialist childcare, the provider must also be on the Care Quality Commission's register for specialist provision.

3.4 If you want a relative to get Care to Learn for looking after your child they need to be both:

- providing registered childcare for children they're not related to
- living apart from you and your child

Payments

3.5 Childcare payments go directly to your childcare provider. Before your childcare provider can be paid:

- your childcare provider needs to confirm your child's attendance
- your school or college needs to confirm that you're attending your course

3.6 Payments for travel costs go to your school or college - they'll either pay you or arrange travel for you.

Attendance

Payments will stop if:

- you stop attending your course
- you finish your course
- your child stops attending childcare

Eligibility

You can get Care to Learn if:

- you're a parent under 20 at the start of your course
- you're the main carer for your child
- you live in England
- you're either a British citizen or have a legal right to live and study in England
- your course is publicly funded (check with your school or college)
- your childcare provider is registered with Ofsted or the Care Quality Commission

Type of course

Care to Learn is only available for courses in England that have some public funding.

This includes courses that take place in:

- schools
- school sixth forms
- sixth form colleges
- other colleges and learning providers, including Foundation Learning
- your community at Children's Centres

For more information please visit <https://www.gov.uk/care-to-learn/how-to-claim>

Transport for sixth form aged young people for whom the KCC 16+ Travel Saver card, VSPS, Active Travel Strategy, 16-19 Bursary Fund and Care to Learn are not viable options

4.0 If, however, you have special circumstances which you believe should make you eligible to receive help of an alternative nature than those set out above you should apply for additional support at www.kent.gov.uk/applyforpost16transport You may rely upon any circumstances which are relevant to your application. You will need to demonstrate why it is necessary for KCC to provide travel support to facilitate your attendance to receive education or training.

4.1 In looking at the suitability of establishments, KCC will look at the availability of preferred or specialist courses at nearby establishments, including those outside of KCC's local authority area. If parents choose to send their YP to a school or college (or the YP chooses this themselves), which is not the nearest suitable setting, as described earlier, assistance with travel arrangements may not be provided by KCC.

Considerations which KCC will take into account

4.2 The following considerations will be given greater weight by us when we consider your application, but do not guarantee you will be eligible to receive additional assistance from KCC:

- (i) that you have special educational needs and/or a disability and/or mobility problems, which mean that it is not/would not be reasonably practicable for you to attend the educational establishment or training provider at which you are registered or at which you would like to register to receive education or training using a KCC 16+ Travel Saver card on the terms described earlier. KCC recognises that in some circumstances public transport may not be appropriate as a result of special educational needs, a disability or a mobility problem and again in these exceptional circumstances other means of support will be considered.

Learners aged 16 – 19 years for whom KCC maintains an EHCP are also expected to seek a KCC 16+ Travel Saver card. It is expected that where students have not accessed public transport previously, they will engage with KCC's Independent Travel Training Team to be trained to use public transport. Refusal to embark on such training where this is considered appropriate, may affect any future decisions where additional support for transport is being requested. Where the learners are unable, even with appropriate independent travel training, to access public bus travel as a result of their levels of need, consideration will be given to other means of support.

- (ii) that you have special educational needs and/or a disability and/or mobility problems, which mean that it may mean you are more likely to remain in education or training longer than your peers, which would in turn mean that your contribution to the cost of transport will go on over a longer period.
- (iii) that it is not/would not be reasonably practicable for you to attend the educational establishment or training provider at which you are registered or at which you would like to register to receive education or training using a KCC 16+ Travel Saver card on the terms described earlier.
- (iv) that the distances and/or journey times, between your home and the educational establishment or training provider at which you are registered or would like to register makes the use of a KCC 16+ Travel Saver card, on the terms described earlier impractical or not practical without additional assistance.
- (v) that you and your family cannot afford the KCC 16+ Travel Saver card on the terms described earlier and have been unable to secure support from your learning provider.

This will normally require proof of receipt of certain benefits i.e.

- Income support
- Income based jobseekers allowance
- Child Tax Credit (TC602 for the current tax year with a yearly income of no more than £16,385pa)
- Guaranteed element of state pension credit
- Income related employment and support allowance
- Maximum Level of Working Tax Credit
- Universal Credit (provided you have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of your most recent assessment periods).

Assistance on this ground will normally only be given where the educational establishment or training provider is not more than 6 miles from your home. Any additional provision or assistance would be reviewed on an annual basis and your parents would be required to provide the Transport Eligibility Team with up to date proof of the family's income at that time. KCC will usually only provide one form of support for Low Income Families.

- (vi) that the nature of the route, or alternative routes, which you can reasonably be expected to take with a KCC 16+ Travel Saver card makes the use of the Card impractical or not practical without additional assistance.
- (vii) that reasons relating to your religion or belief (or that of your parents) mean that the use of the KCC 16+ Travel Saver card is not practical or is not practical without additional assistance.

4.3 Where a YP is attending or wants to attend an educational establishment of the same denomination as themselves (or religion in cases where the religion does not have denominations) in order to be considered for transport arrangements, they must also have the application form signed by a vicar/priest or religious leader of the same denomination (or religion where there are no denominations) as the educational establishment stating that the YP is a regular and practising member of a church or other place of worship of the same denomination (or religion where there are no denominations) as the educational establishment concerned.

4.4 Where a YP is attending a church school of a different denomination or religion to that of the parent, in order to be considered for transport arrangements, they must also have the application form signed by a vicar/priest or other religious leader stating that the YP is a regular and practising member of that religion or denomination. The YP will also need to explain why their religion or belief makes it desirable for the YP to attend that particular educational establishment rather than another educational establishment nearer to the YP's home, given that the chosen educational establishment is not of the same religion or denomination as that practised by the YP.

4.5 Where a YP is attending or wants to attend an educational establishment for reasons connected with his or her non-religious belief, in order to be considered for transport assistance the YP will need to explain what that belief is and why the belief makes it desirable for the YP to attend that particular educational establishment rather than another nearer educational establishment. The YP will also need to provide evidence to prove that they do indeed hold the belief in question. This could be

confirmation from a person of good standing in the community who knows the YP, for example a councillor, a doctor, a social worker or a lawyer or alternatively proof of the YP or his parent's medium or long term membership of a society or other institution relating to that belief.

4.6 Free transport or other transport arrangements will only be awarded under any of the categories above where KCC is persuaded that the religion or belief is genuinely held and that the placement of the YP at the institution in question will be of significant benefit to the YP because of the relationship between the religion or belief of the YP and the nature of the educational institution in question.

4.7 KCC will normally only agree to such requests for a maximum period of one year. Arrangements would then be reviewed. The Local Authority can then agree such requests for the duration of the course up until the end of the year in which the young person reaches the age of 19.

Other information you should provide with your application

4.8 You should also state what additional or alternative provision you would like KCC to make to assist you in attending the educational establishment or training provider at which you are registered/would like to register.

4.9 You should also provide evidence to support any case that you may present, for example and where relevant:

- (i) proof that you have applied to or are registered at a particular educational establishment or training provider such as a copy of your acceptance/offer letter from the college;
- (ii) proof of your and/or your family's income and savings e.g. TC602 from HM Inland Revenue;
- (iii) proof of any special educational needs, disability or mobility problems that you have; (for example, a copy report from consultant or from your local authority's Special Educational Needs Department or a health or educational professional providing confirmation that you are unable to access a suitable educational establishment or training provider nearer to your home and/or are unable to access public transport). KCC is not able seek this information on an applicant's behalf;
- (iv) proof that you have applied to colleges or other educational establishment or training provider closer to your home (for the same course or for a similar course), which if accepted would have meant that you would not have required additional assistance from us and proof that that those applications were turned down. (Copies of refusal letters would be required);
- (v) details of the unsuitable route that you say you would need to travel and detailed reasons why you consider the same to be unsuitable;
- (vi) proof that you are a member of a particular religion or religious denomination or (where possible) that you have a particular belief where that is relevant to your argument. Ordinarily, where you are making an application on faith grounds, you will be required to attend an establishment with the same religious denomination as your place of worship.

4.10 Please note that we cannot return documents that you supply to us, and so you are requested to only provide copies of documents that you may wish to send accompanying or supporting your application.

The types of provision which KCC might make:

The provision of financial or practical support is entirely at the discretion of KCC. The type of support which may be provided in appropriate circumstances is set out below. Of course, the outcome of your application may also be that KCC decides to offer no additional support.

Young adult learners, aged 19 – 25 with an EHCP

5.0 Please note that this section only applies to young adults aged 19-25 who are in education or training and who have an EHC plan. The considerations to be taken into account in relation to sixth form age individuals with an EHCP are set out in the earlier section.

5.1 Transport arrangements will be made to a young adult learner (not being a person of sixth form age), where KCC has secured and named a setting in an EHCP which provides both the provision of education or training and the provision of boarding accommodation. This applies to an adult learner aged under 25, subject to an EHCP and where it is considered necessary to facilitate that person's attendance at the place of education or training.

5.2 Transport arrangements may also be made where an adult learner is receiving education or training at an establishment maintained or assisted by KCC and providing further or higher education or within the further education sector, and KCC considered that it was necessary for KCC to provide transport to facilitate that person's attendance at the place of education or training.

5.3 In deciding whether it is necessary for KCC to make transport arrangements for an adult learner, KCC would amongst other things, have regard to:

- the learner's age, ability and aptitude
- any SEND the person may have
- the locations and times at which the education or training is provided
- the nature of the route, or alternative routes, which the learner could reasonably be expected to take.

5.4 For the purposes of deciding whether to make transport arrangements, KCC would not consider it necessary, other than in exceptional circumstances, for a young adult learner to attend an additional Further Education course at the same level or equivalent where the learner had previously attended and completed a course at an establishment within the Further Education sector. KCC expects to see evidence of the learner making progression, but each case will be considered on its own merits.

5.5 Where transport is provided (as opposed to transport assistance), it will be provided for free.

Appeals

5.6 In the event that transport assistance is refused in any of the categories above, details of the appeals procedure can be found in Annex 2.

DRAFT

Transport Assistance for Young People that KCC have identified as requiring additional support

Reassessment

6.0 The transport needs of YP with SEND will be reassessed by KCC (following receipt of an application) when the YP moves from compulsory schooling to Post-16 education so that the appropriate support can be put into place.

Arrangements for accessing education

6.1 KCC recognises that it is the parent and/or the YP's responsibility for ensuring attendance at a school, other educational establishment or training provider.

6.2 Where YPs have been identified as requiring additional transport assistance, KCC is required to identify the most cost-effective way for YPs to access their education or training taking account of their needs and circumstances.

KCC may initially provide support to allow pupils to make use of public transport.

6.3 Where there is no access to public transport, bespoke transport arrangements may be put in place from designated collection points to enable access to a hired vehicle. KCC may finally commission private hire vehicles through local taxi operators where no other arrangements are suitable, subject to an initial contribution in line with the total cost of the Kent 16+ Travel Saver pass (with similar adjustments to the rates for low income applicants) for the academic year that the application is being made.

6.4 In exceptional circumstances and as a last resort, the Head of Fair Access may approve alternative, cost-effective arrangements to provide free school transport for YP who otherwise could not be transported to their place of learning, subject to a contribution as outlined above.

Transport other than at the beginning and end of the academic day

6.5 Home to school transport is only provided at the beginning and end of the normal academic day. The beginning and end of the academic day is determined by the times of the first programmed educational lesson delivered during normal establishment hours and the end of the last programmed lesson during normal establishment hours for that educational establishment or learning provider. Any transport arrangements in order for the YP to attend extended lessons outside of the normal establishment hours, will be the responsibility of the parent or establishment/provider to arrange. Vehicles transporting more than one YP will not be delayed to accommodate an individual YP's return from an alternative site of education. Similarly, for YPs accessing a bespoke timetable, it may be necessary to wait at school to access the dedicated vehicle that is made available to others at the same establishment. KCC may be flexible in this regard where it does not impact other supported YPs or result in additional expenditure, but all decisions are subject to revision following any change in circumstance.

Alternative Transport Assistance

Travel Training

7.0 Travel training may be available to YPs with an EHCP and who meet the criteria to receive transport support.

7.1 Travel training helps YP with special educational needs to travel independently to their learning provider. Being able to access public transport provides important life skills for YP.

7.2 YP will be trained to travel safely from home to their place of learning and back again, promoting their independence. Training will focus on providing the skills and knowledge that is needed to be able to complete journeys safely, confidently and successfully. The training and support will be delivered on a 1:1 basis and tailored and delivered at the pace suitable for the YP.

7.3 Travel training will be provided until the YP is confident and competent on the journey from home to the learning provider and return. Following training, a travel trainer will carry out an assessment to ensure competency.

7.4 On 'sign off' the young person will be issued a bus pass (or train pass if this is the appropriate route) for the remainder of the academic year. If the young person continues in education the following academic year they will be required to purchase a Kent 16+ Travel Saver and/or train pass – if age appropriate.

Mileage Payment

7.5 Applicants can request to have a mileage payment in order to drive the YP to and from school. The Post 16 Transport Eligibility Team will assess whether this is a cost-effective option for KCC and may award payments if no existing contracts are operating that could accommodate the YPs. Payments will be made at 45p per mile, paid in arrears, following confirmation of attendance and submission of appropriate fuel receipts. Initial payments will be withheld until an initial contribution is recouped in line with the total cost of the Kent 16+ Travel Saver pass (with appropriate adjustments to the rates for low income applicants who are unable to secure direct bursary support from their provider) for the academic year that the application is being made

7.6 Where applicants request a voluntary mileage payment, it is calculated for one journey to school and one return journey home. It is unlikely that a voluntary mileage payment will be granted where this exceeds the cost of a Personal Transport Budget and consequently payments are usually capped at £2000 per annum.

7.7 Where KCC agrees that a mileage payment is the only acceptable form of transport based on a YP's need, consideration will be given to the number of daily journeys that are covered, dependent on the family's individual circumstances and daily responsibilities to ensure transport arrangements are provided at no cost to the family.

7.8 Where there are two or more YPs from the same family attending the educational establishment or training provider, only one claim for mileage payment is allowed.

7.9 A mileage payment is provided solely to offset costs incurred where a YP is transported to school in a parent's own vehicle. A mileage payment will be withdrawn where a YP has access to the use of an alternative subsidised KCC transport scheme.

Personal Transport Budgets

7.10 A Personal Transport Budget (PTB) is a payment designed to help parents make their own arrangements to facilitate the YP accessing school. Parents are not limited in how they make use of the PTB to support school transport arrangements, with the exception that funds cannot be used to purchase an alternative subsidised KCC pass or scheme for the YP.

7.11 A PTB is primarily available to YPs with an EHCP. They must also be identified to receive home to school transport support when assessed in accordance with KCC's Transport policy. In exceptional circumstances and where it is financially beneficial to KCC, mainstream YPs may be offered a PTB on the same basis as YPs with EHCPs – this is entirely at the discretion of the Council and will only be available where it can be demonstrated to be the most cost-effective use of resources. Applicants who have previously been withdrawn from the PTB scheme by KCC will be ineligible for consideration for future requests.

7.12 PTB payments are made on the basis of the straight-line distance between the YP's home and their main educational establishment or training provider in the following Bands (minus an initial contribution in line with the total cost of the Kent 16+ Travel Saver pass, including with appropriate adjustment to the rates for low income applicants who are unable to secure direct bursary support from their provider, for the academic year that the application is being made):

Band 1 – Less than 5 miles - £2000 Annual Budget

Band 2 – Between 5 and 10 miles - £3000 Annual Budget

Band 3 – Over 10 miles - £5000 Annual Budget

7.13 Where a YP receives a PTB partway through an academic year, the total payment will be offered on a pro rata basis to account for the reduced timescale that the parent will be responsible for transport arrangements.

7.14 Where a YP is accessing education or training on a part-time basis, or they are making use of boarding facilities, their PTB payments will be offered on a pro rata basis to account for the reduction in journey frequency (in most cases for learners who board, mileage payments offer more benefit than the PTB).

7.15 The PTB is reviewed on a regular basis taking into account the YP's attendance at the educational establishment or training provider and the transport arrangements that may be provided by KCC that are in place at the current time. The YP's attendance will be monitored and where attendance falls below 85% within a period, payments for any days that they are absent will be deducted from a later PTB payment. There is no guarantee that a PTB will continue to be paid where the YP's attendance is seen to be low or where there is more cost-effective transport which can be accessed. Parents will be required to enter into a contract with KCC in which they agree to ensure the YP

can access their educational establishment or training provider in a safe and legal way and arrive in a fit state to learn in return for the PTB payment.

7.16 PTB payments are made in 11 monthly instalments. No payment will be made in July to allow KCC sufficient time to confirm that a reduction is not required in the final monthly instalment to account for low attendance. The final payment will be made in August to account for transport that parents have provided in July of that academic year.

7.17 Payments are paid directly into a bank account nominated on the Parental Agreement Form on the 15th of each month or the previous working day where the 15th falls on a weekend or public holiday.

7.18 Payments will be calculated from the date that the Parental Agreement Form is returned.

7.19 Payments are not back dated and no refunds are provided if the application for a PTB is processed within six weeks of receipt of the application.

7.20 A PTB can be offered to up to two YPs within a family, however, the additional YP will normally only be granted 50% of the entitlement. Any subsequent YP would not normally qualify for PTB.

School Led Transport

7.21 The Head of Fair Access will work in conjunction with schools with a willingness and sufficient capacity, to develop bespoke arrangements to provide transport to eligible YPs on their roll. Such arrangements will be agreed in line with principles outlined in this policy, but will be managed via separate formal agreements with the school.

Annexes

Annex 1 - General Processes, Explanations and Definitions

How to Apply

Information about how to apply for Post 16 transport support can be found at www.kent.gov.uk/post16transport

Application timescales

8.0 KCC seek to administer the assessment process and provision of identified transport arrangements inside of six weeks wherever possible. Several factors will determine KCC's ability to deliver on this commitment. In some instances, the assessment may be delayed where further information is required about a YP's individual needs, or at peak times of the year. Once an applicant has been assessed as requiring additional arrangements, details are passed to colleagues in Public Transport who determine the most suitable and cost-effective means to enable the YP to access their education provider. For some YP with more complex requirements, more time may be needed for a transport procurement processes to be conducted. Where these more complex transport arrangements need to be put in place, parents might expect a delay in transport arrangements being confirmed as a fair and legal process must be followed to identify the named operator through a competitive process.

8.1 For YP with SEN, when Post 16 Transport applications are made to coincide with a new academic year, it is advisable to apply as soon as the Post 16 learning provider has been named in the YP's EHCP.

8.2 Applications should be made at www.kent.gov.uk/applyforpost16transport

Refunds

8.3 KCC is not responsible for any costs incurred by YP or parents during the normal application timescale. Where assessment for transport support takes longer than six weeks and a YP is subsequently found to require additional transport support, YP or parents may request a refund. Refunds will usually be in the form of a mileage payment for each additional academic day YP or parents were required to provide transport.

8.4 If a YP was initially assessed as not requiring additional transport support, but following a Transport Eligibility Officer review (See Annex 3) is reassessed as requiring support, a refund can be requested from the initial assessment decision date or the date six weeks after the initial application was received, whichever is earlier. If the review overturns the decision as a result of additional information that the YP or parent did not make available when first applying, a refund will only be made available where the review is completed after the 20 working day limit. In this event, refunds will be calculated from 20 working days after any new information was received by the Post 16 Transport Eligibility Team.

8.5 Where additional transport support is provided following a Stage 2 transport appeal, no refund will be provided for transport that a YP or parent has been required to organise until their appeal hearing date, as panel members have additional discretionary authority to consider wider personal circumstances which could not be considered during the normal assessment process. A full or partial refund will only be provided where panel members have concluded that this is appropriate during the appeal.

Mode of transport

8.6 KCC will determine the most appropriate way to provide transport assistance necessary to support the needs of the YP. Where the YP or parents wish to make their own arrangements and be reimbursed, this may be considered at the discretion of KCC and payment may be awarded where it is not financially disadvantageous to KCC.

8.7 Where transport is commissioned by KCC, suitable arrangements will be made for the YP to get on or off the vehicle allocated to them at a point as near to the home and school as possible. There is no fixed distance, although a distance of up to a mile would generally be considered a reasonable walk for a YP in order to reach a drop off and collection point. Consideration of the individual circumstances, including the YP's age, health, wider needs and the nature of the journey, would be taken into account.

8.8 Due to tendering process that is required to finalise arrangements, KCC cannot guarantee that a YP will be offered transport by a particular provider, driver or in a specific vehicle. Similarly, arrangements are subject to change throughout the academic year, although KCC will endeavour to keep changes to a minimum wherever possible.

Journey times

8.9 A reasonable journey time for a YP of Secondary age is normally regarded as 75 mins. This would therefore form a sensible basis for a reasonable journey time for a Post 16 YP. For YP with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible. This could vary according to the individual needs of the YP and it may not always be possible to keep within these timeframes. The times detailed above are indicative of an average journey and would not account for unexpected increases as a result of temporary road works or other such delays.

8.10 Transport assistance should be such that YPs could expect to reach their place of learning without undue stress, strain and difficulty as would prevent them from benefiting from their education.

Change of address or place of learning

8.11 If a YP moves or changes their place of learning, their suitability to receive transport assistance would be reassessed in accordance with the policy. There is no guarantee that because they may have received transport assistance previously, that they will continue to do so. During the time it will take for KCC to reassess the YP's application, it will be the parents' responsibility to make their own arrangements to transport the YP to and from school.

8.12 If a YP moves on a temporary basis, transport would not normally be provided.

Additional alternative addresses

8.13 Transport assistance is normally only provided from the YP's home to the main learning provider at which they are on roll. The YP's home will normally be the address where they reside for the greatest number of school nights (eg Sunday evening to Thursday evening). Where a YP spends an equal number of school nights at more than one residence, transport support will be provided to the address which is closest to their place of learning via the shortest available route.

8.14 In exceptional circumstances, transport may also be provided to an additional alternative address where there is no additional expenditure to KCC. Transport will only be approved for permanent arrangements and will not be implemented for temporary changes in transport requirements. Where transport is provided in these circumstances, arrangements will only remain in place until such a time as they are no longer cost neutral. At that point, transport to the alternative address will be removed and the YP or parents will be offered an opportunity to appeal.

Off-site provision

8.15 If educational establishments or training providers arrange any off-site provision for a YP who is on their roll, they will be responsible for making any transport arrangements and meeting the costs.

Work experience

8.16 KCC will not provide transport assistance for YPs on work experience. Any costs that arise as a result of work experience, including transport costs, are the responsibility of the educational establishment or training provider or parent.

Apprenticeships/Supported Internships

8.17 Where a YP considers that they may require travel assistance and they wish this to apply to either an apprenticeship or to a traineeship, they should submit an on-line application as for all other learners. The principles outlined throughout this policy will be used to assess whether transport support should be provided.

Examinations

8.18 Public examinations are usually taken during the normal school day. Transport will not be provided at alternative times for YPs who take public examinations.

Out of county residents

8.19 A YP that resides outside of the administrative boundary of KCC but attends a Kent school must apply for transport assistance from their home Local Authority where this is required.

Independent schools

8.20 Where a YP attends an independent fee-paying school, transport support from KCC will not be provided unless it is named in an EHCP as a YP's nearest suitable learning provider.

Transport provided in error

8.21 If following an internal review it is identified that a YP has been incorrectly assessed as suitable for transport assistance and whose personal circumstances do not actually meet the required criteria, transport assistance will be withdrawn. YPs and parents will be given at least one term's notice before transport is withdrawn to allow sufficient time to organise alternative arrangements.

YP behaviour

8.22 Inappropriate behaviour on a vehicle is a safety hazard and can put all passengers, the driver and other road users at risk. Drivers and passenger assistants will normally notify the head teacher or nominated person at the learning provider of any problems with the YP's behaviour once the journey is concluded. The learning provider will ensure that Public Transport and where necessary the SEN Caseworker are kept informed.

8.23 Where appropriate, parents will be informed of any problems and are expected to assist in preventing their recurrence. If it is considered that a YP's behaviour is likely to endanger them and others, then it may be necessary to withdraw transport either temporarily or permanently. The length of any temporary withdrawal is at the discretion of Transport Eligibility Team, following consultation with the learning provider and other relevant parties.

8.24 Where a YP's behaviour is unacceptable during the journey the route will be completed and they will not be put off the vehicle anywhere other than at the agreed destination. However, if a driver feels that a YP's behaviour on any journey is such that they cannot guarantee the safety of the other YPs and adults on the vehicle or other road users, they should take immediate advice from their employer, the learning provider or Public Transport.

8.25 Where a YP's behaviour persistently endangers themselves or others KCC reserves the right to withdraw the transport.

8.26 Further details can be found in the Code of Conduct found in Annex 4.

Assessment and trial periods

8.27 Where it has been recommended by KCC that a YP attend an educational establishment or training provider for a period of assessment or trial, transport will be provided as long as the YP meets the criteria for travel support.

Passenger assistants (for individuals with an EHCP)

8.28 There is no automatic entitlement to provision of a passenger assistant on a vehicle if a YP travels by minibus or taxi. The need for a passenger assistant will be considered on a case by case basis, taking in to account the YP's age, the nature of their special educational needs and whether a passenger assistant is already present within the vehicle.

8.29 Passenger assistants may also be provided where there are five or more YPs with EHCPs travelling in one vehicle who would otherwise not require individual support, although this may not be necessary where the collective level of need is low.

8.30 All passenger assistants are employed by the transport provider. Before they can commence their duties, they must undertake an Enhanced DBS check, which is repeated annually, and attend a KCC induction course. All PAs are issued with photo ID which they must wear at all times. Any further training is provided by their employer.

3.31 Passenger assistants' duties are to supervise YPs on a vehicle and to assist with boarding and leaving the vehicle where the YP has physical, sensory and/or medical difficulties. They are not able to collect YPs from home. It is the YP's or parents' responsibility to make arrangements, where necessary, to ensure the YP gets to and from the vehicle.

8.32 No passenger assistant will be permitted to administer treatment or medication without the consent of the parent, which must be obtained in advance in writing together with clear details of when and how the treatment/medication is to be administered.

8.33 A passenger assistant may administer treatment or medication only if they have been trained to do so. If the condition needs treatment which is complicated to deliver it may be necessary to provide a trained nurse or individual who has received the necessary specialist training.

8.34 On some occasions the passenger assistant who has been authorised and trained to administer treatment or medication, may not be available. Ideally in such circumstances, the contractor will have an alternative passenger assistant available, also trained and authorised. Where this is not possible, the parents may be able to travel during the school run or asked to make alternative arrangements. On no account may a YP travel without a passenger assistant who is authorised and trained to administer the necessary treatment or medication.

8.35 Where KCC has exhausted all possible avenues and remains unable to secure a suitably trained passenger assistant, it may be necessary for alternative transport support to be offered. The Head of Fair Access may approve alternative, cost-effective arrangements to provide free school transport for eligible CYP who otherwise could not be transported to their place of learning.

8.36 Passenger assistants' duties also include the delivery of notes, medication or money between home and school where the YP is not capable of doing so or cannot be relied upon to do so. Guidelines and training are provided for all passenger assistants and each one carries an identity card which is subject to renewal annually.

8.37 Passenger assistant arrangements will be reviewed annually to ensure they remain appropriate.

Boarders

8.38 Transport for boarders will be provided at the beginning and end of each agreed scheduled boarding period. Outside of these times, the YP or parent, assisted as necessary by the learning provider, will be required to facilitate and fund any exceptional transport arrangements that may be required in the event of extraordinary occurrences such as school closures, medical appointments etc.

Specialist equipment

8.39 Where special equipment is necessary for the safe transport of YPs, the contractor will be expected to provide this if it is commonly available, and this will be stipulated in the contract.

8.40 For some YPs, individual specialist equipment is necessary which it would be unreasonable to expect a transport provider to provide. This may be purchased by KCC and loaned to the contractor for the duration of the contract.

Transportation of equipment and luggage

8.41 YPs travelling to school on a daily basis are expected to travel with one item of hand luggage and YPs attending residential schools are expected to travel with one suitcase (or equivalent). Additional equipment will be transported only by prior arrangement and details of any additional equipment needing to be transported must be provided when transport is being requested, at least ten working days before it is needed. Any one-off arrangements where there is a need to transport an item of equipment must be notified to Public Transport and, if it requires additional expense to transport, the SEN Area Manager will take a decision on whether this should be approved. Should special arrangements need to be made, Public Transport will require at least ten working days' notice.

8.42 In cases where large pieces of equipment are needed by a YP at all times and so requires transporting on a daily basis, the SEN Area Manager will investigate the possibility of purchasing a second piece of equipment for use whilst the YP is in school. Equipment purchased in this way is not for use at home and must be returned to KCC when the YP no longer requires it in school. In considering the purchase of an additional piece of equipment, the SEN Area Manager will consider the difference between the cost of transporting the equipment and the cost of buying and maintaining it and will normally fund the cheaper option.

Additional Support

8.43 Information about additional support provided through Adult's Social Care can be found [here](#).

Annex 2 – Post 16 Transport Appeals

9.0 Parents and YP are entitled to appeal against decisions by KCC to refuse their application for transport support. This appeal process has two stages and appellants should complete the first stage before moving on to the next.

Stage 1 – Procedure for Appeals to the Post 16 Transport Eligibility Team – Officer Review

9.1 Applications for transport arrangements are only refused where a YP is not eligible under KCC's transport criteria. Where applicants receive a refusal to their application, the first step is to carefully read the outcome letter that has been sent to you by KCC's Post 16 Transport Eligibility team. It will explain to you why transport cannot be offered to your child.

9.2 While applicants may feel strongly that they should be given transport support, Officers are obliged to follow the assessment criteria outlined in the main policy. There is no discretion for Officers to deviate from strictly applying the transport assessment procedures when considering spending from the public purse. This stage is designed to ensure that there have been no mistakes in the processing and to check that the information supplied was correct at the time of assessment.

9.3 Applicants should carefully consider before submitting an Officer Review whether they are likely to have their decision overturned, in light of the information above. If applicants feel that they can submit sufficient additional evidence to show that their application was assessed incorrectly, they should contact the Post 16 Transport Eligibility team with the YP's full name, learning provider, date of birth and an explanation as to why they feel that their application should be reassessed within 20 working days from receipt of KCC's home to school transport decision. Requests for Officer Review that are received after this date cannot be considered. Transport Officers cannot discuss an applicant's reasons for requesting a reassessment over the telephone. It is important that Officers maintain a written audit trail of their assessment decisions. Applicants will be responsible for any alternative transport arrangements while their application is being reassessed. Officers will endeavour to respond within 20 working days.

9.4 Applicants wishing to complain about the service provided by the local authority should use the local authority's complaints procedure.

9.5 If the Officer Review relates to the provision of a mileage payment or Personal Transport Budget and highlights that applicants received an incorrect initial assessment, a payment will be provided and backdated to the initial assessment decision date or the date six weeks after the initial application was received, whichever is earlier. If the review overturns the decision as a result of additional information that the applicant did not make available when first applying, a payment will be provided and will start from the date the parental agreement is returned.

Stage 2 – Procedure for Appeals to Members of the Transport Regulation Committee Appeals Panel

9.6 Where an applicant's Officer Review is not upheld, if they wish, they are then able to appeal to Members of the County Council's Transport Regulation Committee Appeal Panel.

9.7 You can attend the hearing to put your case to the panel, or have your case considered on your written submission only. You will be given an opportunity to select which option best suits your need.

9.8 The hearing panel consists of between 3 and 5 elected Members. The panel will consider whether our policy on free home to school transport has been applied properly and, if so, whether the strength of your case outweighs the most cost effective and appropriate mode of transport. The panel cannot change the policy itself or the designation of the nearest appropriate school for the area.

9.9 You will be offered the following options for your appeal hearing:

- A face to face meeting
- A virtual meeting via Microsoft Teams (a secure system that is similar to Zoom)
- A paper-based process, where you submit information for the panel to take into account when considering your appeal.

9.10 A appellant has 20 working days from receipt of KCC's stage one written decision notification to make a written request to escalate the matter to stage two. Stage 2 requests that are received after this date cannot be considered.

Grounds for Appealing

9.11 Applicants can appeal for any reason or combinations of reasons that they wish.

9.12 Applicant cannot appeal for the YP to be transported by a particular driver or transport provider, as KCC is obliged to secure transport through a fair and open tendering process.

9.13 The Members of the County Council's Regulation Committee Appeal Panel ("the Members") will consider any arguments that are put to them.

Procedure

9.14 An online appeals form is available to complete [here](#).

It is important that you submit any evidence that supports your appeal (for example letters from your school, GP or social worker or financial evidence such as benefit receipts). You can appeal for any reason or combination of reasons, but you should carefully consider if you have sufficient additional evidence to support your case. No charge is made for the appeal but appellants must meet any costs they incur for preparing their appeal or attending the hearing, such as photocopying or transport costs.

9.15 The Transport Appeals Team in Democratic Services will acknowledge appellant's appeal and offer a date and time to hear the appeal. All paperwork will be issued electronically unless an alternative format is requested.

9.16 If appellants wish to, they can, for a good reason, reject the first hearing date. If the second hearing date is also rejected or if appellants fail to attend a hearing on a date that has been accepted they will not, other than in exceptional circumstances, be offered a further hearing. The Members will, however, consider the appeal in their absence, based upon the information that has been provided in writing. Please note that it is not possible to hold appeals in the evenings or at the weekend.

9.17 At least five days before the hearing date, the Appeals Team will electronically send appellant and the Officer presenting the Council's case a copy of each other's written case and supporting documentation.

Witnesses

9.18 Appellants are welcome to bring a witness, including their locally elected Kent County Councillor, but they must advise the Transport Appeals team at least one day in advance who this will be. Appellants may wish to provide a written summary of the witnesses' evidence on the day of the hearing as this may be helpful to the Members considering the case.

9.19 Please note that the Members hearing the appeal have the right to refuse to listen to witnesses produced by appellants or by the Officer presenting the Council's case if they believe that the evidence given is irrelevant to the appeal.

9.20 No fees, expenses or allowances will be paid to the witnesses by the Council under any circumstances.

9.21 Appellants can have a friend to accompany them or represent them at the appeal and must ensure the Appeals Team know his or her identity at least one day prior to the hearing date. If the friend is a lawyer, they cannot act as one as part of a lawyer/client relationship.

9.22 Legal presentation is not allowed and the Officer presenting the case on behalf of the County Council will also not be allowed to have legal representation. The Members deciding the appeal do have the right to have a legal adviser if they so wish.

9.23 There will be an official note taker at the hearing provided by the Council and any video or attempt by appellants to record the hearing will lead to its immediate termination and the dismissal of the appeal.

9.24 As far as possible appellants should send all evidence with their appeal letter. Any additional evidence should be sent to the Transport Appeals Team at least two days before the appeal hearing. Written evidence produced on the day of the appeal hearing will be considered at the absolute discretion of the Members hearing the appeal and may lead to the hearing being adjourned to a later date.

The Appeal Hearing

9.25 There will normally be a panel of between three to five Members considering the appeal. There will also be a clerk to advise Members and take notes of the appeal hearing. If you opt to have your appeal heard under a face to face or virtual setting, at the beginning of the appeal hearing the Chairman elected by the Members will introduce everyone present at the hearing and explain the procedure. The procedure is as follows:

1. A Presenting Officer will explain the reasons that have prevented the County Council meeting parents wishes up to this stage.
2. Appellants and the Members may then ask the Officer questions.
3. Appellants and/or their representative (who can be a Member of the County Council) will explain the grounds of the appeal and its desired outcome.
4. The Presenting Officer and the Members will ask parents and/or their representative questions.
5. Appellants and the Presenting Officer will be asked to leave the room and the Members will make a decision.

9.26 For paper based appeals, Members and the Clerk will meet and make their decision based on the written submission only and neither appellants or a Presenting Officer will be in attendance.

9.27 The Members may ask anyone questions at any time or may alter the order of steps 3 and 4 above at any time. Members may agree to consider only written evidence for either or both parties.

The Decision

9.28 In reaching their decision the Members must have regard to Kent's Post 16 Transport policy. They need to satisfy themselves that the policy has been applied correctly. They will then look at the specific circumstances to determine whether they are sufficiently strong to enable them to use their discretion to make an exception. The Members have a responsibility to consider the most cost effective and appropriate mode of transport support taking into account the family circumstances at the time of the appeal

The Members may decide to:

- uphold the appeal in all respects; **or**
- not uphold the appeal; **or**
- they may decide to partially uphold the appeal.

9.29 This can include meeting appellant's wishes in part or for a time limited period. At the end of the time limited period the Members can review the circumstances again and may ask that additional information such as up to date medical records or learning provider attendance records be made available at the time of the review.

9.30 In the event members agree to the provision of a mileage payment or Personal Transport Budget, they will decide the date at which calculation of payments will begin, how long this provision will remain available and whether there is a need for regular review of circumstances.

Appellants will receive a decision in writing within five working days of the appeal hearing. Decisions cannot be given over the telephone.

9.31 There is no further appeal within the Council's procedures. If appellants believe that they have suffered injustice as a result of maladministration by the Panel then they do have the right to pursue a complaint with the Local Government Ombudsman.

9.32 This is not a right of appeal and relates only to issues such as failure to follow correct procedures, or failure to act independently and fairly. If the person making the complaint simply disagrees with the decision there is no recourse. If appellants have a complaint of a procedural nature, they can refer it direct to the Local Government Ombudsman

9.33 Appellants will not be able to make any further applications for free or subsidised transport in relation to the same YP at the same learning provider unless

- they can demonstrate a significant and material change in circumstances since the previous appeal was decided; **or**
- the County Council changes the criteria for offering free or subsidised transport under the Council's published Post 16 Transport Policy and that change is relevant to the case; **or**
- there is a relevant change to the law.

9.34 If any of the above grounds apply parents will need to write a fresh appeal to the Transport Appeals Team, setting out the reasons in detail. Appellants will then be informed whether the Council will be prepared to consider the new application.

Annex 3 - Health, Safety and YP Protection

Life threatening conditions

10.0 If a YP, who is entitled to travel arrangements, suffers from a life-threatening condition, which may require immediate medication or treatment, arrangements may be made for the parent or another individual to take the YP to their learning provider themselves or to travel with them in the vehicle provided. This will only be possible if the YP is traveling in a sole occupancy vehicle. A mileage payment is payable in those cases where a parent takes the YP to their place of education or training.

Disclosure and Barring Service

10.1 The Disclosure and Barring Service (DBS) is responsible for confirming whether it is appropriate for an adult to interact with YPs. Drivers and passenger assistants must be DBS checked and cleared and the passenger assistant provided with an identity card following vetting and training.

10.2 All operators must be in possession of a DBS before contracts are granted.

Mobile phones/Radios

10.3 All transport contracted specifically for YPs with special educational needs will be equipped with a radio or mobile phone. This will not necessarily apply when YPs with special needs travel on mainstream school transport or local bus services.

Annex 4 - Transport Related Responsibilities and Expectations

A copy of KCC's Transport Code of Conduct, which applies equally to YP in Post 16 education, can be found here (ADD LINK)

DRAFT

Annex 5 - Home to School and Post-16 Transport Retendering Procedure for Pupils with an Education, Health and Care Plan (EHCP) and/or Special Educational Needs and Disabilities (SEND)

Introduction

11.0 Councils are required by law to adhere to the government's Public Contract Regulations 2015, which provides rules to the public sector for the procurement of goods or services. Procurement is how the public sector purchases services to ensure they provide value for money, are effective and deliver quality services.

11.1 The regulations govern how councils engage with commercial suppliers when buying their services, making sure there is a fair and transparent process. This process is applied in the purchasing of services for Home to School and Post 16 Transport.

Commissioning Cycle

11.2 Kent County Council (KCC) adopts a commissioning cycle when purchasing services. The commissioning cycle and how we apply it to Home to School Transport is summarised below:



Analyse: For Home to School Transport there is a statutory (legal) obligation to provide transport to entitled pupils. For Post 16 Transport, KCC has a duty to consider what additional support a learner may need to access education, which may result in the provision of a vehicle organised by KCC. To identify what the service needs to deliver we review each pupil's application and any additional supporting information and consider it in line with responsibilities detailed in the Education Act and statutory guidance.

Plan: Using the information gathered during the analysis phase we plan how to provide transport for identified pupils. We review the existing transport arrangements for pupils to determine whether we can manage the demand for services more efficiently. We consider; statutory guidance, pupil need and the efficient use of resources to deliver these services. This process may conclude that pupils may be able to share transport with others on existing services or determine that new services are required.

Do: Where there is a need to purchase services to provide transport, we will undertake a procurement process. The procurement process invites suppliers who have registered with the Kent Business Portal and agreed to our terms and conditions to

submit a proposal for an advertised school contract. We award the contract to the supplier who submits the lowest cost proposal. This ensures we make efficient use of public money.

11.3 The contract with the successful supplier sets out the roles and responsibilities of both, the council, and the supplier, to deliver the services which include but not limited to:

- licensing regulations for drivers and vehicles, for example, DBS checks are undertaken to find out whether someone has a criminal record and insurances are in place
- arriving on time
- paying for services
- upholding contract management standards should something go wrong, for example by ensuring the service is running as we expect in accordance with our terms and conditions of contracts and taking action to address any concerns promptly. This ensures pupils travel in a safe and appropriate manner.

11.4 A contract may only be for a fixed period. A contract for our services shall not exceed a maximum of five years due to the level of change from pupils starting and leaving the service. This means we cannot guarantee the same supplier will deliver our services throughout the academic life of a pupil.

Review: We regularly review the transport arrangements for pupils by gathering feedback from families, learning providers and suppliers to ensure the services are performing as expected, are fit for purpose for pupils and the contracts represent value for money. KCC is reliant on parents and third parties to keep them updated with this information. Legislation and guidance are also kept under review. The information gathered will help inform the next commissioning cycle.

By adopting the commissioning cycle it allows us to prepare for “planned changes”. These are when we expect services to change when a contract has reached its natural end date. It may also occur as a result of pupils leaving the service meaning the contract may become financially unviable for the supplier or council. When planned changes are due to occur, we notify parents and carers in good time to allow them to prepare their child for a potential change. Parents will be contacted again when the outcome of the retendering process is known and an appropriate provider has been identified.

How we will communicate and engage with key stakeholders

We will:

1. provide parents and carers with notice two months prior to planned changes occurring
2. explain why the change is occurring

3. engage with schools and/or learning provisions to inform them of any planned change and where possible seek their views on new travel arrangements prior to commissioning services
4. listen and consider the views of parents and carers regarding their child's travel needs
5. inform parents and carers via letter or email upon determining a child's transport arrangement and securing those arrangements.

Unexpected changes in transport

11.5 On occasion transport may need to change more suddenly - this would be considered a "not planned" change. This may be due to the supplier/transport operators serving notice on their contract, or they may be unavailable with immediate effect due to factors outside of the council's control. Where these cases occur, we will endeavour to inform parents and carers as soon as reasonably practicable. However, by their nature it will not be possible to provide as much warning as a planned change. As the council is reliant on the supplier to be informed of these changes, it is possible that parents may hear from their child's driver before KCC is able to make contact. In any event, KCC will immediately begin the process of sourcing new services via the process outlined above.



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research

**Homes to School
Transport Policy**

Kent County Council

**Final report
May 2023**

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Project details

Project details	
Title	Homes to School Transport Policy Consultation 2023
Client	Kent County Council
Project number	22245
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Executive summary

In early 2023 Kent County Council (KCC) sought to consult residents on:

- a transport policy for children and young people aged 4 to 16 to come into effect from the 2024-25 academic year, and
- post 16 Transport Policy Statements for 2023-24 and 2024-25 academic years.

In addition, the consultation was used as an opportunity to gather feedback on the council's Home to School and Post-16 Transport Retendering Procedure for pupils with an Education, Health and Care Plan (EHCP) and/or Special Educational Needs and Disabilities (SEND).

The public consultation took place over an 8-week period: 25 January 2023 – 21 March 2023. This report has been produced to provide an overview of the findings and an understanding of the sentiment of interested parties in relation to the policies.

A total of 349 consultation responses were received. 347 respondents completed the consultation questionnaire and two responded by email.

Key headlines

Home to School Transport Policy for Children and Young People aged 4 - 16

Just under three quarters (73%) of respondents feel that the Home to School Transport Policy for Children and Young People aged 4 – 16 is clear. A minority of one in ten (10%) suggest that it is not clear.

78% of respondents agree with the proposal of automatically approving transport to alternative addresses where there is zero cost to KCC, whilst 7% disagree.

Three quarters (73%) also agree that ensuring full support for pupils where KCC as the corporate parent has responsibility for providing the best possible care, with just 7% in disagreement.

Two thirds (68%) are in agreement that KCC should provide automatic eligibility for younger siblings where KCC members have upheld appeal for an older sibling with the same circumstances, with 15% disagreeing.

71% agree that KCC should formalise the Personal Transport Budget scheme and make it available to eligible mainstream students, with 8% disagreeing.

68% also agree that KCC should provide automatic eligibility for a younger sibling who attends the same school as an older entitled sibling, but otherwise would not be entitled to

free school transport. 15% disagree with this, one of the highest figures from the statements provided.

Finally, 59% agree that KCC should allow schools to support their own entitled pupils more easily by school led transport arrangements, with 15% disagreeing.

Cycle Bursary Scheme

When presented with the details of a potential cycle bursary scheme, 13% of respondents said that this is something that would be of interest to them/their children. However, the majority (71%) stated this would not be of interest to them.

Post 16 Transport Policy statements

Just under half (48%) of respondents commented resistance to provisions being reduced when asked about the draft Post 16 Transport Policy Statement for 2023-24. 22% also stated concerns around affordability or alternatives on offer. It's important to note that there are no proposed changes for 2023/24, so the answers given in this section are likely a reflection of the 2024 proposals

2024-25 Post 16 Transport Policy Statement

Proposal 1: 25% of respondents agree with the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including those with SEND whilst 68% disagree.

Proposal 2: 28% of respondents agree with the removal of additional drop off and collection times for Post 16 pupils, whilst over half (54%) disagree with this proposal.

Proposal 3: 32% of respondents agree with the introduction of qualifying criteria for learners seeking transport support for new courses started after their 19th birthday, whilst over half (53%) disagree.

Home to School and Post-16 Transport Retendering Procedure for Pupils with an EHCP and/or SEND

Around three in ten (31%) respondents agree with how KCC propose to communicate and engage with key stakeholders on planned changes to services, with 11% strongly agreeing. 23% express disagreement, with 16% strongly disagreeing. Just under half (45%) neither agree nor disagree, which may suggest that this area of service delivery may not be relevant for all consultation respondents.

Introduction

In early 2023, Kent County Council (KCC) sought to consult residents on:

- a transport policy for children and young people aged 4 to 16 to come into effect from the 2024-25 academic year, and
- post 16 Transport Policy Statements for the 2023-24 and 2024-25 academic years.

In addition, the consultation was used as an opportunity to gather feedback on the council's Home to School and Post-16 Transport Retendering Procedure for pupils with an Education, Health and Care Plan (EHCP) and/or Special Educational Needs and Disabilities (SEND).

Home to School Transport Policy for children and young people aged 4 to 16

KCC's transport policy is currently expressed via a combination of formal statutory duties, Member decisions and parental guidance. KCC have now combined these into a cohesive transport policy, to ensure full transparency and provide a single reference point for decision making.

The draft Home to School Transport Policy explains how KCC will identify who meets the national criteria for free home to school transport for all mainstream and Special Educational Needs and Disabilities (SEND) pupils aged 4 to 16, and highlights KCC's commitment to provide suitable transport. It also explains what additional transport support KCC will provide and how the council will deliver it. The Policy is planned to come into effect from the 2024-25 academic year.

The draft Policy:

- brings together existing guidance and provides information on how procedures work so that KCC are being as transparent as possible
- reinforces the support that KCC provides to children in their care (looked after children), ensuring that KCC fulfil the full extent of their corporate parenting responsibilities
- aims to reduce the administrative burden that parents may face when securing transport for their children, which in turn will help KCC make better use of resources
- incorporates how KCC will fulfil their legal duties to identify pupils aged between 4 to 16 who are entitled to free school transport and provide them with suitable arrangements to get to school, ready to learn
- explains how and where KCC can take a family's personal circumstances into account and how decisions for additional support will be considered
- highlights alternatives to placing entitled children in KCC provided vehicles
- explains the appeals process for when applicants disagree with their child's assessment.

Post 16 Transport Policy Statement

No changes are being proposed for the 2023-24 Statement. However, the Department for Education requires KCC to consult each year, regardless of any changes, to ensure the Statement provides a full picture of the available transport and support.

KCC are also consulting on the 2024-25 Statement, which includes support for 19+ learners with an Education, Health and Care Plan (EHCP) as it proposes a number of changes and KCC want parents and students to be able to consider these when making decisions about education for that year. The main changes proposed are to:

- remove the discretionary provision of wholly free Post 16 transport for learners with SEND
- remove of the discretionary provision of additional drop off and collection times for Post 16 learners to accommodate partial attendance
- introduce qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday.

A full breakdown of the areas covered and proposed changes can be found at www.kent.gov.uk/schooltransportpolicy.

Consultation process

Public consultation

The public consultation took place over an 8-week period: 25 January 2023 – 21 March 2023. M·E·L Research, an independent social research agency was commissioned by KCC to collate, analyse and report on the consultation responses received via KCC's Let's Talk Kent engagement website.

To raise awareness of the consultation and encourage participation, the following activity was undertaken:

- Emails to stakeholders including head teachers, FE providers, bus operators and other school transport providers, such as taxis.
- Email/letter to all parents of year 10, 11 and post 16 students with an EHCP.
- Invite on the launch of the consultation to 8,957 **Let's talk Kent** registered users who have expressed an interest in being kept informed of consultation regarding transport, education, young people and children and families and a reminder email to 9,480 users on 13 March.
- Media release - <https://news.kent.gov.uk/articles/consultation-opens-on-kccs-home-to-school-transport-policy>
- Reviewed consultation materials and policy with Kent PACT and developed parental engagement strategy through their communication channels
- Promoted by Kent Association of Local Councils (KALC) through their newsletter, website and Facebook page.
- Promoted through KCC's resident e-newsletter, SEND newsletter and Kelsi e-bulletin and intranet.
- Posters provided to bus operators to display on buses.
- Posters displayed in libraries and Gateways and feature on home screen of public computers in libraries.
- Promotional banners added to Kent.gov homepage and relevant service pages.
- Social media via KCC's corporate Facebook, Twitter, Instagram, LinkedIn and Nextdoor accounts and paid targeted Facebook adverts.
- Promotion through KCC's intranet.
- All consultation material included details of how people could contact KCC to ask a question, request hard copies or alternative format.

- A Word version of the questionnaire was provided on the consultation webpage for people who did not wish to complete the online version. A Freepost address was provided for any hard copy responses.
- Large print, easy read and audio versions of the consultation material were available from the consultation webpage and on request.

The Head of Fair Access also attended Kent Youth County Council (KYCC) on 11 March 2023. KYCC members were given an overview of the legislation that informs each Council's formal responsibilities for home to school transport and how this is delivered in Kent. The content and scope of the consultation was then discussed.

Following this session, a number of young people took part in a focus group with the Head of Fair Access to discuss their thoughts in more detail. Suggestions for further changes to KCC's transport policies were explored, including discussions about how legislation limits some potential for adaptation. The delivery of the consultation was also covered, which provided some helpful suggestions on how to encourage more young people to take part. Participants acknowledged that while the proposals had the potential to provide a less generous offer to some families, these changes had been designed to minimise this impact.

A summary of engagement with the consultation webpage, material and social media can be found below:

- 7,510 visits to the consultation webpage by 6,748 visitors.
- 2,018 document downloads, including 1,219 downloads of the Consultation Document, 381 downloads of the Home to School Policy, 192 downloads of the Post 16 Transport Policy Statement 2023-24 and 97 downloads of the 2024-25 Statement.
- Organic posts had a reach of 21,531 on Facebook and 939 on Instagram. There were 8,572 impressions on Twitter and 1,242 on LinkedIn. Reach refers to the number of people who saw a post at least once and impressions are the number of times the post is displayed on someone's screen. The posts generated approximately 760 clicks through to the consultation webpage. (Not all social media platforms report the same statistics.)
- Paid Facebook advertising had a reach of 27,320, which resulted in 784 clicks on the link to consultation webpage. Post impressions totalled 115,730.

Online questionnaire responses

An online questionnaire was hosted at the consultation page: www.kent.gov.uk/schooltransportpolicy. The webpage also included:

- Draft Home to School Policy
- Draft Post 16 Transport Policy Statements for 2023-24 and 2024-25
- Consultation document, providing an overview of the draft policies, including details of the proposed changes

- Easy read, large print and audio versions
- Equality Impact Assessments

A total of 347 respondents gave feedback to the consultation questionnaire, a breakdown of which can be seen below. A full profile of respondents is also provided in the next section of this report.

Table 1: Breakdown of respondents to the online questionnaire by interest group

	Total
Parent/Carer	285
Student	13
Other capacity	49
Total	347

Reporting conventions

Owing to the rounding of numbers, percentages displayed visually on graphs or charts in the report may not always add up to 100% and may differ slightly when compared with the text. The figures provided in the text should always be used. For some questions, respondents could give more than one response (multi choice). For these questions, the percentage for each response is calculated as a percentage of the total number of respondents and therefore percentages do not add up to 100%.

The consultation findings have been reported overall, combining results from the different interest groups, school ages and other demographic information. Base sizes are generally shown in brackets. Please note, any subgroup base sizes lower than 30 should be taken as an indicative result only. Where questions have a sample base that is lower than 15, results have been displayed in numbers rather than percentages as to not mislead the reader about the robustness of these findings.

The response received via a Word copy of the questionnaire has been added to the online responses for analysis. Two responses were also sent to KCC via email. These responses related to proposal 1 for the 2024-25 Transport Policy Statement. They have been analysed alongside the questionnaire responses and included in this report.

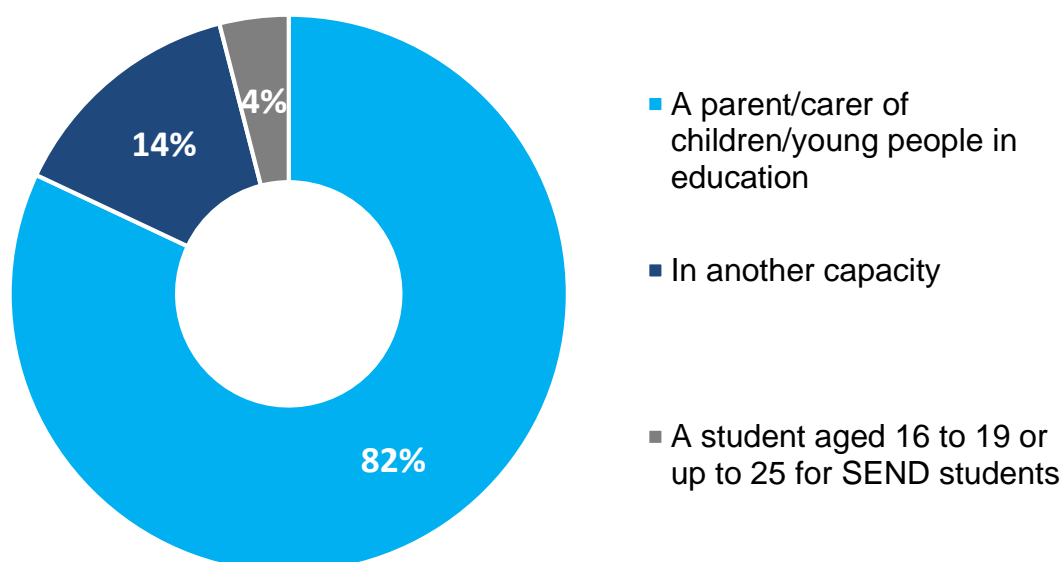
Profile of responses

This section of the report provides a breakdown of respondents as per the first section of the online questionnaire, which can be found in full in the appendix.

Interested groups

More than four in five (82%) respondents to the consultation are parents/carers of children or young people in education, with over one in ten (14%) 'in another capacity'. 4% are students aged 16 to 19, or up to 25 (for SEND students). As such, the views expressed in this report are predominantly from parents/carers.

Figure 1: Q1 - Are you responding as ...? (All responses)



Sample base size: 347

The multi-faceted nature of this consultation and the specific eligibility criteria for some of the policy aspects required us to ask multiple questions about the respondent in order for us to establish their likely perspective and to help ensure that they were asked the appropriate consultation questions. The responses to these questions are provided in full below in order to provide:

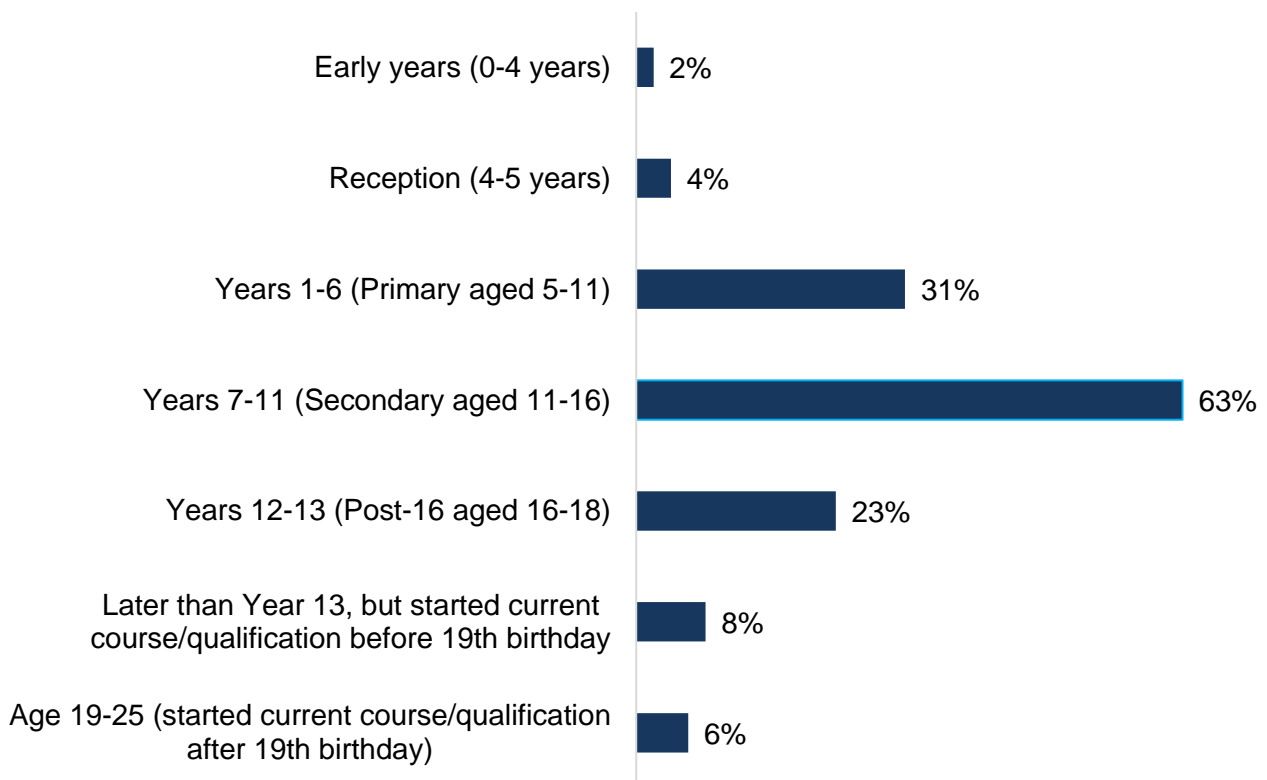
- a) A profile of responding parents and carers
- b) A profile of responding students
- c) A profile of the other stakeholders who have chosen to engage with the consultation.

Parent or Carer response profile

Student age groups

6% of respondents have a child in either early years (2%) or reception (4%). The majority of parental/carer responses have come from those with children in secondary education, with 63% having children in Years 7-11 and 23% having children in Years 12 -13.

Figure 2: Q1b. Please select the age groups that apply to your children/young people....? (All responses)



Sample base size: 283

Free school travel

Among parent/carer respondents, the majority of those with reception and/or primary aged children do not currently receive free KCC organised transport. For those with reception years children, a quarter (25%) receive free KCC transport, as do 28% of those with primary aged children. It's important to note that the policies being consulted on are for free school transport, so only 25% of respondents are affected by the proposals.

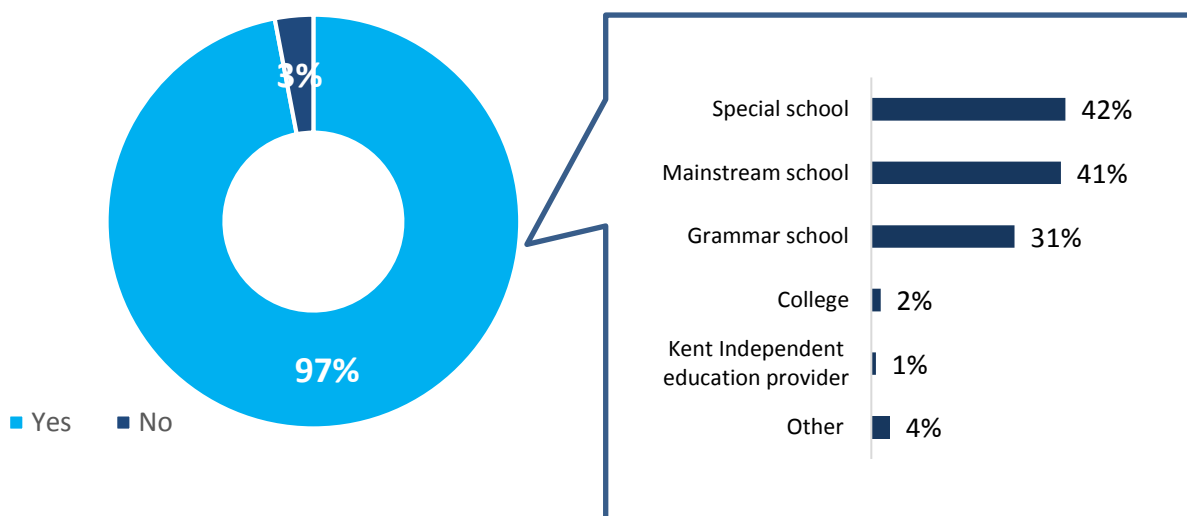
Table 2: Q1e. Do any of your Reception children receive free KCC organised transport? Q1e. Do any of your Primary aged children receive free KCC organised transport? (All responses)

Sample base in brackets	Early years children (6)	Reception years children (12)	Primary years children (89)
No	100%	75%	72%
Yes – 1 child	0%	25%	27%
Yes – 2 children	0%	0%	1%
Yes – 3+ children	0%	0%	0%
Summary: Yes	0%	25%	28%

Secondary/young people education in Kent

Almost all (97%) parents/carers state that they have children who attend a school or further education establishment within Kent. Of this cohort, 42% said their child(ren) attend a special school, 41% said they attend a mainstream school and 31% a grammar school.

Figure 3: Q1c. Do your Secondary aged children/young people attend a school or further education establishment in Kent? Q1c. Please select from the following (All responses)

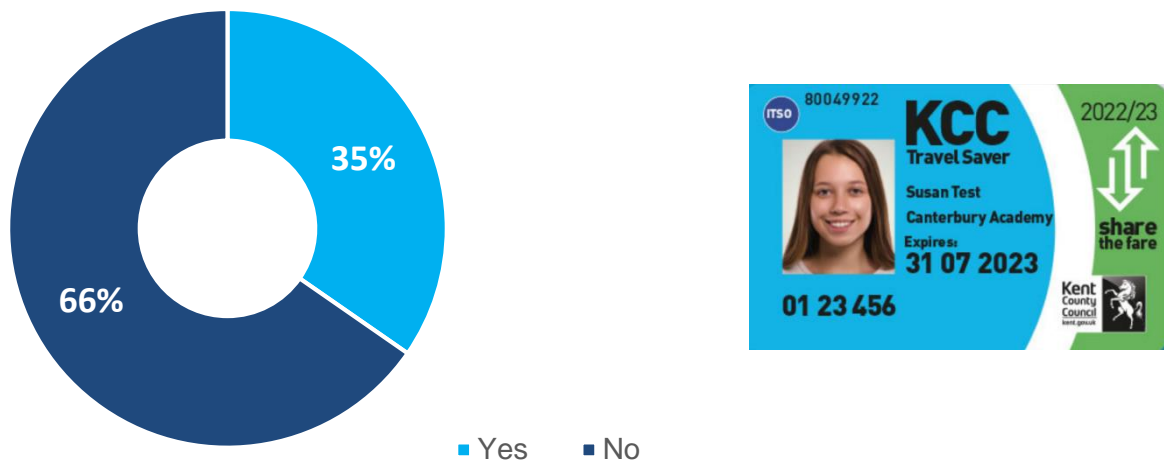


Sample base size: 176, 170

Secondary/young people: KCC Travel Saver pass

Among parents/carers of secondary aged children, 35% indicate that they have a secondary aged child currently using a KCC Travel Saver pass.

Figure 4: Q1d. Do your Secondary aged children currently use a KCC Travel Saver pass? (All responses)

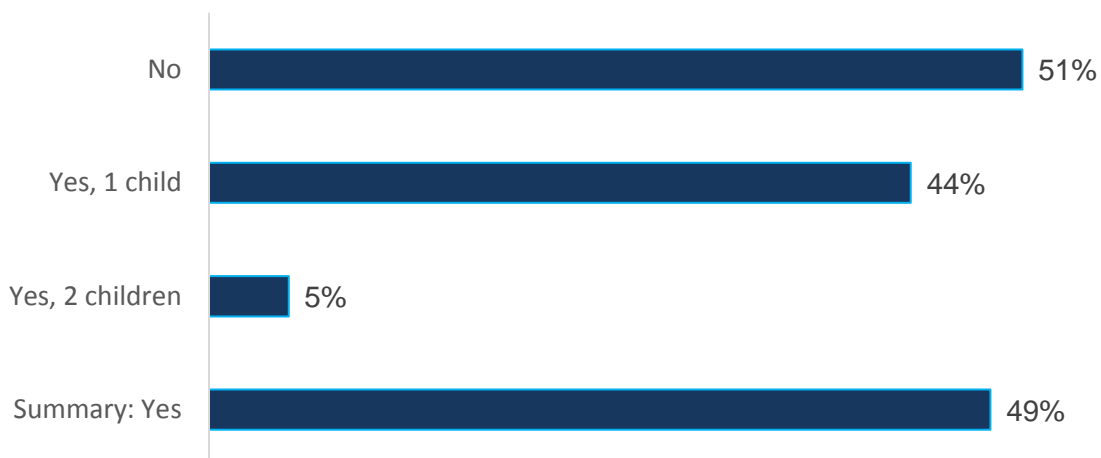


Sample base size: 179

Secondary/young people: free KCC organised transport

Half (51%) of parents/carers state that their secondary aged children do not currently receive free KCC organised transport. Of the 49% who do use this service, 44% say they have one child who does and 5% said they have two children who use the service.

Figure 5: Q1e. Do any of your Secondary aged children receive free KCC organised transport? (All responses)

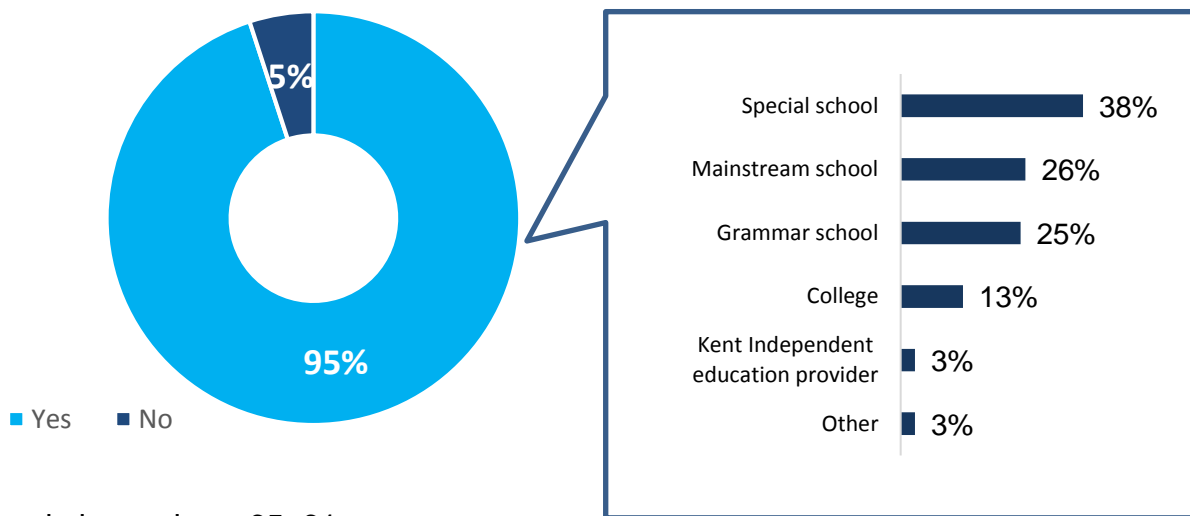


Sample base size: 179

Year 12 or 13 education within Kent

95% of parents/carers with child(ren) in year 12 or 13 said they go to a school or further education establishment in Kent. Of those that do, 38% go to a special school, 26% to a mainstream school, 25% to a grammar school, 13% go to college and 3% an independent education provider in Kent.

Figure 6: Q1c. Do your Year 12 or 13 children/young people attend a school or further education establishment in Kent? Q17. Please select from the following (All responses)

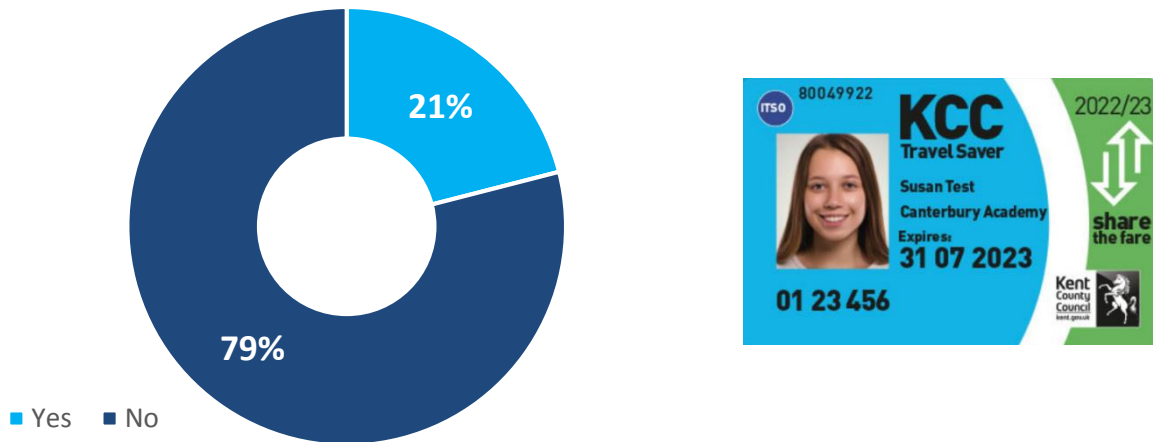


Sample base sizes: 65, 61

Year 12/13: KCC Travel Saver pass

Around a fifth (21%) of parents/carers with children in years 12 or 13 said they have a child that uses a KCC +16 Travel saver pass.

Figure 7: Q1d. Do your Year 12 or 13 young people currently use a KCC 16 + Travel Saver pass? (All responses)



Sample base size: 62

Year 12/13: free KCC organised transport

Over half (57%) of parents/carers with children in years 12 or 13 said their child does not receive free KCC organised transport. Of the 43% who do, 38% say they have 1 child who receives free KCC organised transport, and 5% said they have two children who receive this.

Figure 8: Q1e. Do any of your Year 12 or 13 young people receive free KCC organised transport? (All responses)



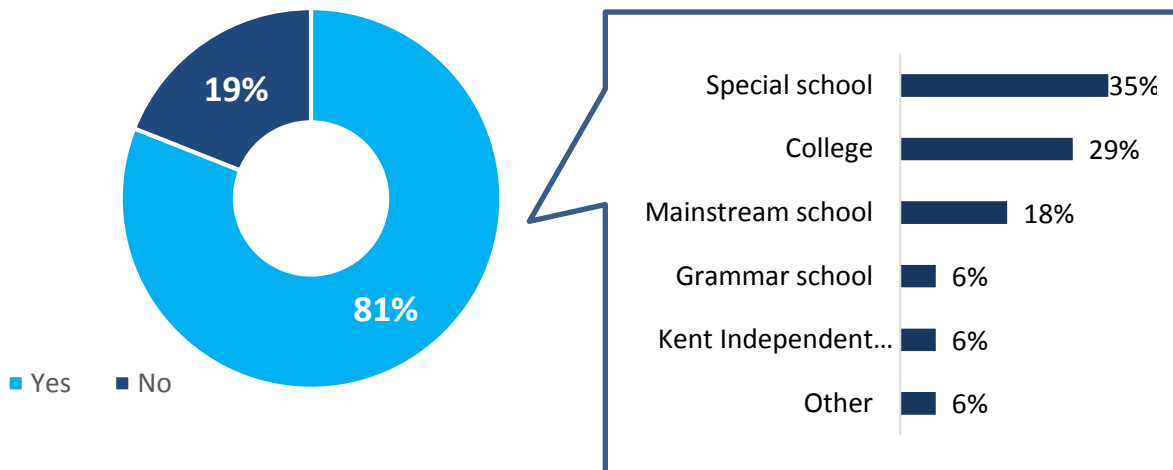
Sample base size: 65

Later than year 13 (but education started before 19th birthday) - education within Kent

81% of parents/carers with children in education over year 13 (who started before their 19th birthday) said their child goes to a school or further education establishment within Kent. Of those that do, 35% said they went to a special school, 29% a college, and 18% go to a

mainstream school. 6% stated they go to a grammar school and 6% an independent education provider in Kent. Please note the low bases size of respondents to this question.

Figure 9: Q1c. Do your children/young people (later than Year 13 but started their course before their 19th birthday) attend a school or further education establishment in Kent? Q1c. Please select from the following (All responses)



Sample base size: 21, 17

Later than year 13 (but education started before 19th birthday) free KCC organised transport

43% of parents/carers with a child later than year 13 but having started their course before their 19th birthday, said that their child does not have free KCC organised transport, with 57% saying they do for one child.

Figure 10: Q1e. Do any of your young people (later than Year 13 but started their course before their 19th birthday) receive free KCC organised transport? (All responses)

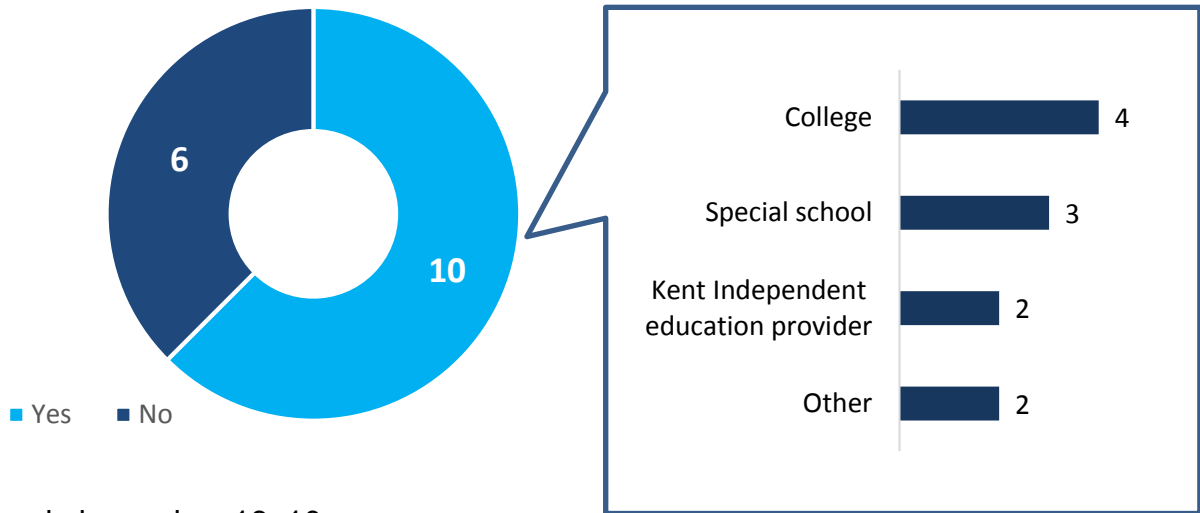


Sample base size: 21

19–25-year children in education within Kent

10 in 16 parents/carers with children aged 19-25 said their child goes to a school or further education establishment within Kent. Of those that do, 4 out of 10 said they go to college, 3 of 10 to a special school and 2 in 10 to an independent education provider in Kent.

Figure 11: Q1c. Do your 19 to 25 aged young people attend a school or further education establishment in Kent? Q1c. Please select from the following (All responses)

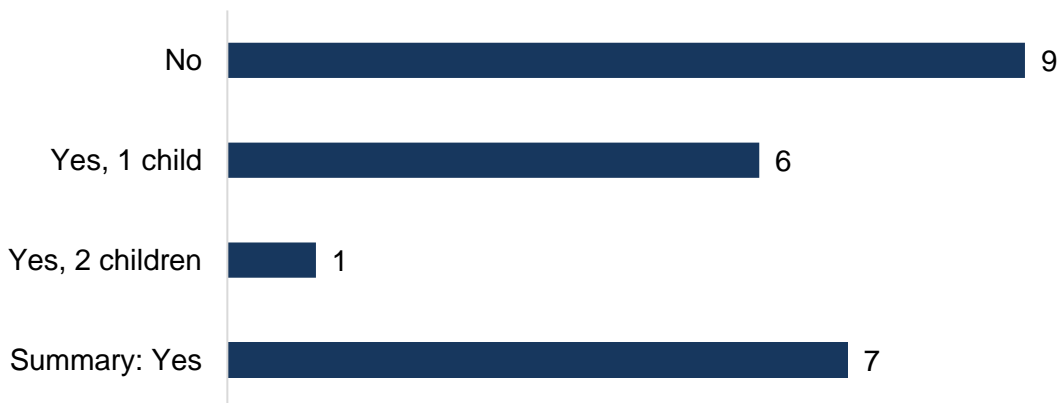


Sample base size: 16, 10

19–25-year children receiving free KCC organised transport

9 of 16 parents/carers with a child aged 19-25 said that their child does receive free KCC organised transport. Of the 7 who do so, 6 say one of their children do so, and 1 said they have two children who do so.

Figure 12: Q1e. Do any of your 19-25 year old young people receive free KCC organised transport? (All responses)

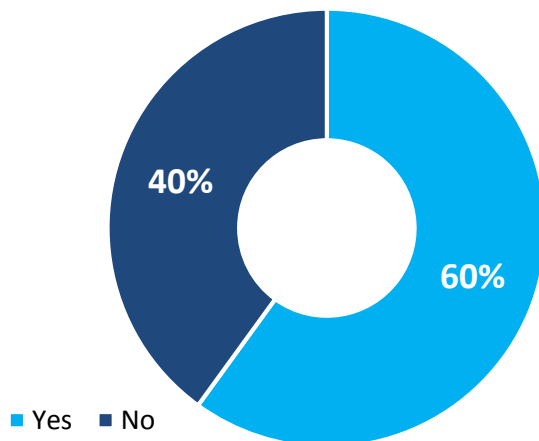


Sample base size: 16

Education, Health and Care Plan

Six in ten (60%) parents/carers responding to the consultation say they have a child/young person with Special Educational Needs and Disabilities with an Education, Health and Care Plan (EHCP).

Figure 13: Q1f. Do any of your children/young people have Special Educational Needs and Disabilities, with an Education, Health and Care Plan (EHCP)? (All responses)



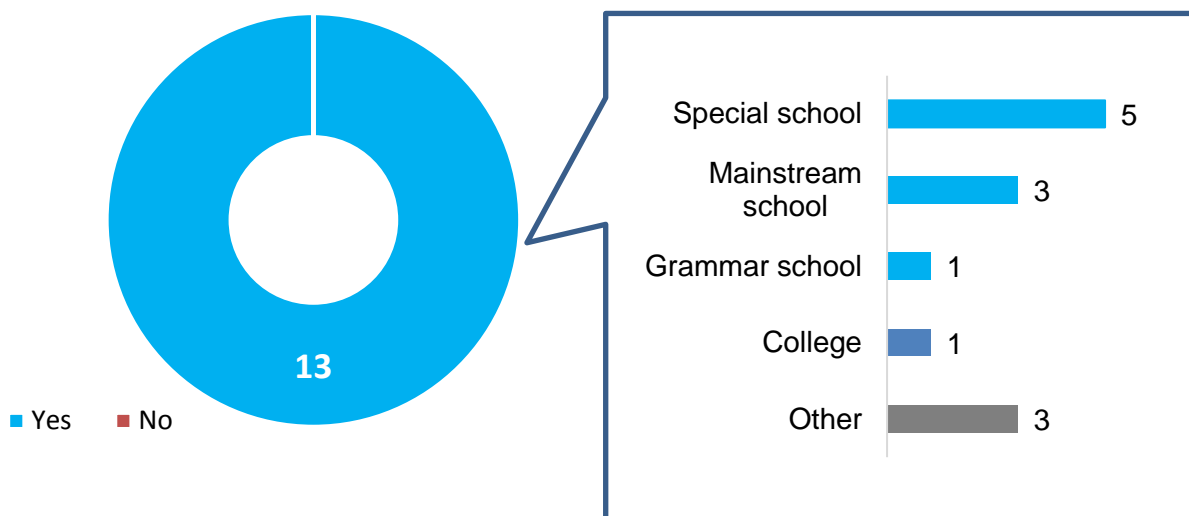
Sample base size: 285

Student response profile

Attendance in further education within Kent

All 13 students who responded said that they go to a school or place of further education within Kent. 5 of 13 said they go to a special school, 3 of 13 a mainstream school and 1 each saying they go to either a grammar school or college.

**Figure 14: Q2a. Do you attend a school or further education establishment in Kent?
Q2a. Please select from the following (All responses)**

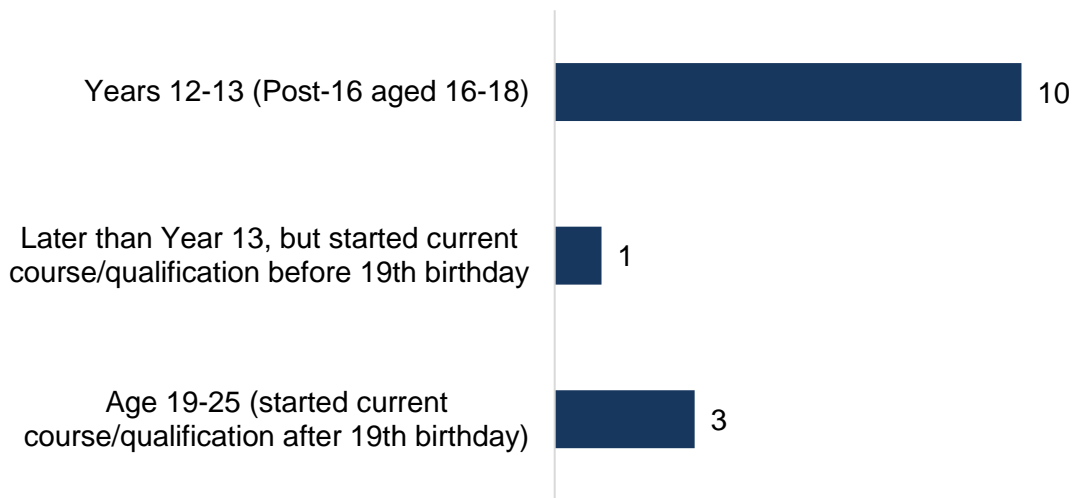


Sample base size: 13

Student age group

10 of 14 students said they are in years 12 or 13, 1 said they were later than year 13, but started their course before their 19th birthday. A further 3 students are aged 19-25 and started their course after their 19th birthday.

Figure 15: Q2c. Please select the age group you are in (All responses)

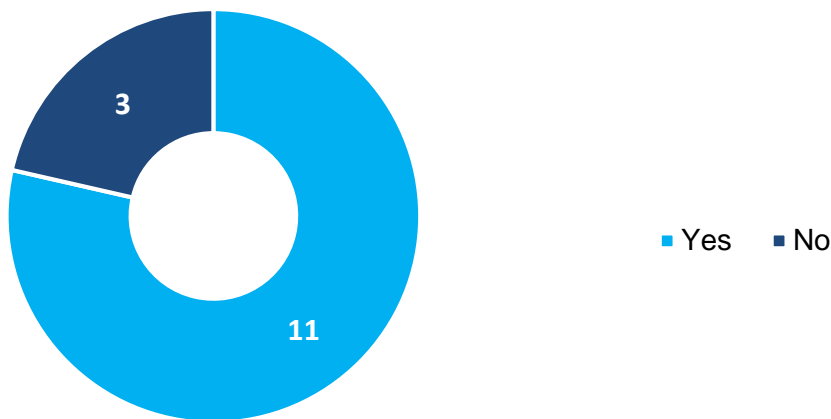


Sample base size: 14

Student Education, Health and Care Plan (EHCP)

11 of 14 students said that they have Special Educational Needs and/or Disabilities with an EHCP.

Figure 16: Q2. Do you have Special Educational Needs and/or Disabilities, with an Education, Health and Care Plan (EHCP)? (All responses)

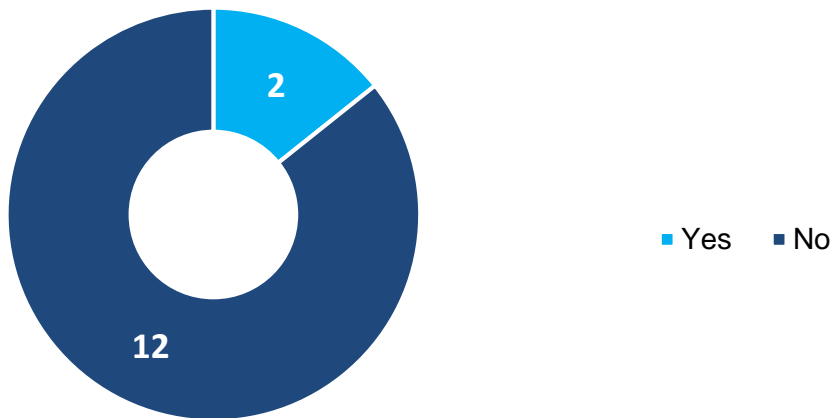


Sample base size: 14

Kent 16+ Travel Saver Pass

2 of 14 students said that they have a Kent 16+ Travel Saver pass.

Figure 17: Q2e. Do you currently use the Kent 16+ Travel Saver pass? (All responses)

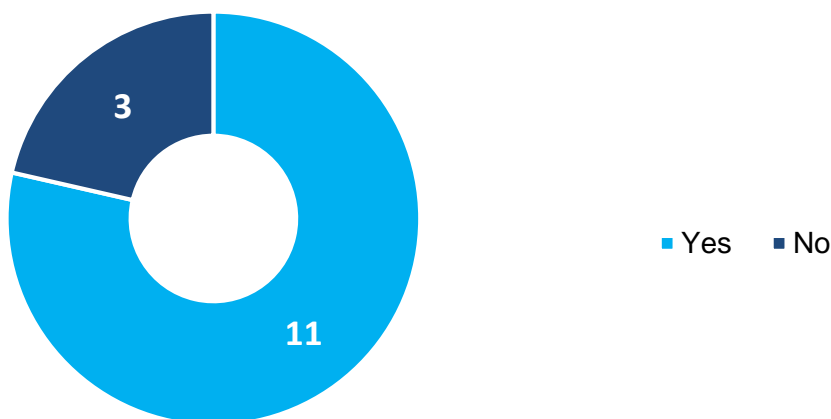


Sample base size: 14

Free KCC arranged transport

11 of 14 students said that they use arranged transport free of charge supplied by KCC.

Figure 18: Q2f. Do you use KCC arranged transport that is provided free of charge? (All responses)



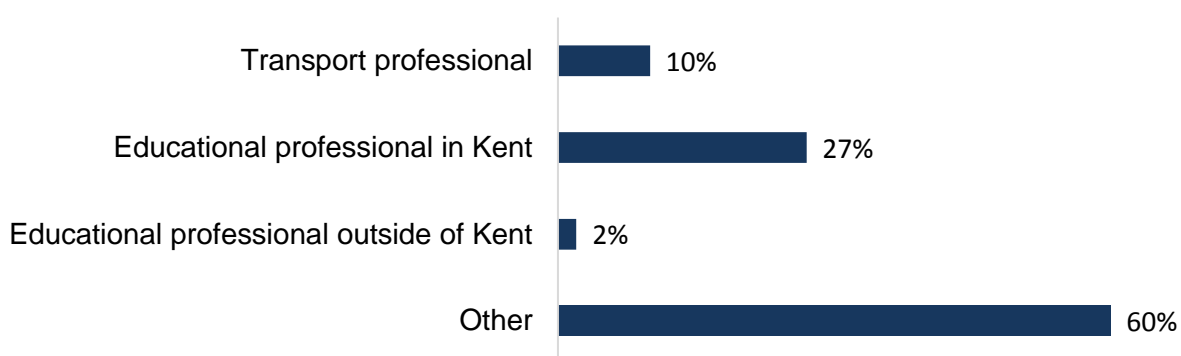
Sample base size: 14

Other stakeholders' response profiles

Occupation

Other stakeholders potentially interested or impacted by the Homes to School Transport or Post-16 policies were invited to take part to give their views on the consultation. Around a quarter (27%) stated they work in an educational profession within Kent, whilst 10% said they are a transport professional. 2% say they work in education outside of Kent. 60% said they were responding in another capacity

Figure 19: Q3. If you are responding in another capacity, please select from the following options (All responses)



Sample base size: 48

Education capacity

Of those working in education, 1 said they are a College teacher or other representative, whilst 2 said 'Other' which were a 'SEN teaching assistant' and 'Chair of Governors'. 1 respondent said they were a special school teacher or other representative outside of Kent.

Table 3: Q3. Please select from the following – Education within Kent Q45. Please select from the following – Education outside of Kent (All responses)

	Within Kent (13)	Outside of Kent (1)
Special school Head/teacher or another representative	2	1
College Head/teacher or another representative	2	0
Grammar school Head/teacher or another representative	1	0
Kent Independent education provider	1	0
Other	7	0

Of those that gave an answer of 'Other' regarding the capacity they were responding in, their self-descriptions are provided below.

Table 4: Q3. If you are responding in another capacity, please select from the following options - Other responses (All responses)

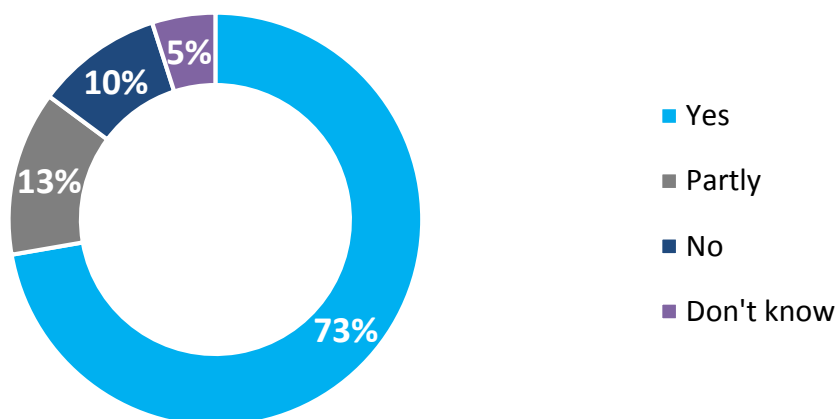
Descriptions of response capacity
I am a KCC registered foster carer for 16+
Member of the public
Grandparent
Parent of children that are now at university.
Interest Grandparent
Safety professional
Relative (great-uncle) of schoolchildren in Kent
Taxpayer
Concerned Citizen
Resident of Kent.
OAP
Grandparent/financial supporter of 2 children of school age

Home to School Transport Policy for Children and Young People aged 4 - 16

This first section of consultation responses relates to the draft Home to School Transport Policy for Children and Young People aged 4 – 16.

Initially, respondents were asked whether it was clear how this policy relates to them and their household who use transport to access education. In response, just under three quarters (73%) said they feel the policy is clear, with one in ten (10%) feeling it is not clear. 13% felt it was partly clear whilst 5% said they don't know.

Figure 20: Q4. Is it clear how this policy relates to you and those in your household who use transport to access education? (All responses)



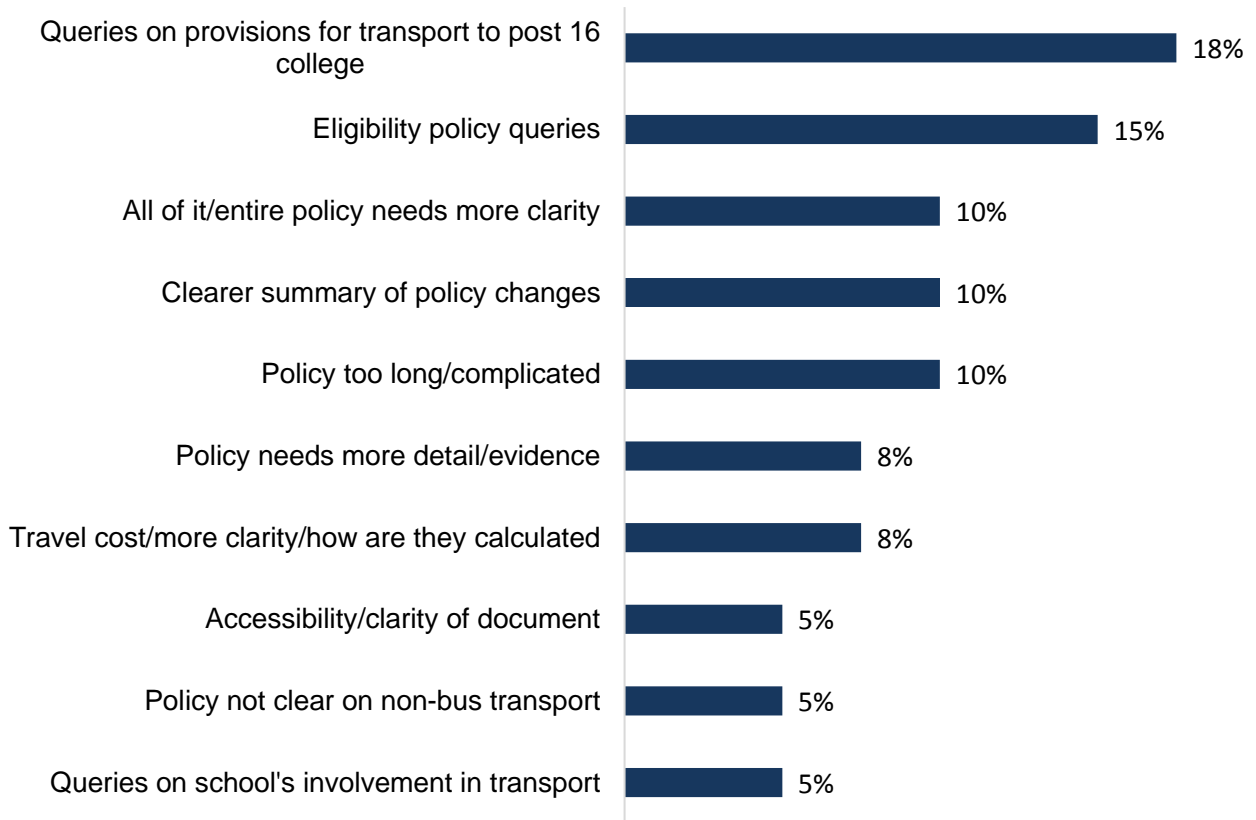
Sample base size: 261

Differences in views amongst sub-groups are shown below:

- Those with a **child in secondary school with free KCC transport** are significantly more likely to say it is **not clear how the policy relates to their household**, compared to those with a **child in secondary school who does not receive free KCC transport** (14% cf. 4%).
- Those with **no disability** are significantly more likely to find the policy clear on how transport access relates to their household, compared to those with a **disability** (80% cf. 64%).

Respondents who felt that the Transport Policy was not clear were asked to advise on how the Transport Policy could be made clearer. 18% had queries on the provisions in place for transport to post-16 college, whilst 15% questioned the eligibility rules around the policy. One in ten (10%) felt the policy needs more clarity generally, whilst 10% also felt a clearer summary was needed and that the policy was too long/complicated (10%).

Figure 21: Q4a. What part of the Transport Policy could be made clearer? (All responses)



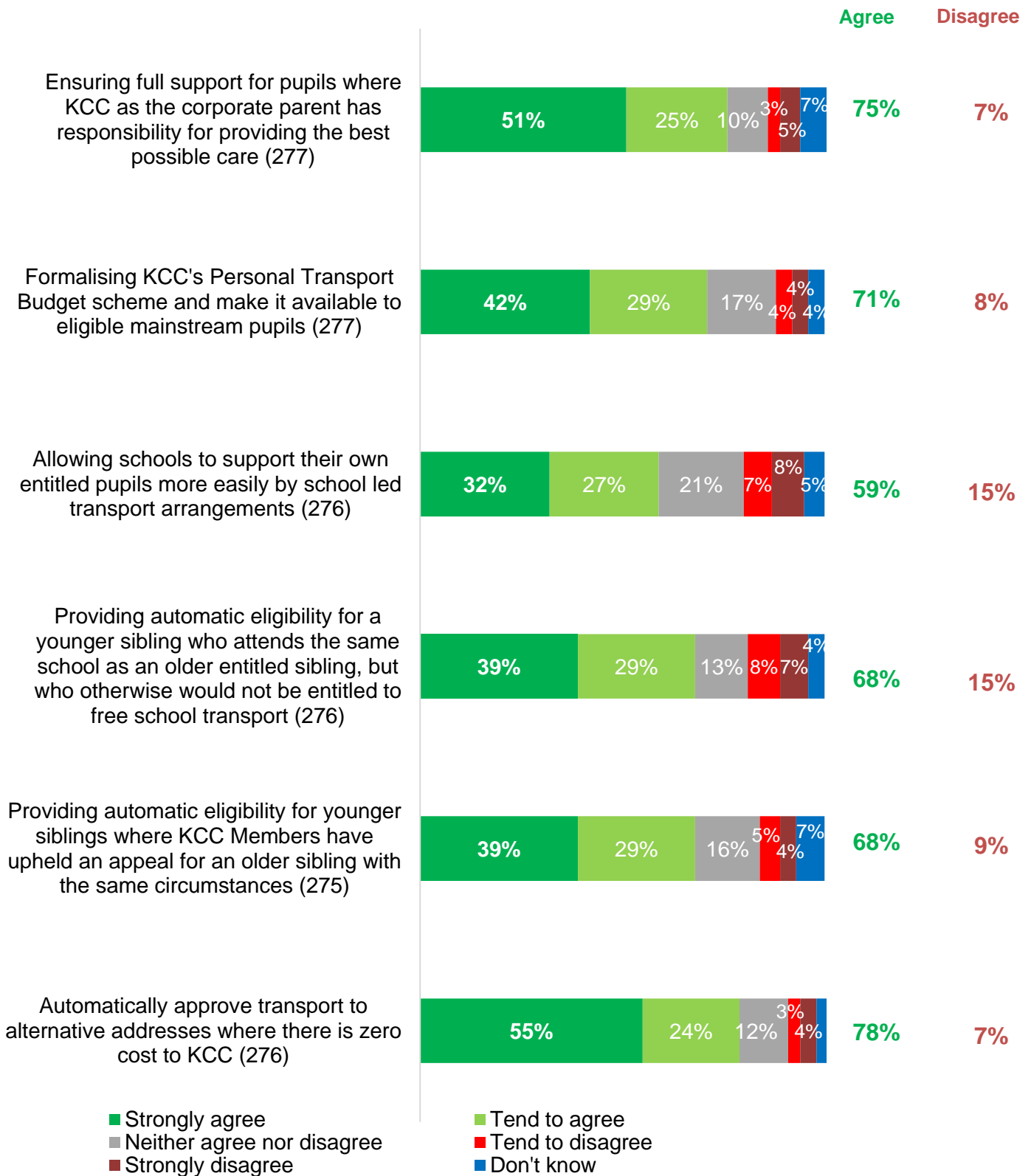
Sample base size: 40

Proposed improvements

Respondents were asked to what extent they agree or disagree with six specific proposed improvements that are proposed to be incorporated into the new policy. The detailed responses to each are summarised in Figure 22 below.

- 78% of respondents agree that KCC should automatically approve transport to alternative addresses where there is zero cost to KCC, with over half (55%) strongly agreeing. Only 7% disagree with this.
- Three quarters (75%) agree with ensuring full support for pupils where KCC as the corporate parent has responsibility for providing the best possible care, with just over half (51%) strongly agreeing.
- Two thirds (68%) are in agreement that KCC should provide automatic eligibility for younger siblings where KCC Members have upheld an appeal for an older sibling with the same circumstances, with 39% strongly agreeing. Just under one in ten (9%) disagree with this statement.
- 71% agree that KCC should formalise the Personal Transport Budget scheme and make it available to eligible mainstream students, with 8% disagreeing.
- 68% agree that KCC should provide automatic eligibility for a younger sibling who attends the same school as an older entitled sibling, but otherwise would not be entitled to free school transport. However, 15% disagree, the highest proportion against any of the statements asked.
- Finally, 59% agree that KCC should allow schools to support their own entitled pupils more easily by school led transport arrangements, which is the least popular of the proposed improvements.

Figure 22: Q5. To what extent do you agree or disagree with the proposed improvements? (All responses)



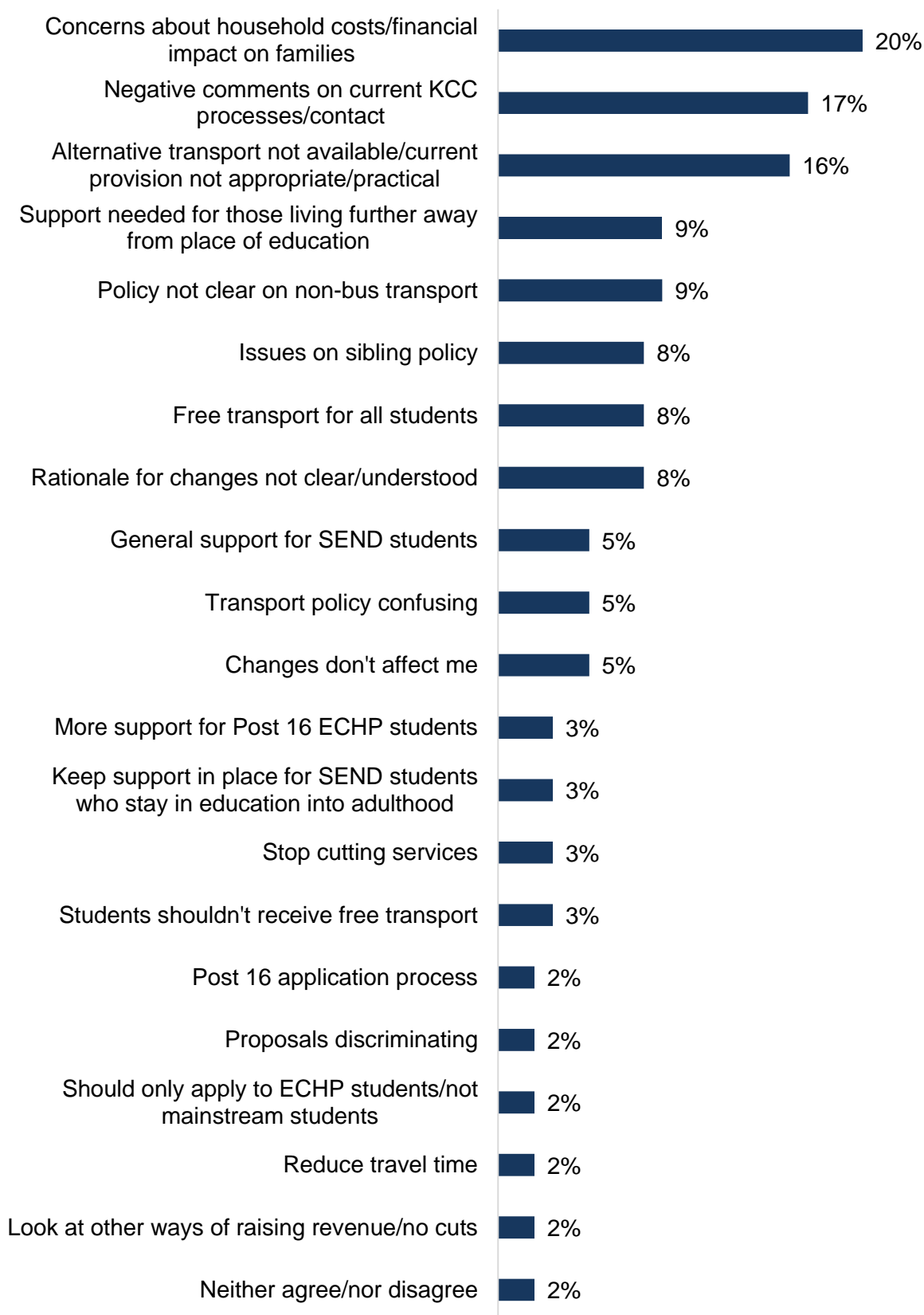
Sample base size in brackets

Differences in views amongst sub-groups are shown below:

- Respondents with **no disability** are significantly more likely than those **with a disability** to agree with **ensuring full support for pupils where KCC as the corporate parent has responsibility for providing the best possible care** (78% cf. 62%).
- Respondents who have a child in secondary school who receives free KCC transport are significantly less likely to agree that KCC should formalise their Personal Transport Budget scheme and make it available to eligible mainstream pupils compared to those with a secondary school student who does not receive free KCC transport (58% cf. 80%).
- Carers are significantly more likely to agree with automatically approving transport to alternative addresses where there is zero cost to KCC compared to those with no carer (85% cf. 71%).

Respondents were also offered the opportunity to give their views on any of the improvement statements in question 5. A fifth (20%) expressed **concerns around household costs** and the financial impact policy change will have on them. 17% commented negatively in regards to current **KCC processes and contact**, whilst 16% raised concerns around **alternate travel not being available, and current provisions not being appropriate/practical**.

Figure 23: Q5a. If you would like to comment on any of the improvements in question 5, please tell us in the box below. (All responses)



Sample base size: 64

The section below highlights example comments left by respondents for the top three most common themes.

Concerns about household costs/financial impact on families

"It's incredibly unfair that there is no financial support for children who have to travel by train. We have to pay approx£800 pa for a 15 minute train journey as there is no bus from Edenbridge to Tonbridge. This is our closest grammar school. Our son did the 11 plus because there was no guarantee which comprehensive school he would be accepted into as Knole academy - our nearest Kent school - rarely takes children from Edenbridge. Children in Edenbridge have been offered places as far as Cranbrook. We are council tax payers subsidising bus passes but there is no support for train users. We have another son and we will have to consider whether we can afford to send him to the same grammar school, if he is fortunate to get in, because of the cost for two train fares £1600 - double the bus fare!! I don't understand why there is no help for us. surely it's fair to help every child that has no choice but to travel to secondary school because there isn't a local school. Kent endorses the grammar system and should support the children who try to make the best of it."

"Our school bus is being discontinued and this is having a major impact on our future. I was planning on returning to employment once my second child starts year 7, but that may now not be possible if there is no transport. I feel that those who live a further distance from school are discriminated against. My daughter passed her local Grammar school test, and even though the school is over 3 miles away we were told there is no transport available so I am having to stay at home for the foreseeable future just to do school runs. We are not able to move due to the enormous costs (stamp duty) involved and the rising costs of living."

"Our son has an EHCP and transport agreed to get him to school. This was arranged before he started and changing the rules now while he still attends seems unfair as we chose the school with this current situation knowing transport would be in place and that he would be supported. He could not travel with a bus pass and finding the cost would be a stretch but we would be above the limit for free transport."

Negative comments on current KCC processes/contact

"The KCC transport liaison/administrators who are supposed to setup transport for SEND kids are completely ineffective, do not respond to queries, are not available to speak to, my kid & many others SEND kids I have heard about have missed school due to complete failure of the transport support, please do better for these kids."

"I think we have had enough disruption to the services which are most used by our young people. School transport is the most vital of lifelines from rural villages. KCC created a selective system, you can't begin to dismantle that by taking the bottom brick out first."

“Removing of the discretionary alternatives is outrageous KCC has a responsibility to arrange transports for pupils in age of compulsory secondary education.”

Alternative transport not available/current provision not appropriate/practical

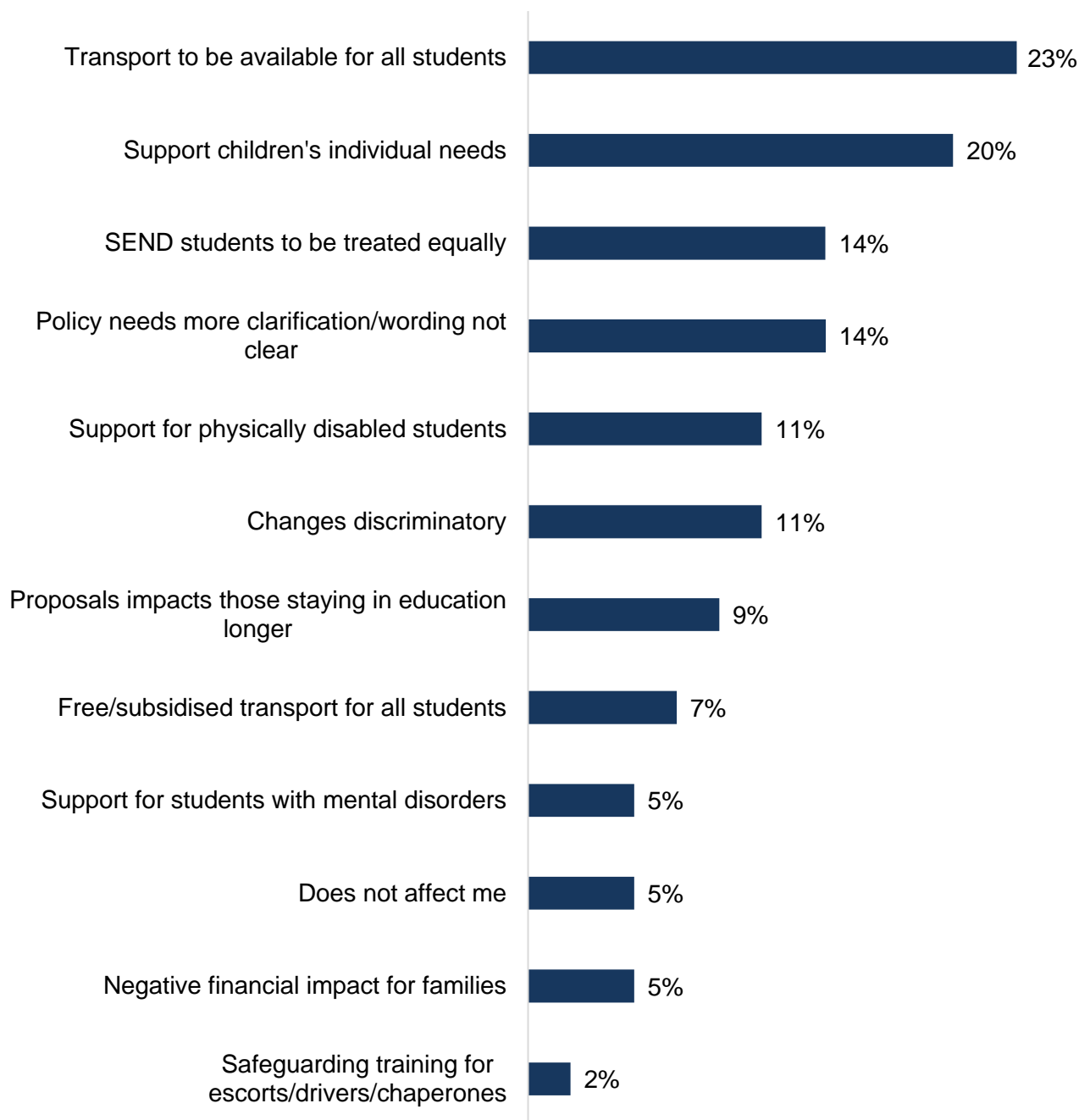
“In our village KCC in its wisdom has decided to scrap the local school bus service, meaning that there is no public transport at all. Families have to apply for taxis now, no doubt at extra cost to the bus service but no one at KCC seems bothered about this and the complaints department is defensive and totally useless.”

“We live in a village, no one in the village has been able to get free transport for 4 years as no one gets into that school, so we all have to pay, there needs to be alternatives when our closest schools are oversubscribed and we have no choice in schools.”

Equality analysis

When asked whether KCC should consider anything else in terms of equality and diversity in relation to the draft Home to School Transport Policy, 23% felt that **transport should be available for all students**, whilst 20% of respondents stressed that support for **children’s individual needs should be taken into consideration**.

Figure 24: Q6. We welcome your views on our equality analysis and if you think there is anything we should consider relating to equality and diversity. (All responses)



Sample base size: 44

The section below highlights example comments left by respondents for the top two most common themes.

Transport to be available for all students

“I think it totally unreasonable not to provide transport for ALL pupils at state schools.”

“Transport should be available for Mainstream children as well as SEND and EHCP children. There should not be discrimination between them.

“KCCs obligations under the Equality Laws are compromised by its failure to plan school transport on a reliable basis to allow families to plan ahead. Last minute crises are especially damaging to families without access to private transport, or with extensive caring responsibilities which limit their ability to cope with public transport failure.”

Support children’s individual needs

“This does not adequately take into account the noise and stress that a busy bus or train environment has on kids that have autism leading to sensory overload, their diversity is not adequately referenced.”

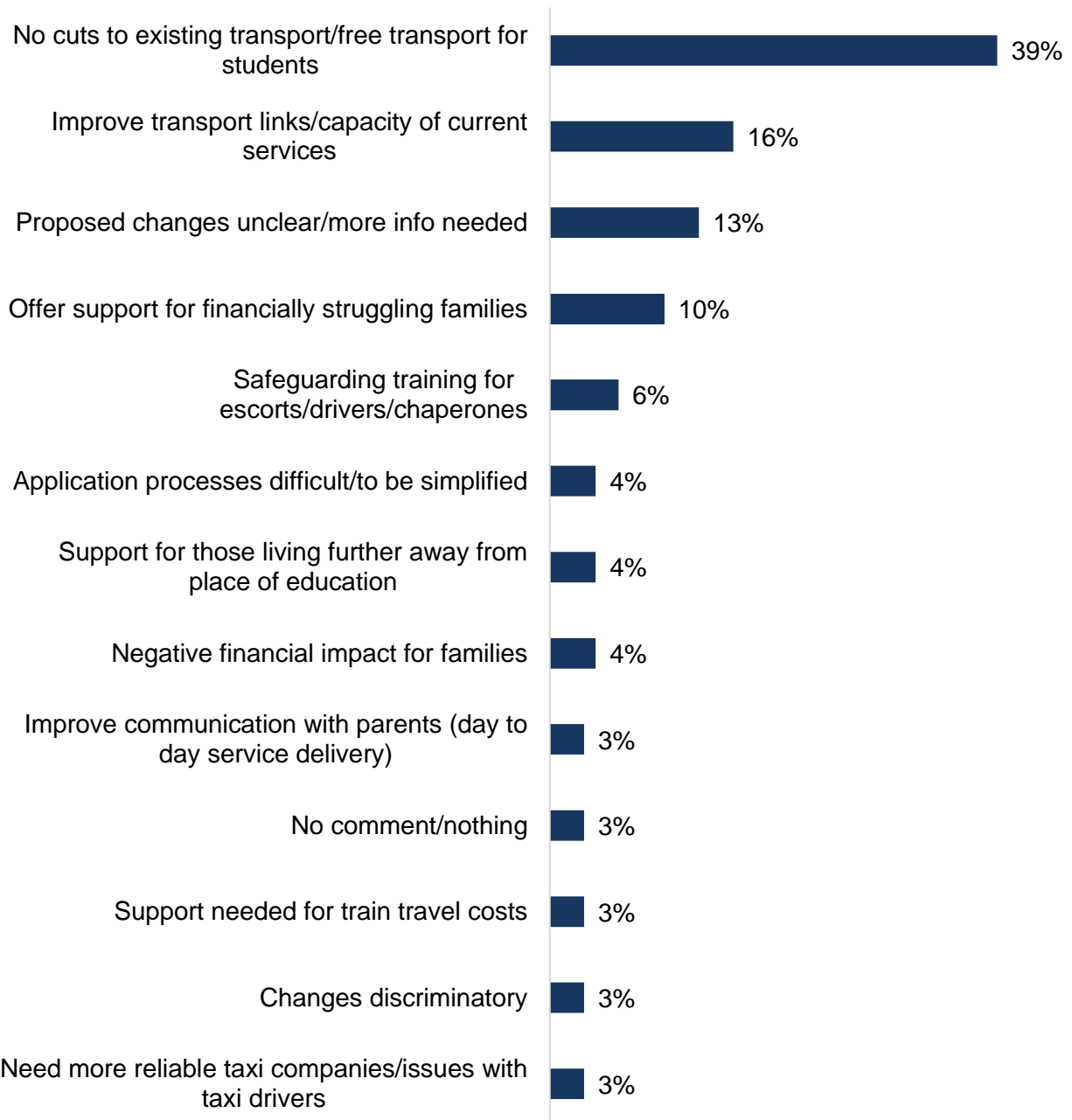
“SEND pupils can have different needs and should be treated individually rather than by condition.”

“Every child is different. Not every school will suit every child. Parental choice is one of the reasons why Kent is a desirable place to live. Equality means that every has the right to access that choice, not just those who can afford it.”

Comments and suggestions on draft Home to School Transport Policy

Participants were given the chance to provide any other comments or suggestions they had on the draft Home to School Transport Policy. Around two fifths (39%) made comments on preventing cuts to existing transport/free transport for students, whilst 16% want existing transport links and or the capacity of the current services to improved.

Figure 25: Q7. If you have any other comments or suggestions on the draft Home to School Transport Policy for Children and Young People aged 4 to 16, including anything you feel is missing (where response is 2% or more)



Sample base size: 67

The section below highlights example comments left by respondents for the first theme.

No cuts to existing transport/free transport for students

“We need to ensure critical transport links to schools are not cut above all others. They are all full to the brim so there has to be a way to make these routes economical.”

“It is of paramount importance that any school aged child in education up to and including 16-19 (Y12 and 13) should have ACCESS to a school bus or train (public transport) for the intended purpose of facilitating getting to school.”

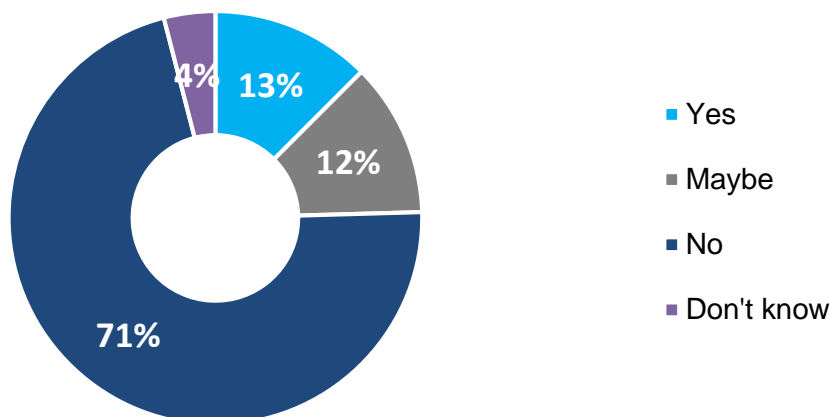
“Transport to schools should be provided for as many children as possible on the grounds of safety, efficiency, impact on level of traffic during the school travel times. If school transport is removed the enormous increase in private vehicles carrying out this journey will be unmanageable. All children attending any type of school should be assisted with transport, even if it is shorter bus journeys to local train services to continue longer journeys from outlying villages to access Tonbridge, Tunbridge Wells and Maidstone.”

Cycle Bursary Scheme

KCC are starting to explore the potential for a Cycle Bursary Scheme. The scheme would enable parents of children eligible for free school transport to receive a sum of money to buy their child a bicycle, instead of being provided access to a free KCC vehicle. The scheme would include safety equipment and some additional money for maintenance costs to ensure the bicycle remains safe and road worthy. This could be in the region of £300 to £500 and would likely cover three years of transport support.

When presented with these details 13% of respondents said the Cycle Bursary Scheme is something that would be of interest to them/their children. However, the majority (71%) stated this would not be of interest to them. These figures exclude those who answered ‘not applicable’ to this question.

Figure 26: Q8. Is the Cycle Bursary Scheme something that would be of interest to you or your child(ren)? (All responses excluding not applicable)

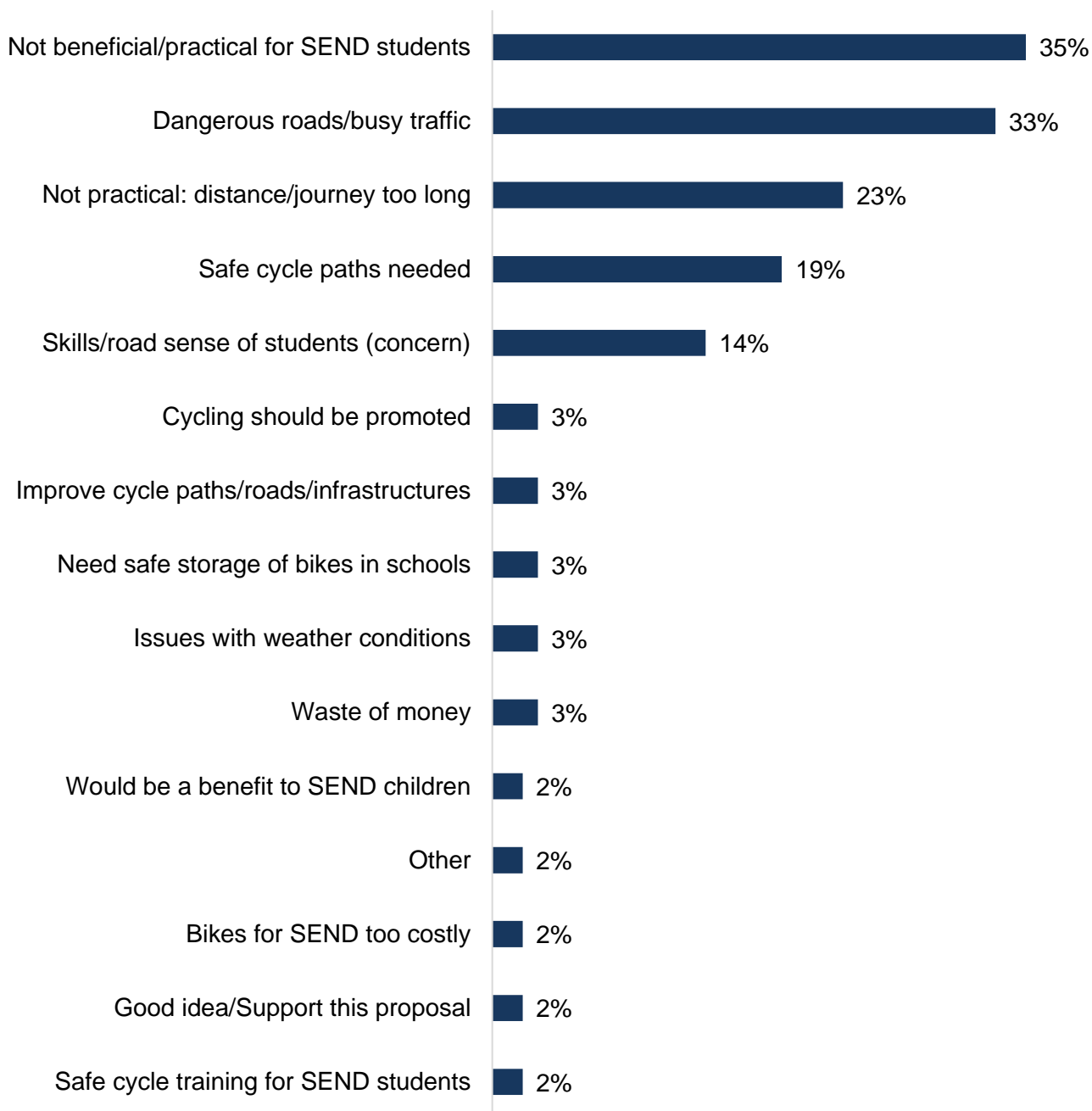


Sample base size: 224

When asked for feedback or suggestions relating to the potential Cycling Bursary Scheme, 35% of respondents said that it **would not be beneficial or practical for SEND students**. Over three in ten (33%) also raised **concerns around dangerous roads and busy traffic**.

A further 23% also noted that the scheme is **not practical for those with long distances/journeys to school**, whilst 19% commented on the **need for safe cycling paths**.

Figure 27: Q8a. If you have any feedback or suggestions on a potential Cycling Bursary Scheme, please tell us in the box below (All responses)



Sample base size: 128

The section below highlights example comments left by respondents for the top three most common themes.

Not beneficial/practical to SEND students

“Putting a SEND child on a bike is humorous suggestion. Unsafe practice who is liable for accident? Have they got cycling proficiency provided?”

“The cycling bursary scheme is a non starter for my disabled children, as I’m sure it is for many Sen children .”

“This is aimed at the wrong group of children Most parents of special needs children or children who are learning disabled would be horrified at this idea unless the school was round the corner You must remember children under the autistic umbrella have sensory issues, so certain things affect them that others wouldn’t consider, children with learning disabilities have their own problems related to their disability. These children need security and stability in their lives and some need contact with family, carer etc on their journey In my opinion this is a terrible idea for this group of children, and the worse way of cost cutting imaginable.”

Dangerous roads/busy traffic

“It's not the cycle that needs maintaining, it's the state of the roads! They're not safe to cycle on!”

“Until there are proper cycle paths along footpaths this is ridiculously dangerous. Kent roads are dangerous and until cycle paths are full paths and not sporadically distributed this policy is a disaster waiting to happen particularly during rush hour. The council should look to Europe e.g. Finland and the Netherlands for the correct way to implement cycle paths.”

“Unfortunately I don’t think the road is safe enough for children to use bikes as their transport to travel to school.”

“The facilities to use cycles must be improved before transferring children from road passenger of school managed transport to road user. e.g. street lighting, main artery cycle paths, pothole reduction, school showers/changing facilities.”

Not practical: Distance/journey too long

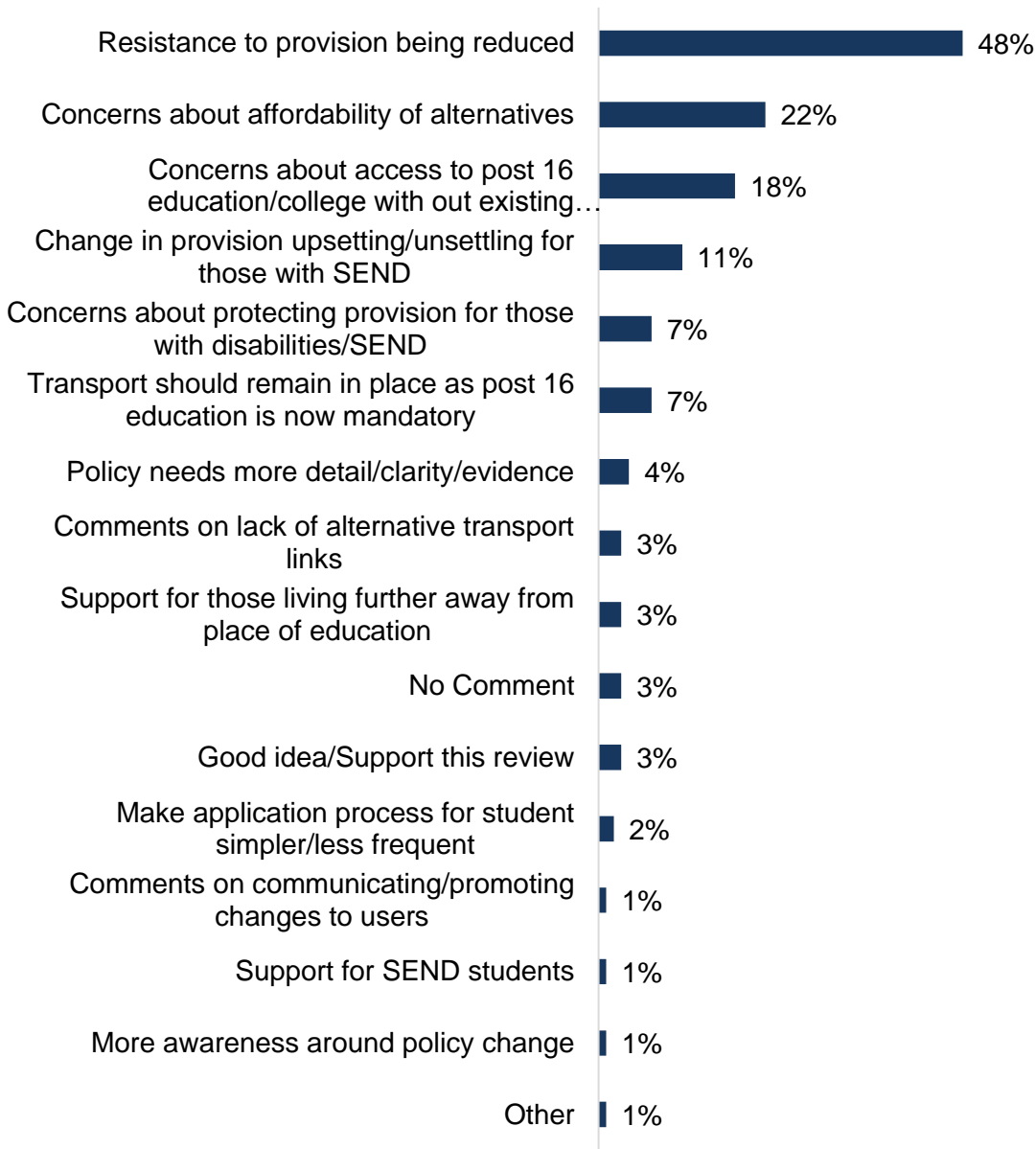
“I think it would be beneficial to be provided alongside free travel but considering it’s usually at least 3 miles each way that seems preposterous to expect children and parents to do that each day.”

“Cycling is good and it is good idea - but if the school is not near (and a lot of them aren't) they are difficult to use - my son is 1 hour on the bus so the bike would take longer (even if taking into account the traffic can be at times bypassed by bikes. It is not very practical for rural communities - also cycle lanes are a bit patchy in towns.”

Post 16 Transport Policy statements

Whilst no changes are being proposed for the 2023-24 Post 16 Transport Policy Statement, KCC is legally required to consult every year. Among those who commented on the 2023-24 policy, just under half (48%) stated **resistance to provisions being reduced**. These responses are likely to have been influenced by proposals elsewhere in the consultation. Over a fifth (22%) also stated **concerns around the affordability of transport alternatives**.

Figure 28: Q9. If you have any comments on the draft Post 16 Transport Policy Statement for 2023-24, please provide them in the box below (All responses)



Sample base size: 89

The section below highlights example comments left by respondents for the top three most common themes.

Resistance to provision being reduced

"I am in agreement that there should not be any changes policy for the 2023-24 year. Post 16 SEND students still need to have access to their chosen courses, and if that means that they need KCC to fund transport due to their needs, then KCC should continue to do so."

"The actual cost is ridiculous. My older two children chose to stay at their secondary school for 6th form and my youngest will probably wish to do the same. How can KCC justify the increase cost of the post 16 travel saver card. Why doesn't it go up so much just because children are 16+. It is not their fault the government make them stay in education until they are 18."

"Children with an EHCP plan should be allowed free transport for as long as they are at school. I can't afford to take my daughter plus as I said public transport would cause anxiety. This could cause a meltdown on a bus etc and put passengers and driver at risk."

Concerns about affordability of alternatives

"Post 16 pupils saver bus cards are still far too expensive. Senior citizens should pay full price and school and college (16-21) students should be given free bus travel. They are young for such a short period but Seniors can use buses for possibly 20 years."

"The process is frustrating enough to get support for young people with often complex needs. My young people have never been offered any support towards independence such as travel training. I don't think the strain under which most parents of young people with special needs function is ever taken into account and how the current cost of living crisis makes taking away or reducing criteria for transport another kick in the teeth. Our benefits are not increasing to accommodate this and my vulnerable young people cannot get part time jobs. They don't need further barriers to education programmes."

"If a child received free school transport to school and stayed at school, they should still have free travel to school in the 6th form."

Concerns about access to post 16 education / college without existing transport support

"Given that all children remain in education till 18/19 now the existing free bus pass or Kent saver scheme should be available, not the post 16 one this is too expensive. In fact in rural areas with poor bus links it should be free bus travel for all to encourage bus use instead of the next generation of polluting car drivers."

"Our son will be unable to complete the education for his career path at a local school or college that can offer him access to opportunities. He will be unable to travel there alone."

“My daughter attends a college that specifically caters for her special needs. She is unable to travel independently. Why therefore should free fully funded transport be withdrawn in cases such as hers? Kent County Council should do everything in their power to fully support disabled young adults and their families.”

2024-25 Post 16 Transport Policy Statement

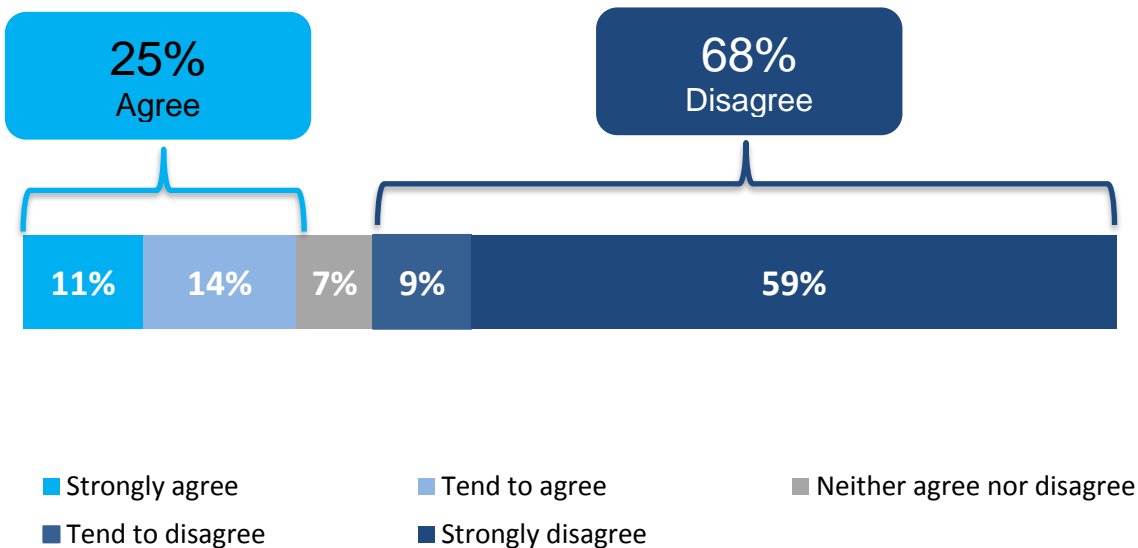
The responses given in relation to the three key proposed changes for 2025 are summarised in turn below.

Proposal 1: mandatory contribution for Post 16 SEND transport

KCC are proposing to introduce a mandatory contribution from all pupils who receive direct support from KCC for Post 16 transport including those with Special Educational Needs and/or a disability and/or mobility problems (SEND).

A quarter (25%) of respondents agree with the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including those with SEND, with 11% strongly agreeing. 68% disagree with this proposal, with over half (59%) strongly disagreeing.

Figure 29: Q10. To what extent do you agree or disagree with the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including those with SEND? (Excluding don't know responses)



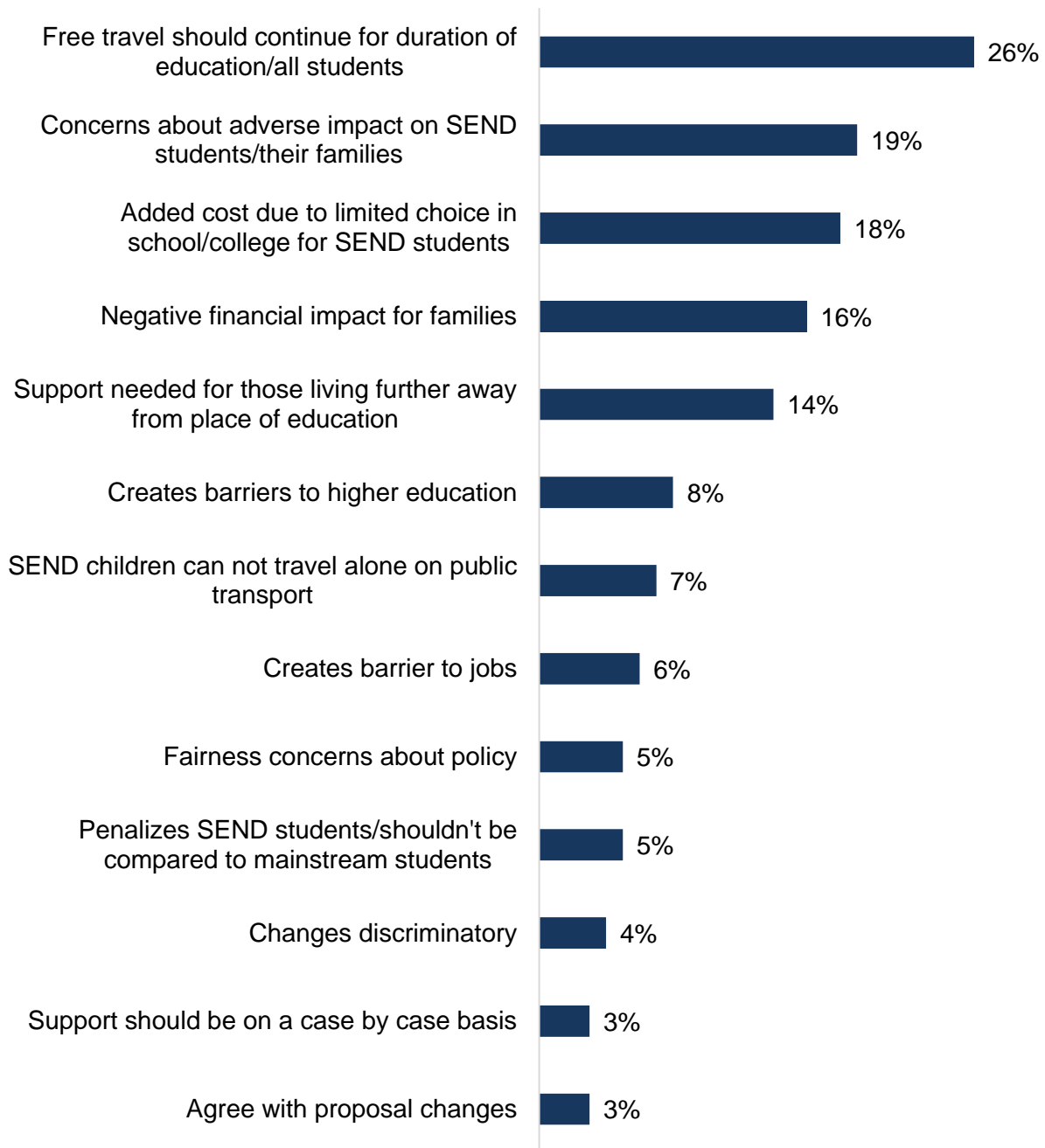
Sample base size: 260

Key variations in support are summarised below:

- Those responding in another **capacity (not student or parent/carer)** are significantly more likely to agree with this proposal compared to **parents/carers** (40% cf. 22%).
- Respondents who have a **child in secondary school with a KCC Travel Saver pass** are significantly less likely to disagree with the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including those with SEND compared to those with **a child in secondary schools who do not have a KCC Travel Saver pass** (46% cf. 79%).
- Respondents with a **child in secondary school who does not receive free KCC transport** are significantly more likely to agree with this measure compared to those **who do receive free transport** (41% cf. 15%).
- Those **without a disability** are significantly more likely to agree with these proposals compared to those with **a disability** (32% cf. 13%).

Analysis of the comments given in relation to proposal 1 show that 26% felt that free travel **should continue for the duration of education for all students**. 19% raised concerns about the **adverse impact the proposal will have on SEND students and their families**, whilst 18% commented on the added cost due to **limited choice in education establishments for SEND students**.

Figure 30: Q10a. Please add any comments you have on this proposal in the box below (All responses with 2% or higher)



Sample base size: 147

The section below highlights example comments left by respondents for the top three most common themes.

Free travel should continue for duration of education/all students

“An EHC plan continues to age 25 so why is travel to school not free once over 16. It should be all time in education at the very least.”

“The free provision is vital, particularly now that the cost of living is so high.”

“If children are made to stay in education until they are 18, then these should still be available for them, SEND or not.”

Concerns about adverse impact on SEND students/their families

“It will put children off learning and studying at a school that meets their needs. If the parent decides they cannot afford the subsidy (or don't want to go through the palaver of filling out a means-tested form) the child could be attending an inappropriate setting (but closer to home). That child may not achieve as well as they could and potentially disrupt the learning of those more able pupils (in the closer but inappropriate school) Eventually this will impact the whole society, with poorly qualified school leavers unable to sustain long term employment.”

“The special needs don't disappear at a certain age, they are often no less able to cope with an unsupported bus journey than they could when younger! If anything they can be more vulnerable.”

“Children with SEND need access to education more than anyone else to be given the best opportunity to succeed. In many cases the added stress of public travel, when dealing with physical or learning disabilities is likely to exclude many from accessing education. I think removal of transport for SEND children in this age group would be disastrous and would lead to them needing more support in their later lives costing more overall.”

Added cost due to limited choice in school/college for SEND students

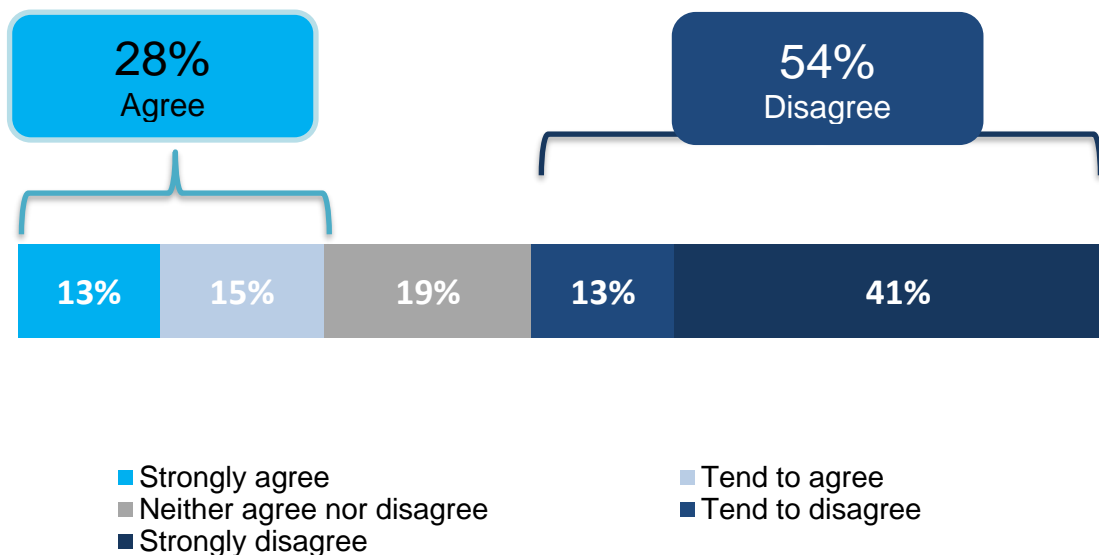
“The transport for SEND children is bad enough. To expect parents to pay towards sending their children/young adult to a school that's not in the same area is no fault of the parent. If my Son could go to the school that's a 5-minute walk away from us we would. But we can't, so to yet again penalise people with a disability by charging the parent to send their child to the only available school to them, 40-minute drive away is disgusting.”

Proposal 2: removal of additional drop off and collection

KCC are proposing to remove the discretionary provision of additional drop off and collection times for SEND Post 16 pupils to accommodate partial attendance. This would mean that drop off and collections would only be at the start and end of the school day.

Over a quarter (28%) of respondents agree with the removal of additional drop off and collection times for Post 16 pupils, with 13% strongly agreeing. Over half (54%) disagree with this statement, with 41% strongly disagreeing.

Figure 31: Q11. To what extent do you agree or disagree with the removal of additional drop off and collection times for Post 16 pupils? (Excluding don't know responses)



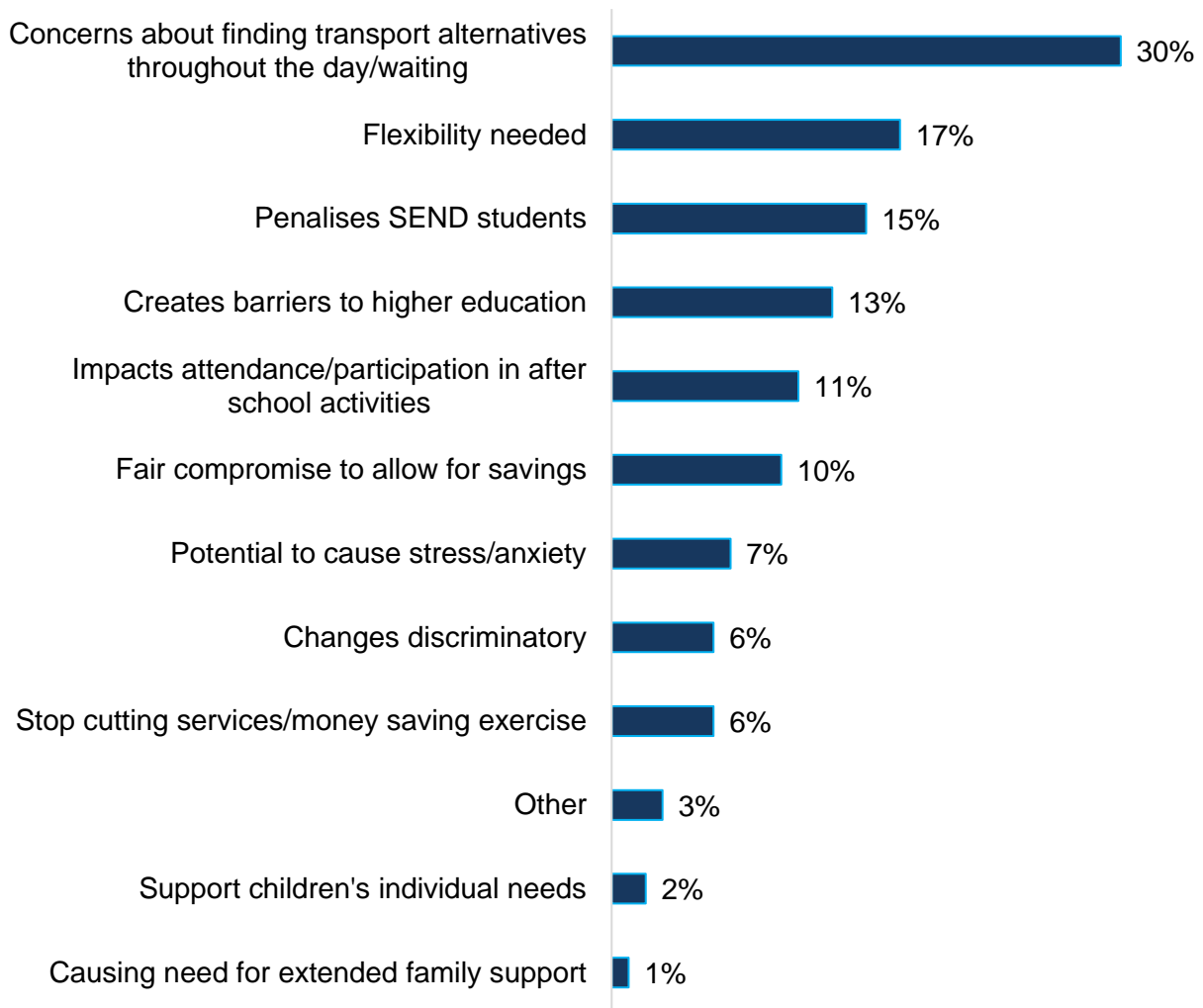
Sample base size: 254

Key variations in support are summarised below:

- Those responding in **another capacity (not student or parent/carer)** are significantly more likely to agree with this proposal compared to **parents/carers** (48% cf. 23%).
- Respondents who have **a child in secondary school with a KCC Travel Saver pass** are significantly more likely to agree with this statement compared to the **total average** (41% cf. 28%).
- Respondents with a child in secondary school **who receives free KCC transport** are significantly more likely to disagree with this measure compared to those **who do not receive free KCC transport** (64 cf. 41%).

In regard to proposal 2, 30% raised **concerns about finding transport alternatives** throughout the day, whilst a further 28% felt that **flexibility was needed**. A further 15% also made comments on the fact they felt this policy **penalises SEND students**.

Figure 32: Q11a. Please add any comments you have on this proposal in the box below (All responses)



Sample base size: 103

The section below highlights example comments left by respondents for the top two most common themes.

Concerns about finding transport alternatives throughout the day/waiting

“I think that I generally disagree with this proposal - what would these youngsters do whilst waiting for lessons to start, or waiting to be collected after their lessons? Many youngsters with SEND really struggle with unstructured times - my son certainly does and would not cope with "waiting". Would school/college staff be supervising these youngsters? Would other activities be provided for them whilst not in lessons? If their non-lesson time is guaranteed to be supervised and structured for those that need it, I would have no problem with this proposal - but I doubt very much that this will be the case!”

“This will put off young people attending days where they’re only in part of the days as they will have to hang around to get picked up which is unsafe for vulnerable children.”

“This does not affect us - how many students are actually affected by this? What will happen to those that finish early if they cannot be collected? Children with EHCPs cannot be left unattended during the day.”

Flexibility needed

“There needs to be flexibility for students especially post 16 when they may need to attend only parts of the day.”

“We both work and our jobs do not allow flexibility to do this.”

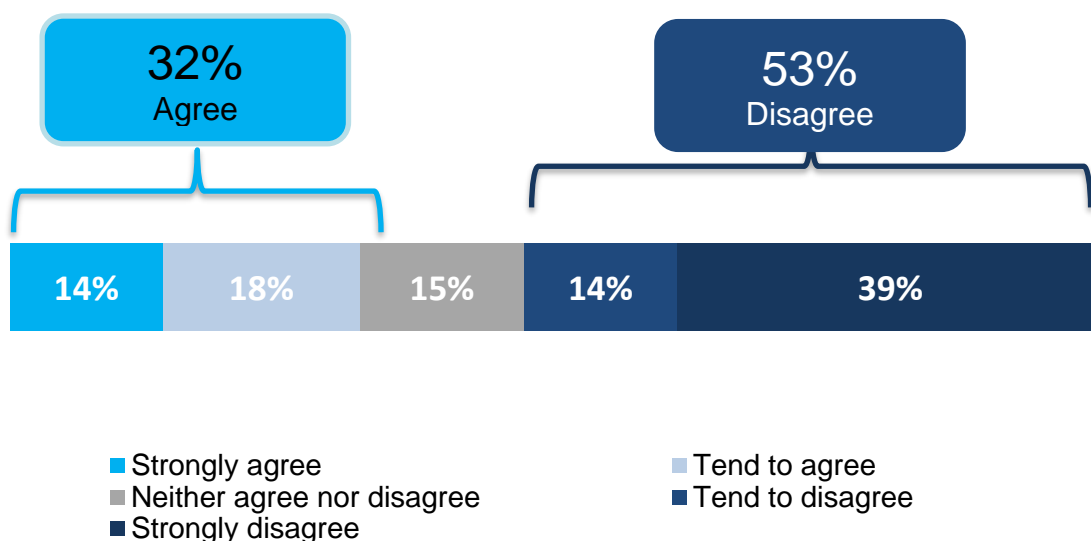
“Additional drop off/collection points are also essential. Most SEN students need help with independent travel and are on reduced timetables, may have health appointments or extra support as per EHCP. It is not the student’s fault if they need to be in their educational setting earlier or longer due to this. One size does not fit all! These students require an enormous amount of flexibility within their timetables to incorporate their individual health and learning requirements. Parents who need to work cannot start later or finish early in all areas of employment which means that parents are not returning to work as a lot have stopped working due to their child's SEN requirements. Removing additional points means that some children will need parents to drop off or collect within their working day.”

Proposal 3: new qualifying criteria for Post 19 SEND learners

KCC are proposing to introduce qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday. This means that when assessing the need for transport support for this cohort, KCC would not consider it necessary, other than in exceptional circumstances, to provide transport for a learner to attend an additional Further Education course at the same level or equivalent to one the learner has previously attended and completed.

A third (32%) of respondents agree with the introduction of qualifying criteria for learners seeking transport support for new courses started after their 19th birthday, with 14% strongly agreeing. Just over half (53%) disagree with this statement, with 39% strongly disagreeing. 15% gave a neutral response.

Figure 33: Q12. To what extent do you agree or disagree with the introduction of qualifying criteria for learners seeking transport support for new courses started after their 19th birthday? (Excluding don't know responses)



Sample base size: 248

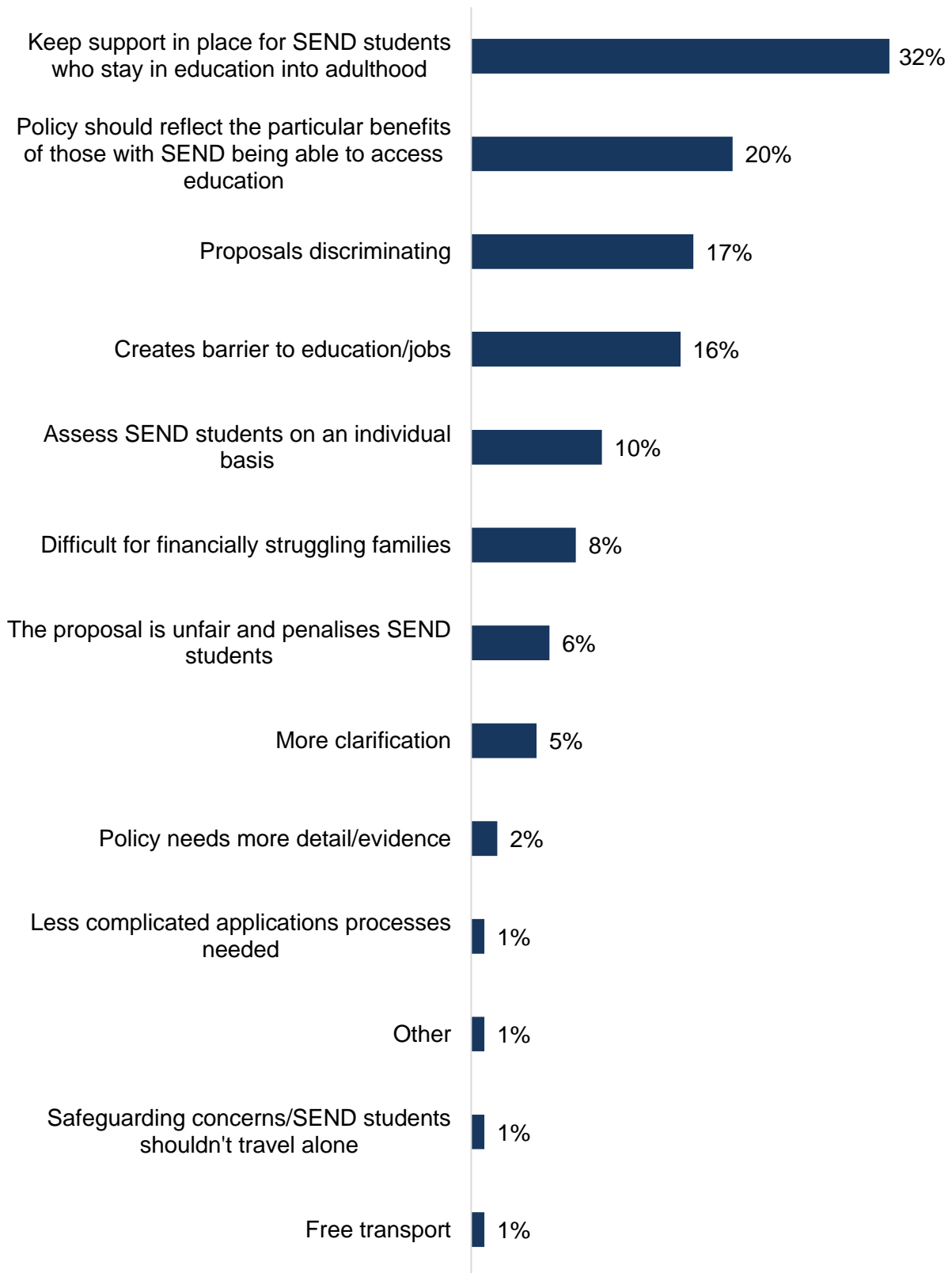
Key variations in support are summarised below:

- Those responding **in another capacity (not student or parent/carer)** are significantly more likely to agree with this proposal compared to **parents/carers** (53% cf. 28%).
- Respondents who have a **child in secondary school with a KCC Travel Saver pass** are significantly more likely to agree with this statement compared to the **total average** (47% cf. 32%).

- Respondents with **a child in secondary school who does receive free KCC transport** are significantly more likely to agree with this measure compared to the **total average** (46% cf. 53%).

When asked for any other comments pertaining to proposal 3, a third (32%) suggested KCC should **keep support in place for SEND students who stay in education into adulthood**, whilst 20% of respondents said that KCC's policy should reflect the **benefit of those with SEND being able to access education**.

Figure 34: Q12a. Please add any comments you have on this proposal below. (All responses)



Sample base size: 88

The section below highlights example comments left by respondents for the top three most common themes.

Keep support in place for SEN students who stay in education into adulthood

“Free transport for sen post 16 needs to remain for as long as the ehcp is in place so 25! my daughter for one at that point will still be very vulnerable and not be able to use any other form of transport.”

“Students take longer to achieve qualifications. Need to ensure that education/training is in place 19-25 to maximise the possibility that they end up able to join the workforce in the future. It seems short-sighted to remove transport if it then means the student simply goes into requiring a care package rather than setting them up in a position where they are able to contribute economically.”

“Please give these young vulnerable people a chance to learn , grow and develop in a safe environment. Without transport support many will not attend a supportive environment and bear in mind the pressure on many families will increase. We are living in a financial crisis and as I have stated previously it is always the most vulnerable who will suffer if cuts are made to transport.”

Policy should reflect the particular benefits of those with SEND being able to access education.

“Assessment at the time of need should be a given. circumstances may have changed.”

“Not all courses start in September. Some pupils birthdays would mean they would be 19 in September when the academic year starts.”

“What are exceptional circumstances? The education system has failed to support and the young person is still struggling to access the education that they should have been entitled too years ago? Young people with Send do not always get the support and understanding they needed according to an age timeline. Bear in mind the strain of the parent that is still trying to get her child the support he should have received before reaching 16 to access the achievements he was capable of then in his 19th year!”

Proposals discriminating

“A young person with SEND can stay in education up until they are 25, it may be the case that a suitable course isn't initially available to start with - I believe this would be discrimination and limit the choices of SEND young people.”

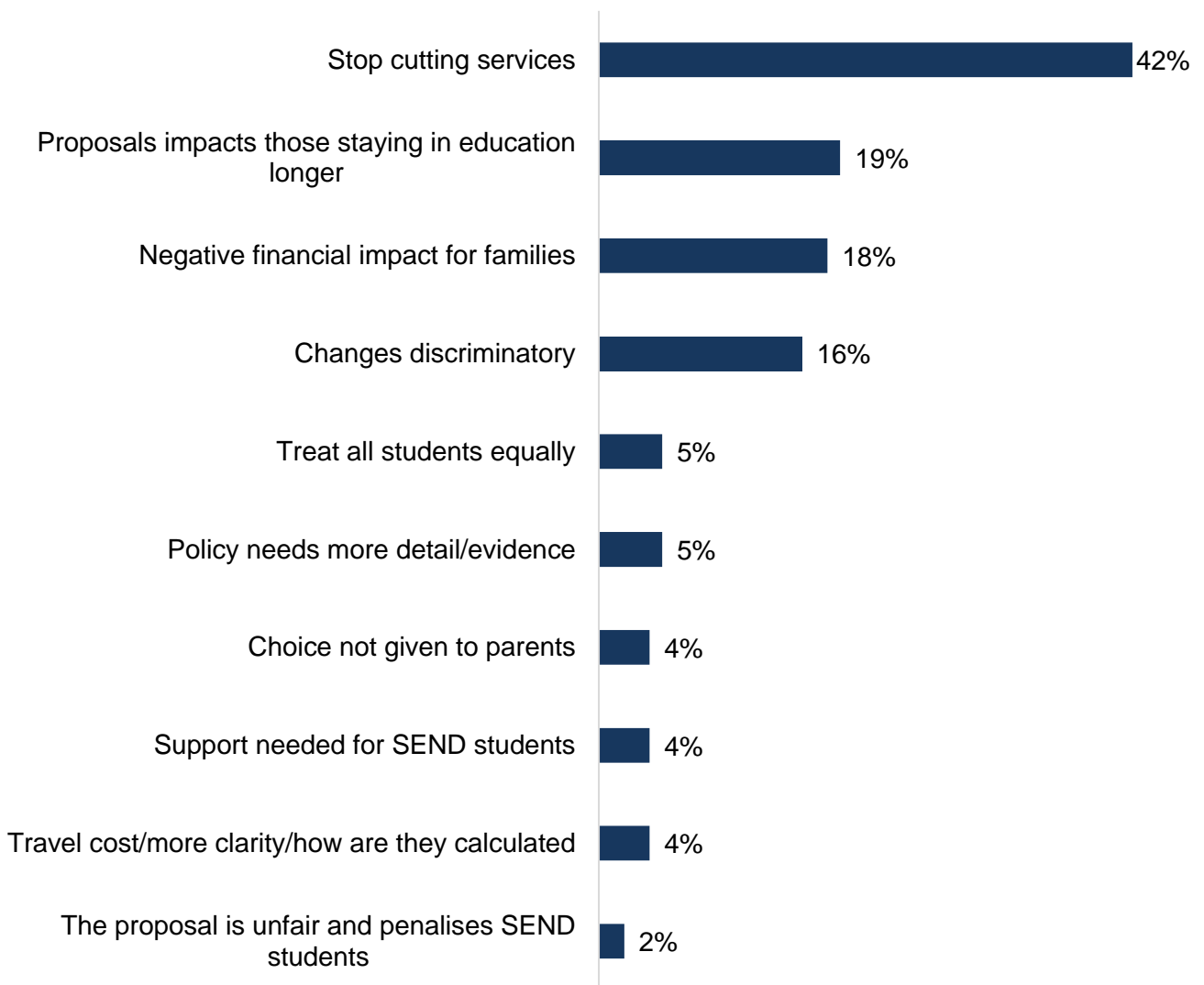
“This proposal is not permitted under equality and diversity regulations, I do not understand how this proposal is permitted to be even proposed by Kent County Council, it is discriminatory.”

“A child with an EHCP needs to be enabled to reach its full potential, many children with an EHCP will have had periods of missed education, it is not uncommon for children in Kent to have been out of education for months if not years, these children desperately need that extra time in education to ensure they have same opportunities as their peers, to remove this requirement will force many to make a choice based on finances and NOT what is best for their education or futures. That is discrimination. Kent should be putting children first not finances!”

Equality analysis

When asked for views on the equality analysis for the draft 2024-25 Post 16 Transport Policy Statement, including how KCC can lessen the impact on learners and their families, the overwhelming sentiment was resistance to any changes. Over four in ten (42%) of the comments at this question suggested that KCC should **stop cutting services** in the area of post 16 transport.

Figure 35: Q13. We welcome your views on our EqIA for the draft 2024-25 Post 16 Transport Policy Statement and if you think there is anything else we could do to lessen the impacts on learners and their families. Please write your comments/suggestions below. (All responses)



Sample base size: 57

The section below highlights example comments left by respondents for the top two most common themes.

Stop cutting services

“Please reconsider your proposal - as I've said, investing in these youngsters now, keeping them gaining qualifications and training them to be employable is such a good investment - it will save you more long term. I'm fairly certain that my child would need a lot of social care input if he had to finish his studies in 2024 - he'll not be ready for employment by then, and he needs the structure and routine that college provides, so I'd probably be looking into getting him some form of day care provision from social services - this is not something I would contemplate if he was still at college. His mental health is not strong at the moment, and withdrawing the routine and structure that college provides him would no doubt impact him negatively, and he would need more NHS mental health support too.”

“I totally understand the need to reform but unfortunately those post 16 whether or not in sen or mainstream still need to safety of receiving transport to and from school. This will diss advantage a lot of children.”

“Don't withdraw transport for those seeking to learn who already have barriers to learning because of their disabilities.”

Proposals impact those staying in education longer

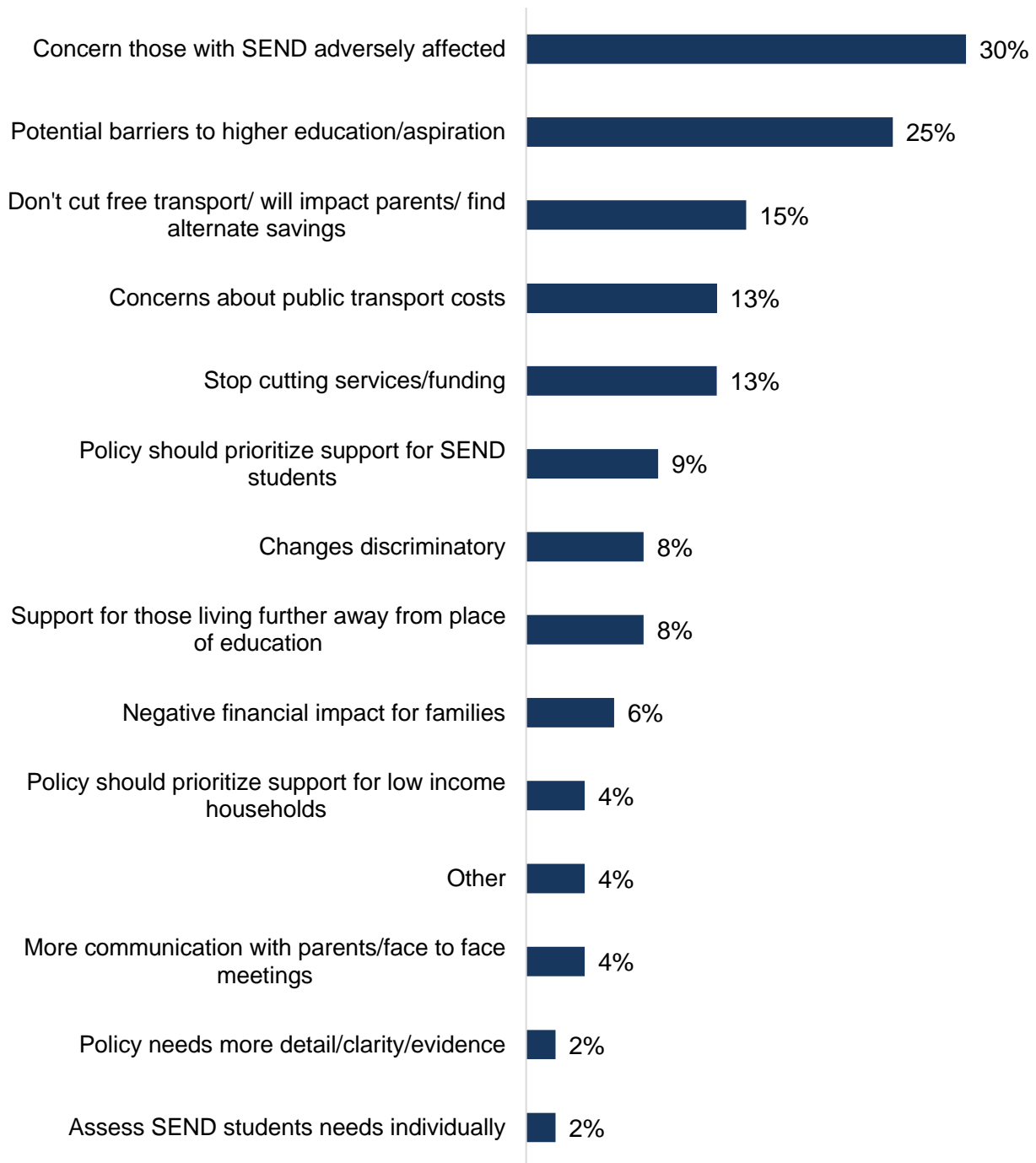
“SEND students might take longer than mainstream to get qualification's my understanding of changing from statement to EHCP was to make it easier for students you can see what is needed and would cover them up until 25 to give them a chance to 'catch up' to take away transport is to take away their chance of an education the hard work of trying to kid the world they have equality and they have a right to an education is taken away from them if transport is not given, how sad that we are going backwards and not forward.”

“It will put barriers in place to stop our young people accessing an education, especially those with an EHCP. Cost of living which is impacting everyone and KCC appear not to of thought of the impact on our young people yet again. Can predict that NEET and mental health crisis will go through the roof.”

“Any changes are hard and you have to realise that sometimes these decisions can be the difference between a pupil going to college or having to drop out altogether because a system that says you don't get the support because your parents earn too much doesn't mean your parents want to help you out so sometimes means testing doesn't take in to account the damage it can also have on the individual and society.”

In relation to the Post 16 Transport Policy Statement for 2024-25, three in ten (30%) respondents raised concerns with the **adverse impacts the policy could have on SEND students**. Whilst a quarter (25%) raised concerns with the **potential barriers to higher education**.

Figure 36: Q14. If you have any other comments on the proposed Post 16 Transport Policy Statement for 2024-25, please provide them in the box below (All responses)



Sample base size: 53

Concern those with SEND adversely affected

“Our son needs support to attend college. He would not be able otherwise to access a course that supports his aspirations. Would you want to do courses in something you didn't want to pursue because it was closer. He should have opportunities to thrive and develop.”

“Think about the whole picture over the course of a SEND student's lifetime not just the bank balance for a handful of years whilst they are under 25.”

“These plans will mean a lot of young people who WANT to learn something will have their dreams compromised.”

Potential barriers to higher education/aspirations

“I am very concerned that my child along with many others will be dealt a blow to their aspirations to continue in college because they are disabled. Many children live quite a way from the setting they are learning at but cannot undertake public transport alone, to deny them transport is discriminating them from people who can get on public transport alone.”

“Provide post 16 transport for those that most need it. Don't get rid of it completely. It wouldn't be fair for them to drop out of education before age 18.”

“I accept there are savings that are needed but the post 16 part is too dramatic in one year - find another way this is their one shot of being the best they can be don't take that away from them but preventing them from access to further education.”

Don't cut free transport/will impact parents/find alternate savings

“Please do not abolish free transport, it will have a detrimental effect on many, many families; families who have already fought long and hard to even get their child into a special educational setting. It seems wholly unfair that they can reach 16 years of age and then suddenly have this withdrawn. There is such a lack of SEN schools that families do not have a wide choice of places and have to take what is offered to them. For so many, their attendance is only made possible with the provision of free transport.”

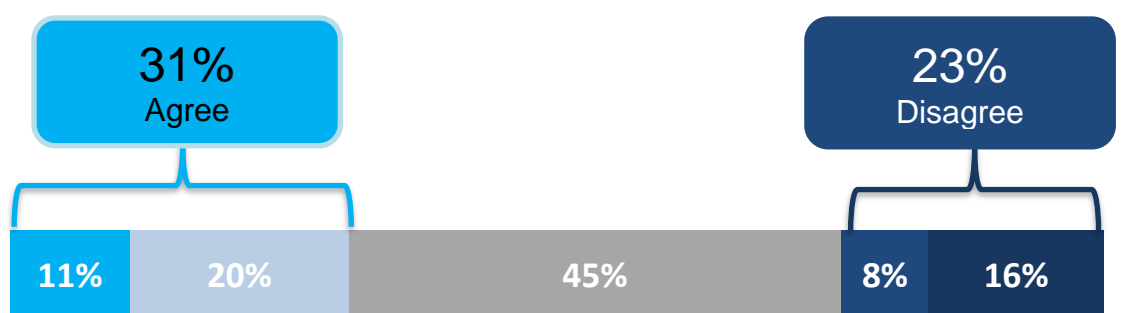
Transport Retendering Procedure for Pupils with an EHCP and/or SEND

In Annex 7 of the draft Home to School Transport Policy, KCC explain their approach to purchasing home to school and post 16 transport services for pupils with an Education, Health and Care Plan (EHCP) and/or Special Educational Needs or Disabilities (SEND). This is as a result of the greater complexity that is often required to be considered when finalising their transport requirements.

This document includes details of how KCC will communicate and engage with parents/carers and schools and/or learning provisions for planned and unexpected changes.

Around three in ten (31%) respondents agree with how KCC propose to communicate and engage with key stakeholders on planned changes to services, with 11% strongly agreeing. Just under a quarter (23%) disagree, with 16% strongly disagreeing. Just under half (45%) neither agree nor disagree. This may reflect the fact that this area of service delivery may not be relevant for all respondents.

Figure 37: Q15. To what extent do you agree or disagree with how we propose to communicate and engage with key stakeholders on planned changes to services? (Scaled responses – don't know removed)



- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree

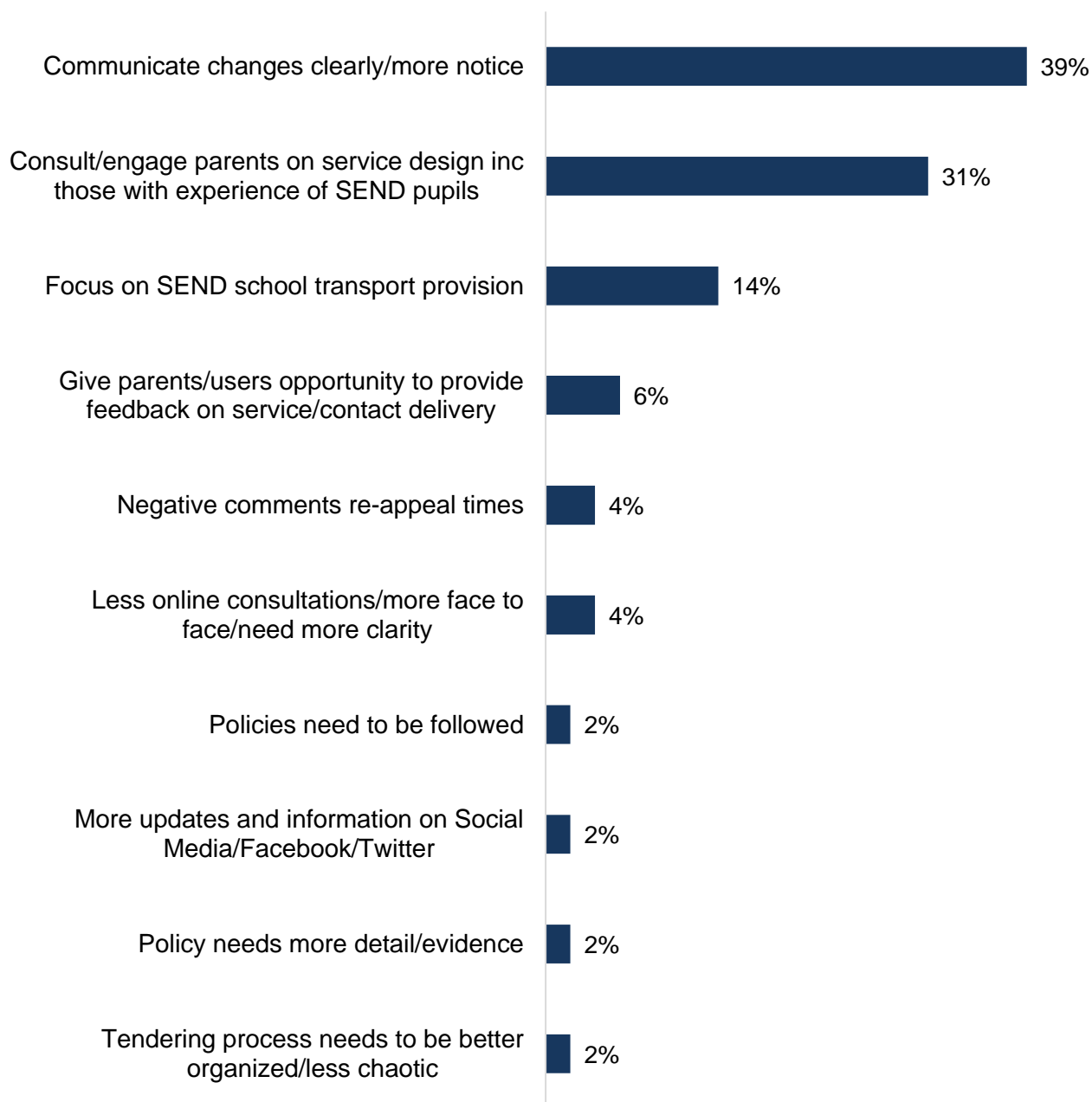
Sample base size: 179

Key variations in agreement and disagreement are summarised below:

- **Non-carers** are significantly more likely to agree with how KCC propose to communicate and engage with key stakeholders on planned changes to services compared to **carers** (48% cf. 27%).

When asked to comment on how KCC propose to communicate and engage with key stakeholders, 39% of respondents said that they need to **clearly communicate any changes made**. Three in ten (31%) highlighted **consultation and engagement is needed with parents** on service design, including those with experience with SEND students.

Figure 38: Q15a. If you have any comments on how we propose to communicate and engage with key stakeholders on planned service changes, please tell us in the box below (All responses)



Sample base size: 49

Communicate changes clearly/more notice

“All aspects should be joint meeting with all involved and a good clear communication barrier maintained.”

“Following last years debacle around retendering, any future process needs to put the children involved at the forefront of ANY decision. Not money, time or any other option. The

child, it's education and wellbeing has to be the priority! Moving children from 5 seater taxis into 15 seater minibuses and on journeys lasting upto 2 hours is unacceptable and definitely not putting the children first. Any changes need to be organised, timely and appropriate to the service users."

"No schools have been notified of these changes."

"2 months' notice of planned changes is not enough time. Those with SEND may require significant additional support to prepare them for change. Equally carers may have to make life changes in order to accommodate changes."

Consult/engage parents on service design including those with experience of SEND pupils

"Any changes that affect the pupils should be consulted by parents first not to be decided by grown adults around a table who don't have families in our situations!"

"Are you planning to e-mail and/or write to individual families with the survey? If not, it should be done."

"We as parents do not have a say in the physical location of SEND schools. We actually moved to an area of Maidstone to be close to the school site, but our daughter was later moved onto a satellite provision all the way over in Snodland. Nobody consulted parents we do not believe."

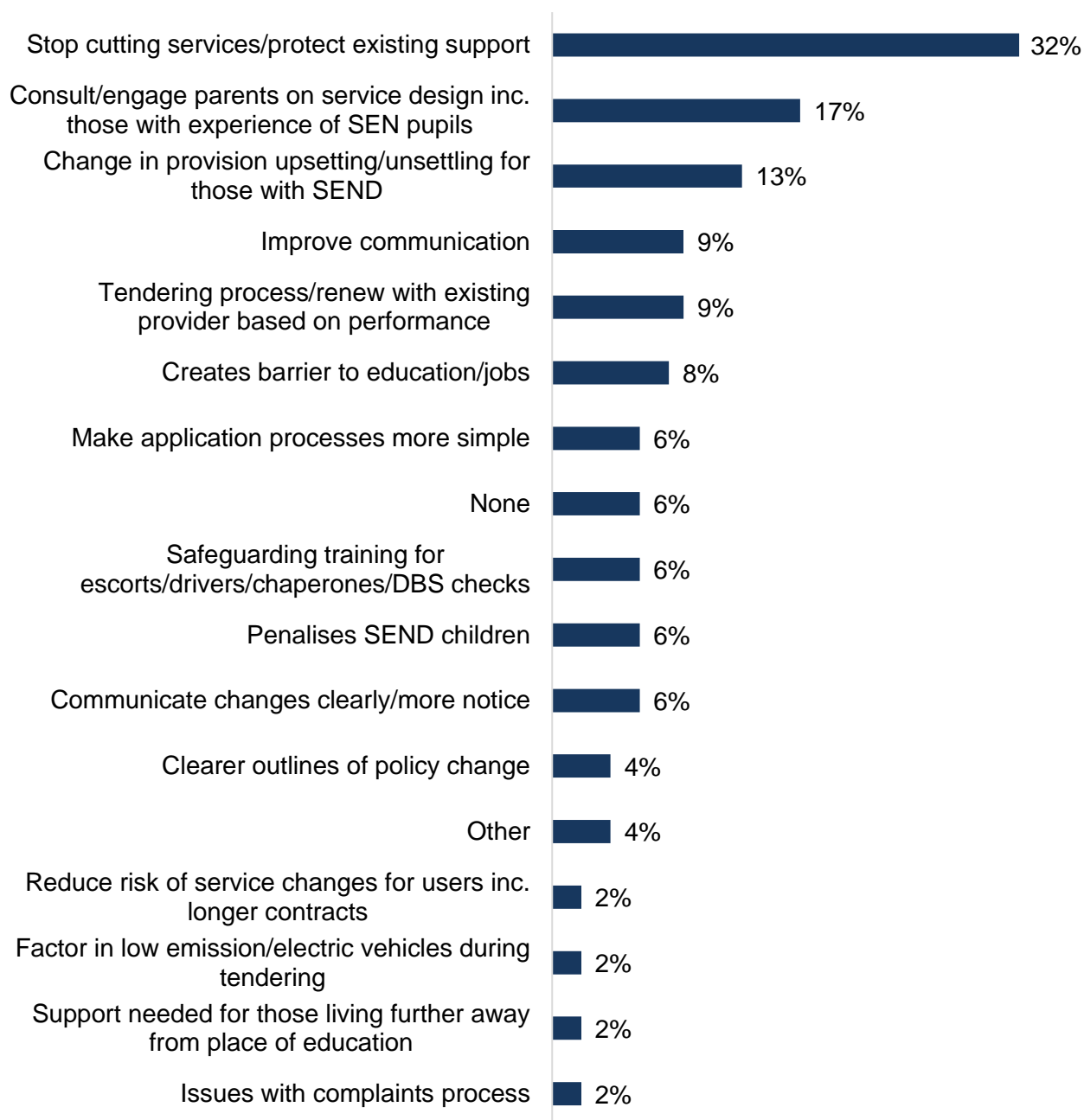
Focus on SEND school transport provision

"16+ SEND children with an EHCP are normally unable to travel alone to their school, they are at greater risk, this proposal is going to essentially effect their education. These children are at schools that they need taxi / minibus provided as there is no educational provision nearer suited to their needs , so why on earth are the department of education yet again trying to save money for the most vulnerable."

"I am not fully aware of this. However, transport arrangements have been very poor over the last 2 academic years. This is no criticism of any individual - we have had a very constructive relationship with transport, solution focused. However, transport needs to be arranged in a timely manner that allows all students to start the provision on the first day of term 1. Failure to do so disadvantages already disadvantaged learners."

A third (32%) of respondents said that KCC need to **stop cutting** services and protect existing support in place. 17% commented on the need to **consult and engage with parents**, including those with experience of SEND students when asked about any further suggestions to the Post-16 Transport Retendering Procedure for those with an EHCP or SEND.

Figure 39: Q16. If you have any other comments or suggestions on our Home to School and Post-16 Transport Retendering Procedure for pupils with an EHCP and/or SEND, please tell us in the box below (All responses)



Sample base size: 53

Stop cutting services/protect existing support

"It's a broken system. SEND children are treated appallingly."

"Please keep things as simple as possible, our children get distressed with the constant changes to their travel needs."

"Again this seems to be another example of KCC wanting to reduce its support to young adults and children with disabilities and SEN. You should be ashamed of this penny pinching that will affect a large number of young adults with disabilities."

"16+ SEND children with an EHCP are normally unable to travel alone to their school, they are at greater risk, this proposal is going to essentially effect their education. These children are at schools that they need taxi / minibus provided as there is no educational provision nearer suited to their needs , so why on earth are the department of education yet again trying to save money for the most vulnerable."

Consult/engage parents on service design including those with experience of SEND pupils

"Parents should be the first port of call to a pupil's individual case should be discussed. Yes change must happen but not at the expense of the children to line your pockets! Any child with a ECHP In SEND settings up to 18/19 shouldn't be effected by travel but a fee could be added like all school aged children."

"Have a parent board of SEND families and actually listen to them."

"Get parental feedback on the current services to inform KCC as to whether to re-new or change contracts. Not just the cheapest quote. Safety should be the utmost important factor for SEND children."

Change in provision upsetting/unsettling for those with SEND

"Yes previously changes to transport and personnel have caused significant stress to some individuals with SEND there needs to be adequate time and reassurance to ensure any transition is smooth. Previous experience of this process does not promote confidence."

Key findings

Respondents are largely in agreement that they understand how the Home to School Transport Policy for Children and Young People aged 4 – 16 relates to them and their households. There is a small cohort (around one in ten) who did not understand. Of those that do not find the policy clear, common reasons given were due to not understanding the provisions for transport to post-16 college and general eligibility queries in regards to the policy.

In regards to statements on the proposed improvements, respondents are largely in agreement in general, with all statements receiving a higher proportion in agreement rather than disagreement. Agreement was highest in relation to the automatic approval of transport to alternative addresses where there is zero cost to KCC (78%) and ensuring full support for pupils where KCC as the corporate parent has responsibility for providing the best possible care (75%). Disagreement is slightly higher around providing automatic eligibility for younger siblings who attend the same school as an older entitled sibling, but who otherwise would not be entitled to free school transport (15%) and allowing schools to support their own entitled pupils more easily by school led transport arrangements (15%). Respondents with a disability were significantly more likely to strongly disagree with providing automatic eligibility for a younger sibling who attends the same school as an older entitled sibling, but who otherwise would not be entitled to free school transport when compared to the total average.

Interest in the Cycle Bursary Scheme is not particularly high, with around seven in ten (71%) stating that they would not be interested in this scheme. Of those not interested, concerns are most commonly around the lack of benefit and practicality for SEND students and external issues such as dangerous roads and busy traffic, as well as the distance and length of journey for some students making cycling unrealistic.

Support is relatively low in regard to the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including SEND, with over two thirds disagreeing. The most common comments were in regards to feeling that free travel should continue for the duration of education for all students.

The levels of support amongst respondents were also low in relation to the removal of additional drop off and collection times, with just over a quarter (28%) agreeing, and over half disagreeing (54%). Respondents raised concerns about finding alternative transport throughout the day and students having to wait around to be picked up.

In regards to the proposal around a new qualifying criteria for post 19 SEND learners, just 32% agree with these proposals, with over half (53%) disagreeing. The most frequent comments were in regards to keeping support in place for SEND students who stay in education into adulthood, as well as the policy reflecting the particular benefits of SEND students being able to access education.

31% are in favour around proposals to communicate and engage with key stakeholders on planned changes to services, with just 23% disagreeing.

Key groups

In regards to differences amongst respondents, those who are not carers are more likely to agree with the proposals compared to those who are carers. Respondents in another capacity, meaning not a student or parent/carer are the most likely interest group to agree with the proposals.

By subgroup, those who do not receive free KCC transport are typically more likely to agree with the proposals compared to those who do receive free KCC transport. The same can also be said for those who are not a secondary KCC Travel pass user compared to those who do have a secondary KCC Travel pass.

Appendix 1: Profile of respondents

The table below shows the profile of consultation respondents. Please note that these questions were non-compulsory so the total sample base per characteristic varies.

Sex	#	%
Male	44	18%
Female	195	79%
Prefer not to say	8	3%
Transgender		
Yes	0	0%
No	244	98%
Prefer not to say	5	2%
Carer		
Yes	131	52%
No	112	45%
Prefer not to say	7	3%
Age		
0-15	4	2%
16-24	5	2%
25-34	9	4%
35-49	134	53%
50-59	64	25%
60-64	9	4%
65-74	15	6%
75-84	8	3%
85 and over	0	0%
Prefer not to say	4	2%
Disability		
Yes	45	18%
No	191	78%
Prefer not to say	9	4%
Disability detail		
Physical impairment	17	39%
Longstanding illness or health condition, such as cancer, HIV/AIDS, heart disease, diabetes or epilepsy	18	41%
Mental health condition	18	41%
Sensory impairment (hearing, sight or both)	8	18%
Learning disability	8	18%

Other	7	16%
Ethnicity		
White English, Scottish, Welsh, Northern Irish, Irish	222	88%
Asian or Asian British Indian	1	>1%
Mixed White & Black Caribbean	1	>1%
Mixed White & Asian	1	>1%
Chinese	1	>1%
Other specifications below		>1%
English/ Asian Caribbean	1	>1%
White British	2	1%
Caucasian, Anglo-Saxon, Celt	1	>1%
White Polish	1	>1%
White European	1	>1%
Roman	1	>1%
Mixed White and Chinese	1	>1%
French Asian	1	>1%
White South African	1	>1%
White other	1	>1%
British South Asian	1	>1%
Slavic	1	>1%
I prefer not to say	13	5%
Sexuality		
Heterosexual/Straight	211	85%
Bi/Bisexual	8	3%
Gay man	1	>1%
Gay woman/ Lesbian	1	>1%
Other (please specify)	2	1%
Prefer not to say	25	10%

Appendix 2: Consultation questions

Consultation Questionnaire

Kent County Council (KCC) is consulting on:

- a transport policy for children and young people aged 4 to 16 to come into effect from the 2024/25 academic year, and
- our Post 16 Transport Policy Statements for 2023-24 and 2024-25 academic years.

We are also taking this opportunity to seek your views on our Home to School and Post-16 Transport Retendering Procedure for pupils with an Education, Health and Care Plan (EHCP) and/or Special Educational Needs and Disabilities (SEND).

We recommend that you read the consultation documents before answering these questions. To take part in the consultation please go to www.kent.gov.uk/schooltransportpolicy to complete the online questionnaire.

Alternatively, you may complete a Word/paper version and return it by email schooltransportconsultation@kent.gov.uk or post to: Freepost KCC School Transport

The questionnaire is split into five sections:

Section 1 – About You	Page 3
Section 2 – Home to School Transport Policy for Children and Young People aged 4 to 16	Page 10
Section 3 – Post 16 Transport Policy Statements	Page 16
Section 4 – Home to School and Post-16 Transport Retendering Procedure for Pupils with an EHCP and/or SEND	Page 22
Section 5 – More About You	Page 24

You can answer all or as many of the questions as you like. If you would rather not provide feedback on a section or question, just move on to the next one.

Following the end of the consultation we will take all responses into consideration and produce a consultation report. Findings from the consultation will be discussed by Cabinet Committees in May 2023.

If you need any help taking part in this consultation or have any questions, please contact us at schooltransportconsultation@kent.gov.uk or telephone us on 03000 418 796. This number goes to an answering machine which is monitored during office hours.

Please ensure your response reaches us by midnight on 21 March 2023.

Privacy: Kent County Council (KCC) collects and processes personal information in order to provide a range of public services. KCC respects the privacy of individuals and endeavours to ensure personal information is collected fairly, lawfully, and in compliance with the United Kingdom General Data Protection Regulation and Data Protection Act 2018. Read the full Privacy Notice at the end of this document.

Alternative formats: If you require any of the consultation material in an alternative format or language, please email: alternativeformats@kent.gov.uk or call: 03000 421 553 (text relay service number: 18001 03000 421 553). This number goes to an answering machine, which is monitored during office hours.

Section 1 – About You

Before you tell us your views on the draft Home to School Transport Policy and Post 16 Transport Policy Statements for 2023-24 and 2024-25, we would like to ask you some questions about you. This information will help us to understand your views in more depth.

Q1. Are you a parent/carer of children/young people in education (by education we mean attending nursery, school, college or other further learning)?

Select **one** option.

Yes

No (go to Q2)

Q1a. Please tell us the first 5 characters of your postcode:

Please do not reveal your whole postcode. We use this to help us to analyse our data. It will not be used to identify who you are.

Q1b. Please select the age groups that apply to your children/young people:

Select **all** that apply.

Early Years (0-4 years) – go to Q1e

Reception (4-5 years) – go to Q1e

Years 1-6 (Primary aged 5-11) – go to Q1e

Years 7-11 (Secondary aged 11-16) – go to Q1c

Years 12-13 (Post-16 aged 16-18) - go to Q1c

Later than Year 13, but started current course/qualification before 19th birthday – go to Q1c

Age 19-25 (started current course/qualification after 19th birthday) - go to Q1c

Q1c. Do your children/young people attend a school or further education establishment in Kent?

Select **all** that apply.

Yes, please select from the following:

- Special school
- Mainstream school
- Grammar school
- College
- Kent Independent education provider
- Other, please say which one:

No, I attend school or further education setting outside of Kent. Please select from the following:

- Special school
- Mainstream school
- Grammar school
- College
- Independent education provider
- Other, please say which one:

Q1d. Do your children/young people currently use a KCC Travel Saver pass?

This is the travel card subsidised by KCC that gives access to the public bus network.

Select **all** that apply.

<input type="checkbox"/>	Yes, KCC Travel Saver (years 7-11)
<input type="checkbox"/>	Yes, KCC 16+ Travel Saver (years 12-14)
<input type="checkbox"/>	No

Q1e. Do any of your children/young people receive free KCC organised transport?

Select **one** option.

<input type="checkbox"/>	No
<input type="checkbox"/>	Yes, 1 child
<input type="checkbox"/>	Yes, 2 children
<input type="checkbox"/>	Yes, 3 or more children

Q1f. Do any of your children/young people have Special Educational Needs and Disabilities, with an Education, Health and Care Plan (EHCP)?

Select **one** option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

Please now go to Section 2.

Q2. Are you a student aged 16 to 19 or up to 25 if you have Special Educational Needs and/or Disabilities (SEND)?

Select **one** option.

Yes

No (**go to Q3**)

Q2a. Do you attend a school or further education establishment in Kent?

Yes, please select from the following:

Special school

Mainstream school

Grammar school

College

Kent Independent education provider

Other, please say which one:

No, I attend school or further education setting outside of Kent. Please select from the following:

Special school

Mainstream school

Grammar school

College

Independent education provider

Other, please say which one:

Q2b. Please tell us the first 5 characters of your postcode:

Please do not reveal your whole postcode. If you're not sure or don't want to tell us, you can leave the box blank. We use this to help us to analyse our data. It will not be used to identify who you are.

Q2c. Please select the age group you are in:

Select **one** option.

- Years 12-13 (Post-16 aged 16-18)
- Later than Year 13, but started current course/qualification before 19th birthday
- Age 19-25 (started current course/qualification after 19th birthday)

Q2d. Do you have Special Educational Needs and/or Disabilities, with an Education, Health and Care Plan (EHCP)? Select **one** option.

- Yes
- No
- I'm not sure

Q1e. Do you currently use the Kent 16+ Travel Saver pass? Select **one** option.

This is the travel card subsidised by KCC that gives access to the public bus network.

- Yes
- No

Q2f. Do you use KCC arranged transport that is provided free of charge?

Select **one** option.

- Yes
- No
- I'm not sure

Please now go to Section 2.

Q3. If you are not a parent/carer or student, please select from the following options:

- Transport professional, select from the following:
 - Taxi operator

- Minibus operator
- Bus operator
- Other, please tell us more:

Educational professional in Kent, select from the following:

- Special school Head/teacher or another representative
- Mainstream school Head/teacher or another representative
- Grammar school Head/teacher or another representative
- College Head/teacher or another representative
- Kent Independent education provider
- Other, please tell us more

Educational professional outside of Kent, select from the following:

- Special school Head/teacher or another representative
- Mainstream school Head/teacher or another representative
- Grammar school Head/teacher or another representative
- College Head/teacher or another representative
- Independent education provider
- Other, please tell us more

Other, please let us know in the box below:

Q3a. If you are responding on behalf of an organisation, please tell us the name of your organisation in the box below:

Q3b. Please tell us the first 5 characters of your organisation's postcode:

Please do not reveal your whole postcode. We use this to help us to analyse our data. It will not be used to identify who you are.

Section 2 – Home to School Transport Policy for Children and Young People aged 4 to 16

The next set of questions relate to the proposed Transport Policy for children and young people aged 4 to 16.

Pages 4 to 6 of the consultation document provide a summary of the draft policy. The consultation document and full draft policy are available from the consultation webpage www.kent.gov.uk/schooltransportpolicy

Q4. Is it clear how this policy relates to you and those in your household who use transport to access education?

Select **one** option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	Partly
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

Q4a. What part of the Transport Policy could be made clearer? If your suggestion relates to a specific section/page, please provide details.

The draft Transport Policy includes a number of improvements. More information on these improvements are on pages 4 to 6 of the consultation document.

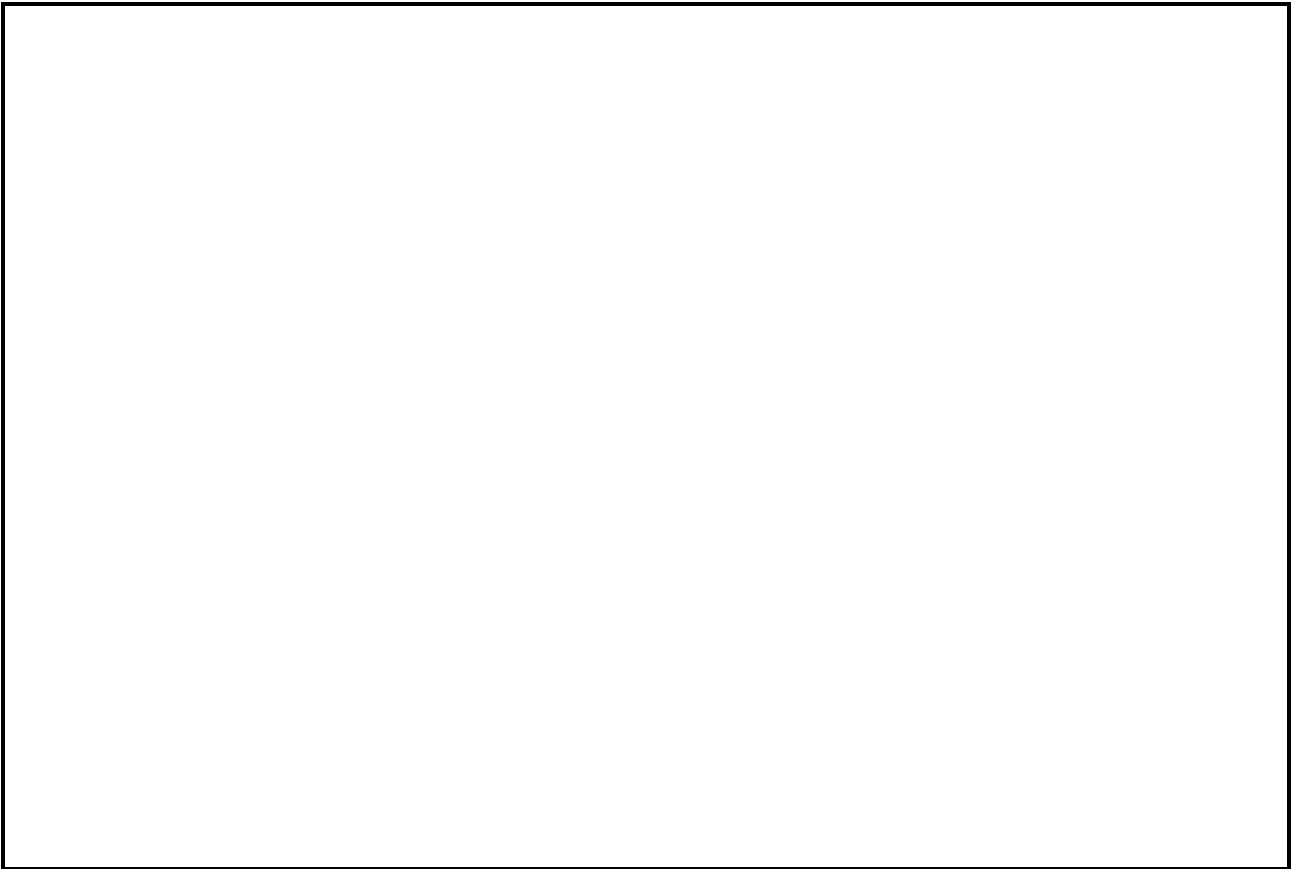
Q5. To what extent do you agree or disagree with the proposed improvements?

Please select **one** option per row.

	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
1. Ensuring full support for pupils where KCC as the corporate parent has responsibility for providing the best possible care.						
2. Formalising KCC's Personal Transport Budget scheme and make it available to eligible mainstream pupils.						
3. Allowing schools to support their own entitled pupils more easily by school led transport arrangements.						
4. Providing automatic eligibility for a younger sibling who attends the same school as an older entitled sibling, but who otherwise would not be entitled to free school transport.						
5. Providing automatic eligibility for younger siblings where KCC Members have upheld an appeal for an older sibling with the same circumstances.						
6. Automatically approve transport to alternative addresses where there is zero cost to the KCC.						

Q5a. If you would like to comment on any of the improvements in question 5, please tell us in the box below.

If your comment relates to a specific improvement, please make that clear in your comment by adding the number. Please do not include any personal information that could identify you within your response.

A large, empty rectangular box with a black border, intended for the user to provide their comments or responses.

Equality Analysis

To help ensure that we are meeting our obligations under the Equality Act 2010 we have prepared an initial Equality Impact Assessment (EqIA) for the draft Transport Policy.

An EqIA is a tool to assess the impact any proposals would have on the protected characteristics: age, disability, sex, gender identity, sexual orientation, race, religion or belief, and carer's responsibilities.

A summary of potential impacts can be found on page 6 of the consultation document. The consultation document and full EqIA are available at kent.gov.uk/schooltransportpolicy or on request.

Q6. We welcome your views on our equality analysis and if you think there is anything we should consider relating to equality and diversity. Please add any comments in the box below.

Please do not include any personal information that could identify you within your response.

Q7. If you have any other comments or suggestions on the draft Home to School Transport Policy for Children and Young People aged 4 to 16, including anything you feel is missing, please add them in the box below.

Please do not include any personal information within your response.

Cycle Bursary Scheme

We are starting to explore the potential for a Cycle Bursary Scheme and would welcome your views at this early stage. The scheme would enable parents of children eligible for free school transport to receive a sum of money to buy their child a bicycle, instead of being provided access to a free KCC vehicle. The scheme would include safety equipment and some additional money for maintenance costs to ensure the bicycle remains safe and road worthy. This could be in the region of £300 to £500 and would likely cover three years of transport support.

Q8. Is the Cycle Bursary Scheme something that would be of interest to you or your child(ren)? *Please select **one** only.*

- Yes
- Maybe
- No
- Don't know
- Not applicable

Q8a. If you have any feedback or suggestions on a potential Cycling Bursary Scheme, please tell us in the box below. *Please do not identify yourself or anyone else.*

Section 3 – Post 16 Transport Policy Statements

The draft 2023-24 Post 16 Transport Policy Statement

No changes are being proposed for the 2023-24 Post 16 Policy Statement, however KCC is legally required to consult every year. Page 9 of the consultation document provides a summary of the draft Statement. The consultation document and full draft Statement are available from the consultation webpage www.kent.gov.uk/schooltransportpolicy

There will be the opportunity to provide your feedback on the Statement for 2024-25 in the next question.

Q9. If you have any comments on the draft Post 16 Transport Policy Statement for 2023-24, please provide them in the box below.

If you don't have any comments, please move on to the next question. Please do not include any personal information within your response.

The draft 2024-25 Post 16 Transport Policy Statement

The draft 2024-25 Statement proposes three changes to provision for SEND learners over 16 years of age. The consultation document, which is available from the consultation webpage along with the full draft Statement, provides more information.

Proposal 1: mandatory contribution for Post 16 SEND transport

We are proposing to introduce a mandatory contribution from all pupils who receive direct support from KCC for Post 16 transport including those with Special Educational Needs and/or a disability and/or mobility problems (SEND). As is the case with mainstream pupils, these pupils would be expected to pay the equivalent value of a Kent 16+ Travel Saver Pass (currently £500, but subject to annual price reviews). A half price option would be made available to families who qualify for low-income support.

Q10. To what extent do you agree or disagree with the introduction of a mandatory contribution for all KCC provided transport for Post 16 learners, including those with SEND?

*Please select **one** option.*

<input type="checkbox"/>	Strongly agree
<input type="checkbox"/>	Tend to agree
<input type="checkbox"/>	Neither agree nor disagree
<input type="checkbox"/>	Tend to disagree
<input type="checkbox"/>	Strongly disagree
<input type="checkbox"/>	Don't know

Q10a. Please add any comments you have on this proposal in the box below. Please do not include any personal information within your response.

Proposal 2: removal of additional drop off and collection

We are proposing to remove the discretionary provision of additional drop off and collection times for SEND Post 16 pupils to accommodate partial attendance. This would mean that drop off and collections would only be at the start and end of the school day.

Q11. To what extent do you agree or disagree with the removal of additional drop off and collection times for Post 16 pupils? Please select *one* option.

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

Q11a. Please add any comments you have on this proposal below. Please do not include any personal information within your response.

Proposal 3: new qualifying criteria for Post 19 SEND learners

We are proposing to introduce qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday. This means that when assessing the

need for transport support for learners aged 19-25 who did not start a course before their 19th birthday, we would not consider it necessary, other than in exceptional circumstances, to provide transport for a learner to attend an additional Further Education course at the same level or equivalent to one the learner has previously attended and completed.

Q12. To what extent do you agree or disagree with the introduction of qualifying criteria for learners seeking transport support for new courses started after their 19th birthday? *Please select **one** option.*

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

Q12a. Please add any comments you have on this proposal below. *Please do not include any personal information within your response.*

Equality Analysis

We have prepared an initial Equality Impact Assessment (EqIA) for the draft 2024-25 Post 16 Transport Policy Statement.

On pages 11 to 12 of the consultation document we have summarised the potential impacts and mitigations. The consultation document and full EqlA is available at www.kent.gov.uk/schooltransportpolicy or on request.

Q13. We welcome your views on our EqlA for the draft 2024-25 Post 16 Transport Policy Statement and if you think there is anything else we could do to lessen the impacts on learners and their families. Please write your comments/suggestions below. *Please do not include any personal information within your response.*

Q14. If you have any other comments on the proposed Post 16 Transport Policy Statement for 2024-25, please provide them in the box below. *Please do not include any personal information within your response.*

Section 4 - Home to School and Post-16 Transport Retendering Procedure for Pupils with an EHCP and/or SEND

The draft annex is available in full on the consultation webpage

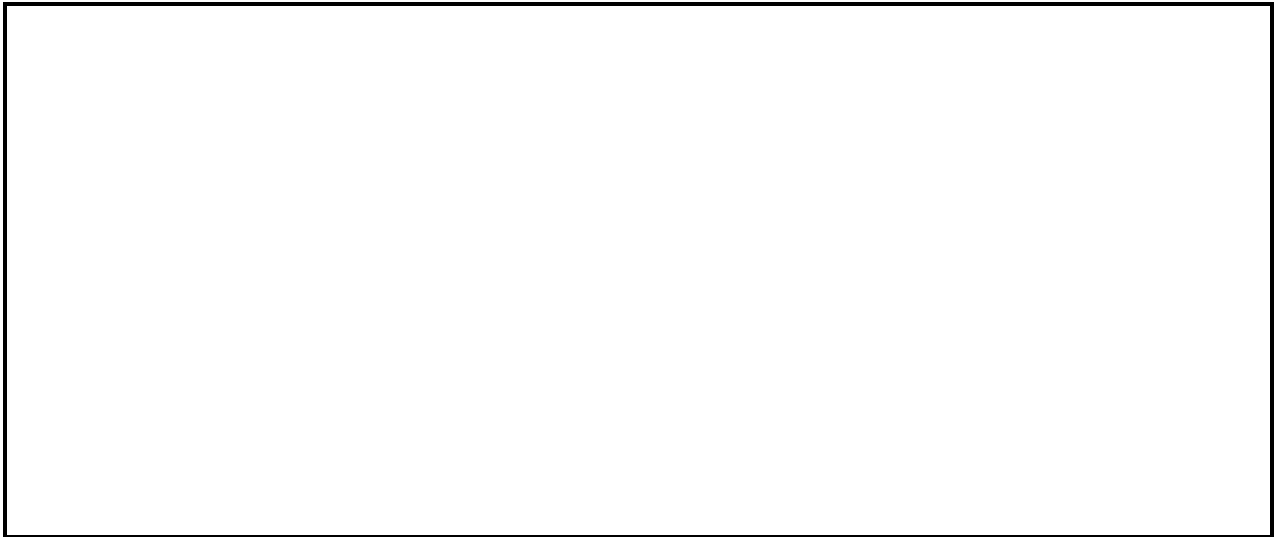
www.kent.gov.uk/schooltransportpolicy

Q15. To what extent do you agree or disagree with how we propose to communicate and engage with key stakeholders on planned changes to services? Please select *one* only.

<input type="checkbox"/>	Strongly agree
<input type="checkbox"/>	Tend to agree
<input type="checkbox"/>	Neither agree nor disagree
<input type="checkbox"/>	Tend to disagree
<input type="checkbox"/>	Strongly disagree
<input type="checkbox"/>	Don't know

Q15a. If you have any comments on how we propose to communicate and engage with key stakeholders on planned service changes, please tell us in the box below. Please do not include any personal information within your response.

Q16. If you have any other comments or suggestions on our Home to School and Post-16 Transport Retendering Procedure for pupils with an EHCP and/or SEND, please tell us in the box below. Please do not include any personal information within your response.



Section 5 – More About You

We want to make sure that everyone is treated fairly and equally, and that no one gets left out. That's why we are asking you these questions. We'll use it only to help us make decisions and improve our services.

If you would rather not answer any of these questions, you don't have to.

It is not necessary to answer these questions if you are responding on behalf of an organisation.

Q17. Are you....? Select *one* option.

<input type="checkbox"/>	Male
<input type="checkbox"/>	Female
<input type="checkbox"/>	I prefer not to say

We use the terms "transgender" and "trans" as inclusive umbrella terms for a diverse range of people who find their gender identity differs in some way from the sex they were originally assumed to be at birth.

Q18. Have you ever identified, or do you identify as a transgender or trans person?

Select one option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	I prefer not to say

Q19. Which of these age groups applies to you? Please select *one* option.

0-15	<input type="checkbox"/>	16-24	<input type="checkbox"/>	25-34	<input type="checkbox"/>	35-49	<input type="checkbox"/>	50-59	<input type="checkbox"/>
60-64	<input type="checkbox"/>	65-74	<input type="checkbox"/>	75-84	<input type="checkbox"/>	85+ over	<input type="checkbox"/>	I prefer not to say	<input type="checkbox"/>

Q20. Do you regard yourself as belonging to a particular religion or belief? Select *one* option.

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

I prefer not to say

Q20a. If you answered 'Yes' to Q20, which of the following applies to you? Select *one* option.

Christian

Buddhist

Hindu

Jewish

Muslim

Sikh

Other

I prefer not to say

If you selected Other, please specify:

The Equality Act 2010 describes a person as disabled if they have a long standing physical or mental condition that has lasted, or is likely to last, at least 12 months; and this condition has a substantial adverse effect on their ability to carry out normal day-to-day activities. People with some conditions (cancer, multiple sclerosis and HIV/AIDS, for example) are considered to be disabled from the point that they are diagnosed.

Q21. Do you consider yourself to be disabled as set out in the Equality Act 2010?

Select **one** option.

- Yes
- No
- I prefer not to say

Q21a. If you answered 'Yes' to Q21, please tell us the type of impairment that applies to you.

You may have more than one type of impairment, so please select all that apply. If none of these applies to you, please select 'Other' and give brief details of the impairment you have.

- Physical impairment
- Sensory impairment (hearing, sight or both)
- Longstanding illness or health condition, such as cancer, HIV/AIDS, heart disease, diabetes or epilepsy
- Mental health condition
- Learning disability
- I prefer not to say
- Other

Other, please specify:

A Carer is anyone who provides unpaid care for a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support. Both children and adults can be carers.

Q22. Are you a Carer? *Select one option.*

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	I prefer not to say

Q23. To which of these ethnic groups do you feel you belong? *Please select one option.* (Source 2011 Census)

White English	<input type="checkbox"/>	Mixed White & Black Caribbean	<input type="checkbox"/>
White Scottish	<input type="checkbox"/>	Mixed White & Black African	<input type="checkbox"/>
White Welsh	<input type="checkbox"/>	Mixed White & Asian	<input type="checkbox"/>
White Northern Irish	<input type="checkbox"/>	Mixed Other*	<input type="checkbox"/>
White Irish	<input type="checkbox"/>	Black or Black British Caribbean	<input type="checkbox"/>
White Gypsy/Roma	<input type="checkbox"/>	Black or Black British African	<input type="checkbox"/>
White Irish Traveller	<input type="checkbox"/>	Black or Black British Other*	<input type="checkbox"/>
White Other*	<input type="checkbox"/>	Arab	<input type="checkbox"/>
Asian or Asian British Indian	<input type="checkbox"/>	Chinese	<input type="checkbox"/>
Asian or Asian British Pakistani	<input type="checkbox"/>	I prefer not to say	<input type="checkbox"/>
Asian or Asian British Bangladeshi	<input type="checkbox"/>		
Asian or Asian British Other*	<input type="checkbox"/>		

*Other - If your ethnic group is not specified on the list, please describe it here:

Q24. Are you...? *Select one option.*

<input type="checkbox"/>	Heterosexual/Straight
--------------------------	-----------------------

<input type="checkbox"/>	Bi/Bisexual
<input type="checkbox"/>	Gay woman/Lesbian
<input type="checkbox"/>	Gay man
<input type="checkbox"/>	Other
<input type="checkbox"/>	I prefer not to say

Thank you for taking the time to complete this questionnaire; your feedback is important to us. All feedback received will be reviewed and considered in the development of our policies.

We will report back on the feedback we receive, but details of individual responses will remain anonymous, and we will keep your personal details confidential.

Closing date for responses: midnight 21 March 2023



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research



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OLA Name	Travel Card or Equivalent 16+ (Y/N)	Costs	Further details
		For post 16 students in receipt of post 16 travel assistance - £400/year contribution (latest website info 2019/22)	
Bexley	Y	one off payment or monthly payment of £36.37 by DD	50% discount of TFL services with ZIP Oyster Card plus free school off-peak travel if the school is registered on School Party Travel Scheme, 16-19 Bursary Fund - discretionary bursary to help with transport costs, families on receipt of low income / children with SEN may get free transport on case by case basis
Bromley	N		
Buckinghamshire	N	SEN children may apply for council-arranged transport for a fee (not disclosed) or apply for PTB	YOTI Citizens card - may get reduced travel on services in Buckinghamshire dependant on provider (available after 9am and weekends/BH) - bus route needs to start and end in Buckinghamshire.
Cornwall	Y	Subsidised for eligible students - total cost £600 - Autumn Term - £225, Spring Term - £225, Summer Term - £150	In most cases, tickets will cost less purchased directly, rather than using the travel pass - U19 concessions directly with provider
Derbyshire	Y	SEN parent contribution to travel costs (public transport) - £438 standard rate, £296 for low income	B-Line cards offer 25% off of adult fares for post 16 children in education, spare seats' where 16+ may purchase a seat on a contracted school bus service (if available), financial assistance from the 16-19 Bursary Fund.
East Sussex	Y	Travel assistance for eligible SEN children -£684/year in 10 monthly instalments / £342 low income (in receipt of FSM)	In some circumstances they also offer independent travel training or transport
Essex	Y	£900/year, low income families £450/year - no difference for SEN children unless proof can be provided that the cannot access public transport	3i-D card - provides reduced fares on public transport Studentrider ticket for students at a yearly cost of £478 for Stagecoach If transport agreed - parents may claim mileage allowance of 17p/mile - max £4.95/journey if school is over 3 miles. If SEN children are continuing in the same school as pre-16 and have always been entitled to transport, they may still be eligible
Hampshire	N		Travel assistance for eligible SEN children which differs dependent on distance- Up to 5 miles £783.19/year, 5.01 to 7.5 miles £1,084.72/year, 7.51 to 10 miles £1,519.39/year, Over 10 miles £1,736.07/year Schools and providers have their own arrangements which need to be checked on an individual basis. Council provides some independent travel training for SEN students
Lancashire	N		Schools/colleges may be able to provide support on case by case basis but this is dealt with by the education provider. SEN students - council may provide transport, mileage allowance, PTB or walking escort. PTB banded from 1 to 6 (depending on mileage) ranging from £2000 to £6000 for range 1 to 5, range 6 is 45p per mile. Offer independent travel training.
Lincolnshire	Y	£570 one off payment, £193/month for 3 months or £96.50/month for 6 months - must be within the designated transport area of home address and over 3 miles from home address	Offer transport support for SEN learners on an individual basis spare seat policy where learners can book spare seats in contracted vehicles - yearly cost of £570
Medway		CURRENTLY IN COSULTATION TO CHANGE THE EDUCATION TRAVEL ASSISTANCE POLICY - consultation closed on 28th May 2023	Consultation document sent to KD 07/06/23
Norfolk	Y	Post 16 Travel Scheme for MS and SEN children - direct to provider normally cheaper Pay in full at start of the year - £576, reduced to £432 on qualifying benefit - can also pay in 3 instalments or 6 instalments	Offer TITAN (Travel Independence Training across Norfolk) to SEN students allowance to those eligible for support - Before October half term - £200, After October half term but before February half term - £130, after February half term but before May half term - £60
North Yorkshire	Y	£747.50/year - low income reduces to £373.75/year	Costs apply to MS and SEN - SEN contribute the same amount if they have assisted or contracted transport Transport mileage allowance of 20p per mile to eligible SEN students Independent travel training provided by some schools & colleges, NOT by the council
Somerset	N		Often, transport purchased direct from supplier is more cost effective Spare seat policy - £925 per year but no guarantee of seat Previous scheme retracted as cheaper to go direct to provider assistance may be provided to SEN students at a cost of £925/year and there is an Independent Travel Training Scheme for SEN students
Staffordshire	N		Students to go direct to providers for travel passes as they provide their own reductions for post 16 students Low income contribution of £589/year for a bus pass or seat on contracted vehicles, contribution for SEN students is £746/year Independent Travel Training provided by the council
Suffolk	Y	2023/24 MS £960 / SEN £780 / LI £480 / LI SEN £390 2024/25 MS £990 / SRN £810 / LI £495 / LI SEN £405	2024/25 are projected costs - not yet confirmed discounted travel provided direct from provider - is cheaper in most cases to go direct
Surrey	Y	Surrey's student bus fare card - £25 cost/year which allows students to travel for the cots of an under 16 year old (single and return tickets only)	PTB - 0-5.99 miles - £1,600, 6-10.99 miles - £2,700, 11-15.99 miles - £4,200, 16+ miles - £5,000 for those that are eligible for transport assistance. Offer independent travel training Travel assistance contribution - LI £634.89 / £875.58 for all other families 16-17 Saver's Card - cost £30/year and provides up to 50% discount on fares (not administred by the council) Godalming College - subsidised bus service £1,000/year Cobham to Salesian School Bus - free service for children attending this school
West Sussex	N		Parent contribution for 2023/24 is £770 for SEN students - for families on low incomes this fee is waived Offer independent travel training Mileage paid at 25p per mile if parents are eligible but want to take students themselves No provision for a travel card post 16 - operators offer student discount direct

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By: Neil Baker, Cabinet Member for Highways and Transport
Simon Jones, Corporate Director for Growth, Environment and Transport

To: Scrutiny Committee, 13 September 2023

Subject: Joint Transport Boards

Status: Unrestricted

Summary: Joint Transportation Boards (JTBs) between KCC and the District/Borough Councils were established in 2005 to facilitate discussion and co-operation on local highway and transportation issues. It is a forum for consultation between the County and the District / Borough on plans, policies and strategies.

There are agreements in place which clearly set out the terms of reference for the JTBs for their method of operation. Six districts have signed the newer agreements (2019) and six others still follow the principles in the older agreements.

This paper sets out some suggestions for improving the structures and governance around the existing arrangements, but also highlights that anecdotal evidence implies that JTBs are not an efficient function and have to be considered further in the round.

Recommendation

The Scrutiny Committee is asked to:

- Review the contents of the paper and provide a steer on next steps
-

1. Introduction

- 1.1 Joint Transportation Boards (JTBs) between KCC and the District/Borough Councils were established in 2005 to facilitate discussion and co-operation on local highway and transportation issues. It is a forum for consultation between the County and the District/ Borough on plans, policies and strategies. They are held quarterly by each district and provide recommendations to the Cabinet Member for Highways and Transportation who is the ultimate decision maker for KCC issues.
- 1.2 Underpinning the JTBs is a legal agreement signed by KCC and each District/Borough which can be reviewed every four years. The last review/consideration of the agreements took place in 2019.
- 1.3 JTBs operate in each district. As of May 2021, KCC had signed and sealed the newer agreements with six out of the 12 districts. The districts who have signed the agreements are listed below:
 - Tonbridge and Malling
 - Ashford Borough Council

- Sevenoaks District Council
- Gravesham Borough Council
- Dartford Borough Council
- Dover District Council

1.4 The most significant differences between the 2019 draft agreement and preceding agreements are:

- Inclusion of a formal review period set at four years to ensure agreements retain currency and consistency.
- More clarity over the membership and role of parish council representatives at JTB
- New arrangements to implement agenda setting meetings, role of the chair to determine final agenda items, format of the agenda.
- Setting out in greater detail on the areas/themes which are within the remit of the JTB for discussion.
- A new section for petition discussions, however it should be noted that this section does not replace current governance arrangements regarding petitions at KCC and Districts/Boroughs.

1.5 In developing the latest draft, legal and governance guidance was provided by KCC and District/Borough councils legal and democratic services staff. Since the JTBs were established, no agreement has been terminated. Any changes to the JTB Agreement or their operation will require formal approval by the County with each of the Districts and Boroughs.

1.6 There are two substantive versions of the JTB in operation. The intent of the revised agreement was to ensure greater consistency in approach and representation which reflected the views of the JTB Chairmen at the time. Despite this, not all Districts/Boroughs have formally adopted the new agreement.

1.7 Moreover when KCC Members of ETCC discussed the decision to accept the new draft agreement they agreed that the JTB should be varied to enable those JTB's that currently have Kent Association of Local Council, Parish, and Town representation to continue to operate within the existing framework and choose to maintain existing numbers and voting rights as currently enjoyed; and for JTB's to continue to localise and vary their makeup to suit their local requirement.

1.8 Where Districts/Boroughs have requested specific variations, these have been accommodated in the drafted agreements. None of the requests have involved significant changes to the 2019 proposed agreement.

1.9 This is an area that could be reviewed again if Members feel that there is a need for more convergence in how JTBs operate.

2. Membership

2.1 The JTB membership comprises all KCC local members, with an equal number of Council local members appointed by the Council. JTB Members have voting rights. The Council may appoint substitutes for its JTB Members. The JTB agrees a number of parish/town council representatives, not less than one and

no greater than three from within the Council's administrative area. Parish/town council representatives are nominated by the area committee of the Kent Association of Parish Councils or other representative body for parish/town councils within the Council's administrative area if this provides a more complete representation. Substitute members may also be nominated.

- 2.2 Any JTB Member can request of the Chairman an item to be considered for inclusion on the JTB agenda. Any local KCC/District elected member may attend and speak at a meeting of the JTB but may not vote nor propose a motion or an amendment.
- 2.3 The Chairman of any parish/town council within the administrative area of the Council (or a parish/town councillor of that parish/town council nominated by him/her) may attend any meeting to speak with the permission of the Chairman on any item on the agenda of particular reference to that parish/town council.

3. Meetings

- 3.1 The JTBs generally meet four times a year on dates, times, and venues to be specified by the Council in accordance with its normal constitutional arrangements in consultation with KCC. Ideally six weeks prior to each JTB meeting the Chairman, Vice-Chairman and relevant officers from the Authorities will discuss and set the agenda for the forthcoming meeting. The final decision on agenda items is determined by the Chairman in consultation with the Vice Chairman. Agenda items will be split between Part A (**recommendations** for decision by KCC), Part B (**recommendations** for decisions by the Council) and 'for information' reports.
- 3.2 The quorum for a JTB meeting is four, comprising at least two voting KCC local-members and two Council – local members who are also JTB Members. The JTB is clerked by an officer of the District Council.
- 3.3 At the discretion of the Chairman, members of the public may speak for a maximum of three minutes. The number of speakers is at the discretion of the Chairman. The access to information principles should be applied to the JTB as if it were a Council committee. The clerk produces minutes of the meeting, a copy of which should be sent to KCC's Cabinet Member for Highways and Transportation.
- 3.4 The **Terms of Reference** for the JTB is to advise the relevant Authority on highways and transportation works scheduled and completed. It is a forum for consultation between the Authorities on policies, plans and strategies related to highways, road traffic and public transport; as well as reviewing the progress and out turn of works and business performance indicators. The JTB also considers petitions and has a set procedure for debate.
- 3.5 The JTB **consider** the following:
 - i. capital and revenue funded works programmes;
 - ii. traffic regulation orders;

iii. street management proposals.

3.6 The JTB may **advise and recommend** in relation to:

- i. strategic parking and waiting restriction issues;
- ii. petitions received in relation to parking and waiting restrictions;
- iii. Council street lighting schemes on highways;
- iv. local transport strategy.

3.7 Public Transport should continue to remain out of scope for JTBs. JTBs have not traditionally been the forum to cover Bus and Schools Transport matters and for this reason, Public Transport officers do not attend JTB meetings. The National Bus Strategy and the demands of this for Local Transport Authorities to establish Bus Enhanced Partnership schemes, has also demanded that KCC establish and resource a new meeting hierarchy informing the Enhanced Partnership Board. District Councils are engaged as part of this meeting structure through three Schemes Monitoring Groups and KCC and local operators have also committed to supporting Bus District Focus Groups which have been established by some District Councils. These are the appropriate forums for discussions on Public Transport matters and the additional demands that have been placed on the Public Transport Team through the National Bus Strategy and the associated meetings mean that whilst the team can provide update papers as required.

4. Overview and Scrutiny

4.1 The Authorities' Overview and Scrutiny Committees or equivalent may invite the JTB Chairman or Vice Chairman to attend their meetings to make representations, answer questions or give evidence. This is without prejudice to any ability of the Overview and Scrutiny Committees or equivalent of the Authorities to compel attendance of executive members and officers under Section 21 of the Local Government Act 2000.

4.2 JTB advice/views shall be submitted to the Authorities' Cabinet in accordance with the Authorities' constitutional arrangements.

5. Petitions

5.1 As JTBs are not a legal body it is not appropriate for them to have their own petition scheme. This does not prevent JTBs from holding petition debates when required by the arrangements of either KCC or the District/Borough as an 'appropriate local meeting'. The intention for including a section on petitions in the 2019 Agreement was to set out how petition debates should be handled. It does not provide a mechanism for processing petitions. Petitions presented to JTBs should be referred to the appropriate authority for processing under the relevant petition scheme. However, the wording in the Agreement does not make this clear and this initially led to some confusion in processing of petitions. It is recommended that subsequent revisions to the Agreement include this clarification.

5.2 It should be noted that any Member of the JTB can request the Chair that consideration is given at a future meeting to the issue raised by a petition. This

would not be managed as petition debate and would instead be an agenda management issue for progressing in the normal way between the interested Members, the JTB Chair and the clerking District/Borough Council.

6. Suggested Improvements to the current structure

6.1 Not all JTBs are operated in the same manner, as Districts/Boroughs use their discretion. It is recommended that a more transparent and formal governance for timely review and approval of JTB recommendations is established as a priority but without this being overly bureaucratic. Options for further consideration are outlined below.

1. JTB committee clerks provide a summary of recommendations relating to KCC activity following each meeting which is shared with Highways & Transport Senior Management Team.
2. JTB recommendations is added as a standing item to monthly Highways & Transport Divisional Management Meetings.
3. Where applicable, Highways and Transport Director / Head of Service formally sign-off recommendations or reject under officer scheme of delegations.
4. Where a recommendation requires consideration and sign-off by the Cabinet Member, KCC's formal decision-making process will apply.

7. Challenges/Concerns

7.1 Anecdotal evidence suggested that JTBs are received with mixed views by Members for a variety of reasons. Further consideration needs to be given to the validity of JTBs and the benefit they serve to both Members and the County Council. An options appraisal should be undertaken to consider the following:

1. Do nothing – status quo remains
2. Retain JTBs and review current working process and procedures to bring a uniformed approach
3. Abolish the JTB and set up a task and finish group to establish a mechanism for Districts and Boroughs to consult with the County Council on H&T matters

7.2 It is worth noting at this time, that if JTBs were removed, it is very likely new formal or informal arrangements would need to be established to oversee the current business of the JTBs. Options could include:

1. Business being subsumed into alternative governance meeting structures at County and Local Level.
2. New governance meeting established either jointly or separately at County and Local level.
3. Member Briefings on specific issues.

7.3 All options will require officer support so there will be no resource saving and for option 3, Member Briefings could increase the need for officer support.

7.4 Options 1 and 2 offer more transparency around governance arrangements but do not remove the current challenge identified concerning review and approval of recommendations made by the JTB.

7.5 Option 1 would increase the duration of current governance meetings and this will need to be timetabled into Committee schedules.

8. Conclusion

8.1 The JTB is a forum for consultation between the County and the District / Borough on plans, policies and strategies. There are agreements in place which clearly set out the terms of reference for the JTBs for their method of operation. Six districts have signed the newer agreements (2019) and six others still follow the principles in the older agreements.

8.2 This paper sets out some suggestions for improving the structures and governance around the existing arrangements, but also highlights that anecdotal evidence implies that JTBs are not an efficient function and have to be considered further in the round.

9. Recommendation

9.1 The Scrutiny Committee is asked to: Review the contents of the paper and provide a steer on next steps.

10. Contact Details

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By: Anna Taylor, Scrutiny Research Officer
To: Scrutiny Committee, 13 September 2023
Subject: Decision 23/00058 - Highway Term Maintenance Service Contract

Summary: As requested by the Chairman and Spokespeople of the Scrutiny Committee the Committee is invited to discuss the Highway Term Maintenance Service Contract decision.

1. Introduction

- a) On 21 August the Cabinet Member for Highways and Transport took a decision to :
 - a. Award a new contract to Amey for 32 months;
 - b. give delegation to the Corporate Director of Growth, Environment and Transport in consultation with the Cabinet Member for Highways and Transport to take relevant actions including but not limited to entering into contracts and other legal agreements, as necessary to implement the decision; and
 - c. agree to the proposed procurement timeline for the replacement contract.
- b) A call-in of this decision was determined as not valid, however the Chairman and Spokespeople considered that the decision needed further exploration and discussion. In line with the right of any Member of the Council to place an item on the Scrutiny agenda for discussion, it has been requested that this takes place at the Scrutiny Committee on 13 September.
- c) During the discussion, Members may wish to explore the following areas of concern:
 - a. Further exploration of the alternative options considered and why they were dismissed,
 - b. Why a thorough commissioning review was not undertaken prior to the end of the contract in August 2023
 - c. How future cost pressures will be managed.

2. Attached documents

- a) [Record of Decision](#)
- b) [Decision Report](#)
- c) [Appendix A - VFM Position Improvement Opportunities 2022](#)
- d) [EqIA](#)
- e) Exempt Appendix

3. Recommendation

The Scrutiny Committee is asked to consider the information provided at the meeting in response to Members' questions on the Highway Term Maintenance Service Contract.

Contact Details

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KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TO BE TAKEN BY:

Neil Baker, Cabinet Member for Highways and Transport

DECISION NO:

23/00058

For publication

Key decision

Subject Matter / Title of Decision: Highway Term Maintenance Service Contract

Decision:

As Cabinet Member for Highways and Transport, I agree to:

- a) a new contract is awarded to Amey for 32 months;
- b) give delegation to the Corporate Director of Growth, Environment and Transport in consultation with the Cabinet Member for Highways and Transport to take relevant actions including but not limited to entering into contracts and other legal agreements, as necessary to implement the decision; and
- c) agree to the proposed procurement timeline for the replacement contract.

Reason(s) for decision:

KCC has a legal duty to maintain its respective sections of the highway network under section 41 of the Highways Act 1980 and this demands continuity of operational service. Many of these services are delivered through a Highway Term Maintenance Contract (HTMC) with Amey Highways Ltd. The current contract expires on 31 August 2023. A new contract is needed to be in place from 1 September 2023. Several key services are delivered through this contract including:

- **Winter Service Provision** – i.e. gritting of our major routes during freezing conditions.
- **Drainage Maintenance and Capital Projects** – i.e. gully cleansing and drainage repairs.
- **Structures Maintenance** – i.e. bridge repairs and construction.
- **Patching and Small Resurfacing Services** – i.e. pothole and surface defect repairs.
- **Surface Treatments** – i.e. road and footway surface preservation and life extension.
- **Emergency Response** – i.e. supporting emergency services in response to incidents across the network including weather events and structural failure.
- **Highway Schemes Delivery** – i.e. construction of highway improvement schemes, including those for crash remedial measures and s106 requirements.

Cabinet Committee recommendations and other consultation:

Due to timing for the contract to be in place from 1 September, the decision was taken between meetings of the Environment and Transport Cabinet Committee. A briefing for members of the Environment and Transport Cabinet Committee was held on 18 August to give Members the opportunity to ask questions.

Any alternatives considered and rejected:

Exit from the contract and procure on disaggregated smaller contracts.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None.

N. Baker

21/08/2023

.....
signed

.....
date

From: Simon Jones, Corporate Director of Growth, Environment and Transport

To: Neil Baker, Cabinet Member for Highways and Transport

Subject: Highway Term Maintenance Service Contract

Decision No: 23/00058

Classification: Part 1: Main Report Unrestricted
Part 2: Exempt Appendix – Section 12a Local Government Act

Electoral Division: All

Summary:

Kent County Council is the Statutory Authority responsible for the delivery of highway services to Kent residents. Many of these services are delivered through a Highway Term Maintenance Contract (HTMC) with Enterprise AOL Limited (known as Amey). The current contract expires on 31 August 2023. Due to market volatility, it is proposed to enter into a new contract with Amey Highways Ltd through the Highway Civils Framework for a 32-month period. During the coming months the service will evaluate all future procurement options for the delivery of highway services and all considerations will be brought back to this committee.

A Key Decision is required to award the 32-month call off contract for this service as the value exceeds £1m.

Recommendation(s):

The Cabinet Member for Highways and Transport is asked to:

- a) agree a new contract is awarded to Amey Highways Limited for 32 months under the Highway Civils Framework;
- b) give delegation to the Corporate Director Growth, Environment and Transport in consultation with the Cabinet Member for Highways and Transport to take relevant actions including but not limited to entering into contracts and other legal agreements, as necessary to implement the decision; and
- c) agree to the proposed procurement timeline for the replacement contract.

1. Introduction

- 1.1 Kent County Council (KCC) is the Statutory Authority responsible for the delivery of highway services for the residents of Kent (excluding Medway). The Highway Term Maintenance Contract (HTMC) is delivered by Enterprise AOL Ltd and the contract is managed by Highways and Transportation (H&T) division.
- 1.2 The current arrangement commenced on 1 September 2011 and has a contract

value of between £40m and £50m per annum split across revenue and capital budgets which is dependent on certain grants and KCC funded elements. Several key services are delivered through this contract including:

- **Winter Service Provision** – i.e. gritting of our major routes during freezing conditions.
- **Drainage Maintenance and Capital Projects** – i.e. gully cleansing and drainage repairs.
- **Structures Maintenance** – i.e. bridge repairs and construction.
- **Patching and Small Resurfacing Services** – i.e. pothole and surface defect repairs.
- **Surface Treatments** – i.e. road and footway surface preservation and life extension.
- **Emergency Response** – i.e. supporting emergency services in response to incidents across the network including weather events and structural failure.
- **Highway Schemes Delivery** – i.e. construction of highway improvement schemes, including those for crash remedial measures and s106 requirements.

2. Financial Implications

- 2.1 An overall price increase has been agreed at circa 10% increase on contract prices. Not all rates will automatically be adjusted by this amount as certain rates are well below actual cost and others remain at a sustainable level. There are 29 rates that require specific adjustment to ensure that they can be sustainable for the extension period. These primarily relate to asphalt works that have seen exceptional industry increases in material costs and labour.
- 2.2 The impact of the 10% increase places a circa £5m per annum increase as annual contract throughput has been in the order of £50 million (though this is not guaranteed). This is split between capital and revenue budgets with circa one third revenue to two thirds capital. Expenditure against these budgets areas will be contained and managed within available budget/resource envelope.
- 2.3 Price indexation increases are applied annually to revenue budgets however capital budgets see no such increase. In effect year on year output is reduced to offset the price increases within the capital area of expenditure.
- 2.4 The estimated revenue cost pressure for 2023/02 is £1m. This will be met from in year savings particularly around energy costs with £800k already identified and set aside for this and £400k which was already allocated to meet the additional costs of recommissioning the HTMC.

3. Contract Rationale, Options and recommendation

Contractor Performance

- 3.1 KCC has implemented several commissioning programmes over the past six years. On each occasion the decision has been taken to extend the contract with Amey supported by cost, value and delivery performance.

- 3.2 The current contract management system includes thirty-five key performance measures which are assessed monthly. Whilst there has been no service failure or material breach of the contract throughout the previous 12 years arrangement, Amey's recent performance over the last 12 months has been variable and this has been reflected in the regular Performance Dashboard reports to the Environment and Transport Cabinet Committee.
- 3.3 As part of the arrangements for the new contract, a joint performance steering group will be established to ensure performance improvements, and efficiencies are made in order to closely manage and to hold AMEY Highways Limited accountable for performance issues.

Value for Money

- 3.3 In 2022, a Value for Money (VfM) review of the Enterprise AOL Limited contract and Highways & Transportation operational management arrangements was undertaken by The Future Highways Research Group (FHRG). The review concluded that the contract demonstrated strong performance against all the VfM dimensions. Furthermore, that it was within the top four of assessed (FHRG) members within the last 18 months which evidences the performance of this contract for KCC. There is a recommended action plan for further improvements which is current being embedded within the division. (Appendix A).
- 3.4 It is planned to re-engage with FHRG in 2023 to review delivery against the action plan and continue to engage with the wider market to help shape our arrangements beyond the current Enterprise AOL Limited contract.

Technical review

- 3.5 To award the contract under the Framework is not without risk and is reliant on a number of factors to ensure mitigation. This includes:
- Ensure the specifications of the contract fits within the framework scope
 - Framework terms are not materially altered from those set out in the framework
 - Commence a procurement process as soon as practically possible
- 3.6 The majority of the works to be delivered within the contract are included on the CPV codes and Framework specification. Winter service was not considered in scope of the anticipated services under the Framework; however it is difficult to decouple this service from the core contract due to the multi disciplined staff that operate the works during the calendar year.
- 3.7 While the winter service is entwined with the other works, the value of these works falls below 10% of the total contract value. There is an argument that due to the low value of these services compared to the overall value of the works under the Interim Arrangements that this might be considered an insubstantial modification, which is protected as a permitted modification under Regulation 72 of the PCR providing that the majority of the value of the Interim Arrangement will be in-scope works and the value of the winter service requirements stay below both the 15% of the total value.

- 3.8 The contract terms governing the interim arrangement will be based on the NEC4 Term Services Contract which is permitted within the framework. This will incorporate appropriate Z clauses as required.

Market Capacity

- 3.9 As previously shared at the 23rd May Environment & Transport Cabinet Committee meeting; market intelligence suggests that delaying procurement could be prudent in order to allow the market to stabilise.
- 3.10 The industry is experiencing significant volatility due to the impact and aftermath of COVID-19 and the war in Ukraine. The consequence of these and other market challenges has seen widescale challenges in the supply of materials, skilled and unskilled labour, and increasing fuel and financing costs. This has led to large uplifts in inflation with many indices (e.g. RPI, CPI forecasting between 10% – 12% and BCIS forecasting up to 30% increases over the past 12-18 months).
- 3.11 Local authorities that are procuring new contracts are seeing highly volatile pricing, reduced supplier availability and tenderers seeking both enhanced contingencies and to transfer several critical risks back to the client.
- 3.12 In this climate there remains little confidence that letting a contract at this time would deliver a contract that would be economically advantageous, affordable, or that it would represent best value over the longer-term. It is therefore recommended to award a new contract to Amey Highways Limited via the Highway Civils Framework. However, this is not without risk. See section 4.

Options

- 3.13 Two contract periods were considered; 56 months and 32 months during which time the service can undertake a full commissioning of the contract. However, as the contract has been extended several times extending the contract further could pose a legal risk. It is therefore recommended that the award is for as short a period as possible and for a full commissioning exercise to be undertaken immediately.
- 3.14 A 32-month contract will give the service time to evaluate and plan for a full commissioning of the contract however it does result in KCC covering the cost of the assets beyond this period and therefore an increased financial pressure of £200k covered in the MTFP.
- 3.15 The procurement timeline has been identified in section 4. A Prior Information Notice will be published to commence market engagement activity in the autumn.

4. Legal Implications and procurement timeline

- 4.1 KCC has a legal duty to maintain its respective sections of the highway network under section 41 of the Highways Act 1980 and this demands continuity of operational service.
- 4.2 The current contract has been extended beyond its original allowable period due

to the COVID-19 pandemic. There is no scope to extend the current contract legitimately in accordance with the Public Contract Regulations 2015.

- 4.3 Due to forthcoming Brexit Transition works, the Council implemented a Highway Civils Framework for which Amey OW Limited was successfully appointed. Due to a restructure within the Amey Group, the Framework will be novated to Amey Highways Limited, as permitted under the Public Contracts Regulations. Officers in strategic commissioning have checked and confirmed that Amey Highways Limited meet the selection and qualitative requirements used when the framework was established. Legal advice has confirmed that this Framework can be used to award this contract to Amey Highways Limited but it is not without risk. The full legal advice has been included in the exempt Appendix.
- 4.4 To procure a replacement term maintenance contract is both complex and time consuming. Under normal circumstances, this process would be expected to take over 27 months. Whilst the below provides some detail on the expected stages and duration of the programme, there remains the need to align this schedule to the democratic decision and governance processes which could affect some of the durations stated:

Formal Market Engagement – 6 Months
Selection Qualification (SQ) Process – 1 Month
SQ Evaluation and Approval – 2 Months
Initial Tender Period – 3 Months
Initial Tender Evaluation and Shortlist – 3 Months
Negotiation Period – 2 Months
Final Tender Period – 2 Month
Award Process – 2 Months
Mobilisation Period – 6 Months

5. Equality Implications

- 5.1 An Equalities Impact Assessment has been carried out and no implications for extending the contract have been identified.

6. Governance

- 6.1 The proposed decision delegates authority to Corporate Director of Growth, Environment and Transport in consultation with the Cabinet Member for Highways and Transport to take relevant actions including but not limited to entering into contracts and other legal agreements, as necessary to implement the decision.
- 6.2 A Steering Group will be established comprising KCC Senior Managers to provide oversight and governance for the evaluation of options to deliver highway services ahead of proceeding to the full commissioning process; this will include all options.

7. Conclusions and next steps

- 7.1 To ensure that KCC is able to meet its statutory obligations as the highway authority it is proposed to continue to use Amey Highways Limited to deliver services as

defined in the HTMC for 32 months, starting on September 1st, 2023, by calling off from the Highway Civils Framework.

- 7.2 This will allow the highways market time to re-stabilise after a period of fluctuation and volatility to enable an organised and market wide competitive re-procurement of the delivery of highways services.
- 7.3 The market will be informed of the decision through a Contract Award Notice.
- 7.4 The contract will need to be finalised and signed by both parties. The Specification will be broadly based on the current contract specification and will include a Parent Company Guarantee. LGPS Admission will be sought by Amey Highways Limited, and an appropriate Admission Agreement and Guarantee/ Bond put in place.

8. Recommendations

- 8.1 The Cabinet Member for Highways and Transport is asked to agree to:
 - a) agree a new call off contract is awarded to Amey for 32 months, via the Highway Civilis Framework, with commencement date of September 1st, 2023;
 - b) give delegation to the Director of Highways & Transportation in consultation with the Cabinet Member for Highways and Transport to take relevant actions including but not limited to entering into contracts and other legal agreements, as necessary to implement the decision; and
 - c) agree to the proposed procurement timeline for the future replacement contract.

9. Appendices

- Appendix 1: Record of Decision
- Appendix A: Future Highways Research Group Report and Action Plan
- Equalities Impact Assessment
- Exempt Appendix: Legal Advice

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Future Highways
Research Group



ADEPT

Association of Directors of
Environment, Economy, Planning & Transport

Kent County Council Highways Service

VFM Assessment and Improvement Opportunities

Contents

- 1. Introduction to Proving and the Future Highways Research Group (FHRG)**
- 2. VFM Position**
- 3. FHRG Benchmarked Position**
- 4. VfM Dimension Assessment**
 1. Summary
 2. Economy
 3. Efficiency
 4. Effectiveness
 5. Strategic Value
 6. Stakeholder Value
- 5. Priorities for Improvement**

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Introduction to Proving and the FHRG

Value for Money Assessment

Background to Proving Services

- Formed by two directors from Cranfield University School of Management in 2003, joined in 2017 by the Commercial Operations Director of CIPFA.
- Developers of sector-leading, research-led tools and processes for the evaluation of *strategic options, innovation, business change, value for money and value chain relationships*, endorsed by CIPFA and ADEPT, and widely adopted by organisations within both the private and public sectors.
- Our business ethos is to support our research colleagues and partners in developing their internal capabilities and competencies.
- Have worked with local authorities to help evaluate VFM in many service areas including Fire and Rescue, Highways, Transport, Waste and Recycling.

The Future Highways Research Group

Participatory, Action-Based Research (Formed 2016)

- **Provide a forum for sector leaders.**
 - Share knowledge and experiences.
- **Identify, develop and assess innovations with the potential to transform the sector.**
 - Applying academic research frameworks and methods.
- **Develop and pioneer transferrable methods, structures, tools and processes.**
 - As proven approaches; defining best practice.
- **Engage with new sector entrants.**
 - Including: energy generation, electric vehicle and served communities as delivery partners.
- **Develop meaningful benchmarking frameworks based on Value for Money (VfM).**
- **Attract funding for new concepts development and piloting.**
 - Bidding for innovation funding.
- **Publish our findings; ensuring members are recognised as sector innovators.**

Current FHRG Membership

- Buckinghamshire Council
- Central Bedfordshire Council
- Cheshire East Council
- Derby City Council
- Derbyshire County Council
- Central Bedfordshire Council
- Cumbria Council
- Dorset Council
- Devon County Council
- East Sussex County Council
- Essex County Council
- Hampshire County Council
- Haringey LB
- Havering LB
- Newham LB
- Kirklees Council
- Kent County Council
- Lancashire County Council
- Leicestershire County Council
- Lincolnshire County Council
- Milton Keynes Council
- Northumberland County Council
- North Somerset Council
- North Yorkshire County Council
- Oxfordshire County Council
- Shropshire Council
- Somerset County Council
- Staffordshire County Council
- Suffolk County Council
- Surrey County Council
- West Sussex County Council

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VfM Assessment

Value for Money Assessment

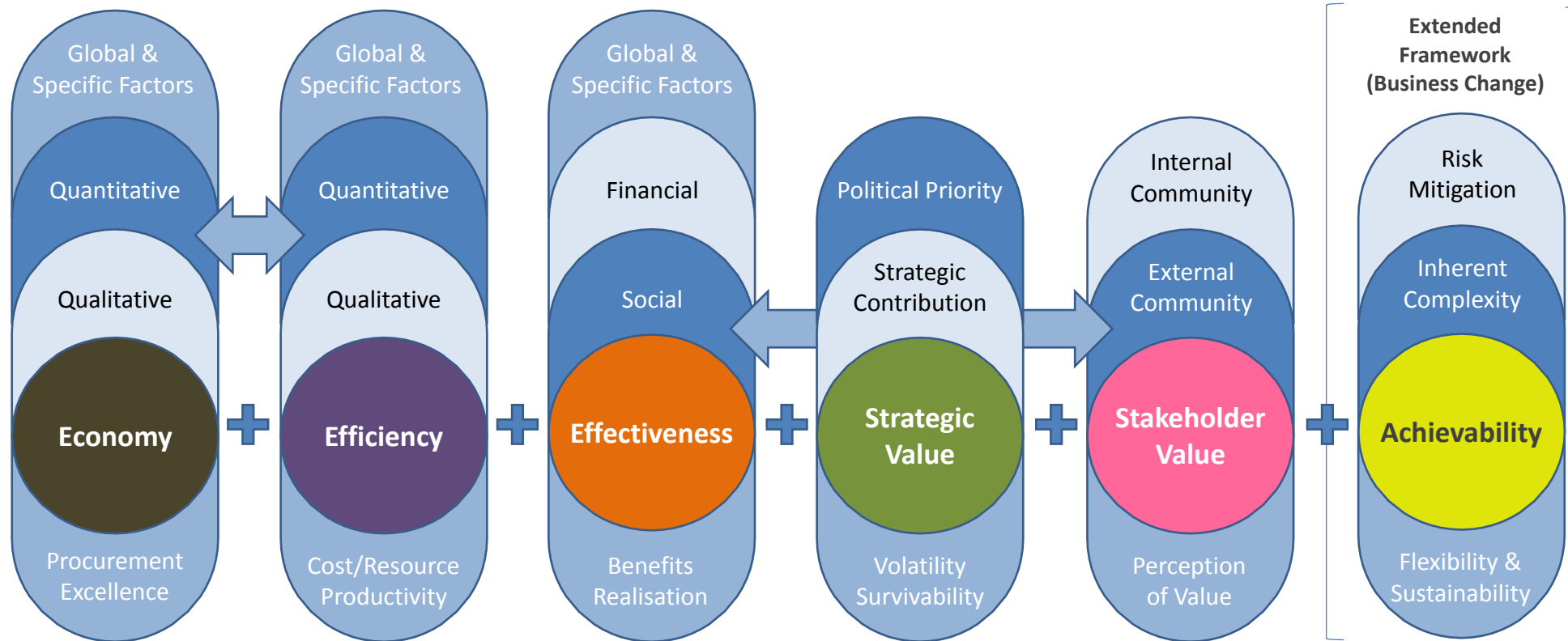
Value for Money Analysis

Identifying & Proving “Best Value” Services – The Proving Framework

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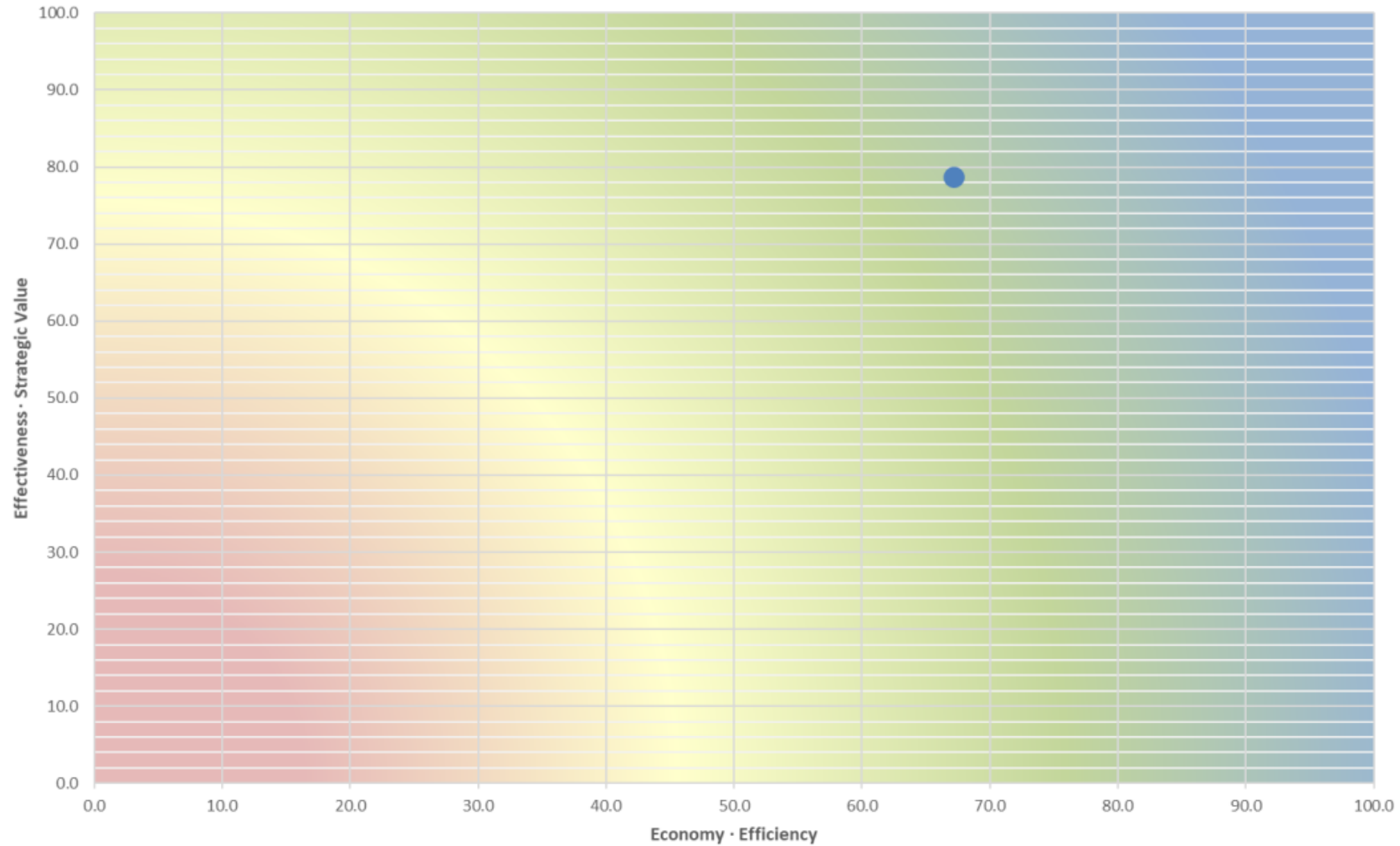
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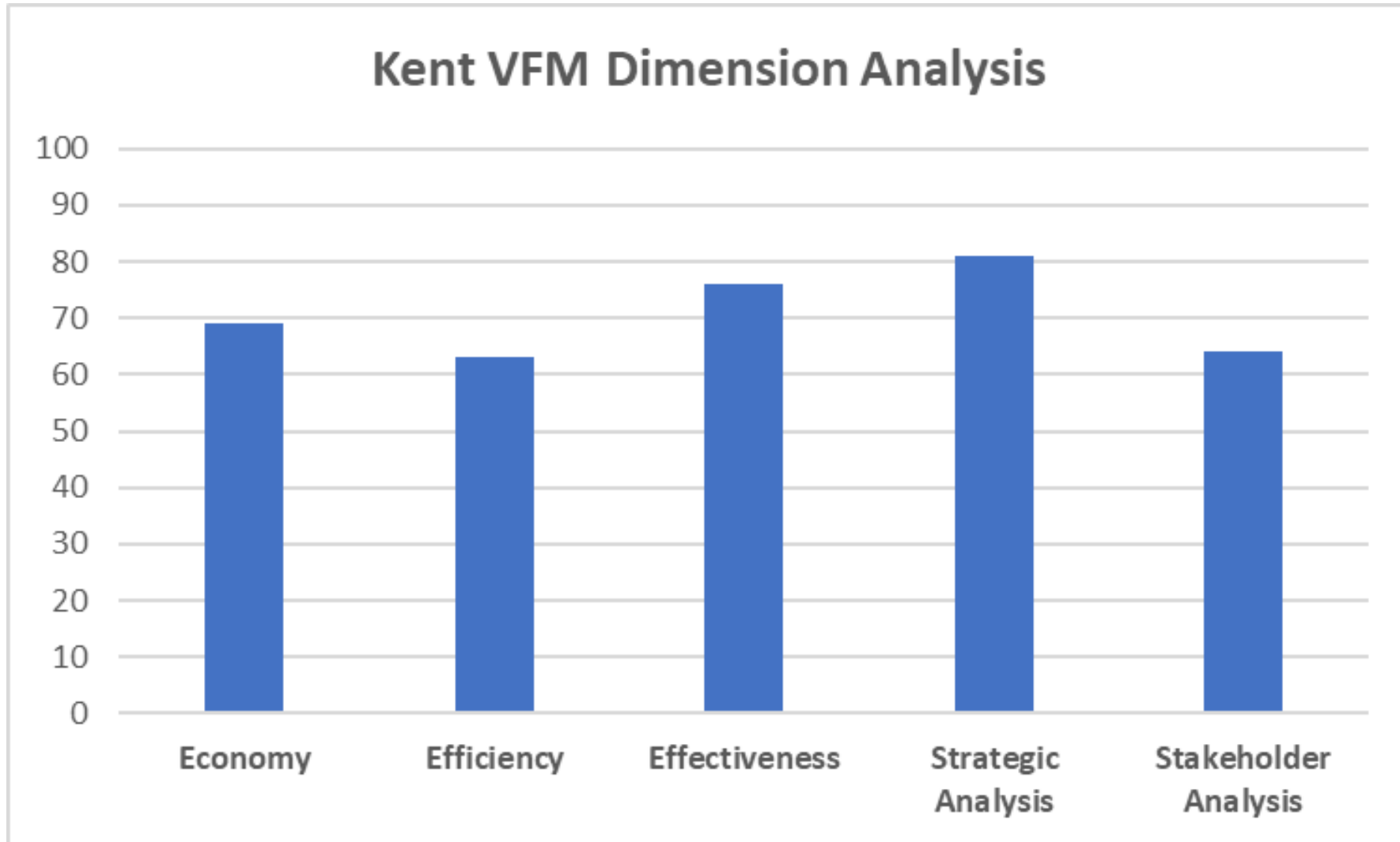
Research Programme (CVRC, 2011) ©Proving, Farquharson & Wilson 2011

Kent Highways Service: VfM Position (Performance Score Only)

Kent County Council Highways VfM Position (Performance Score)

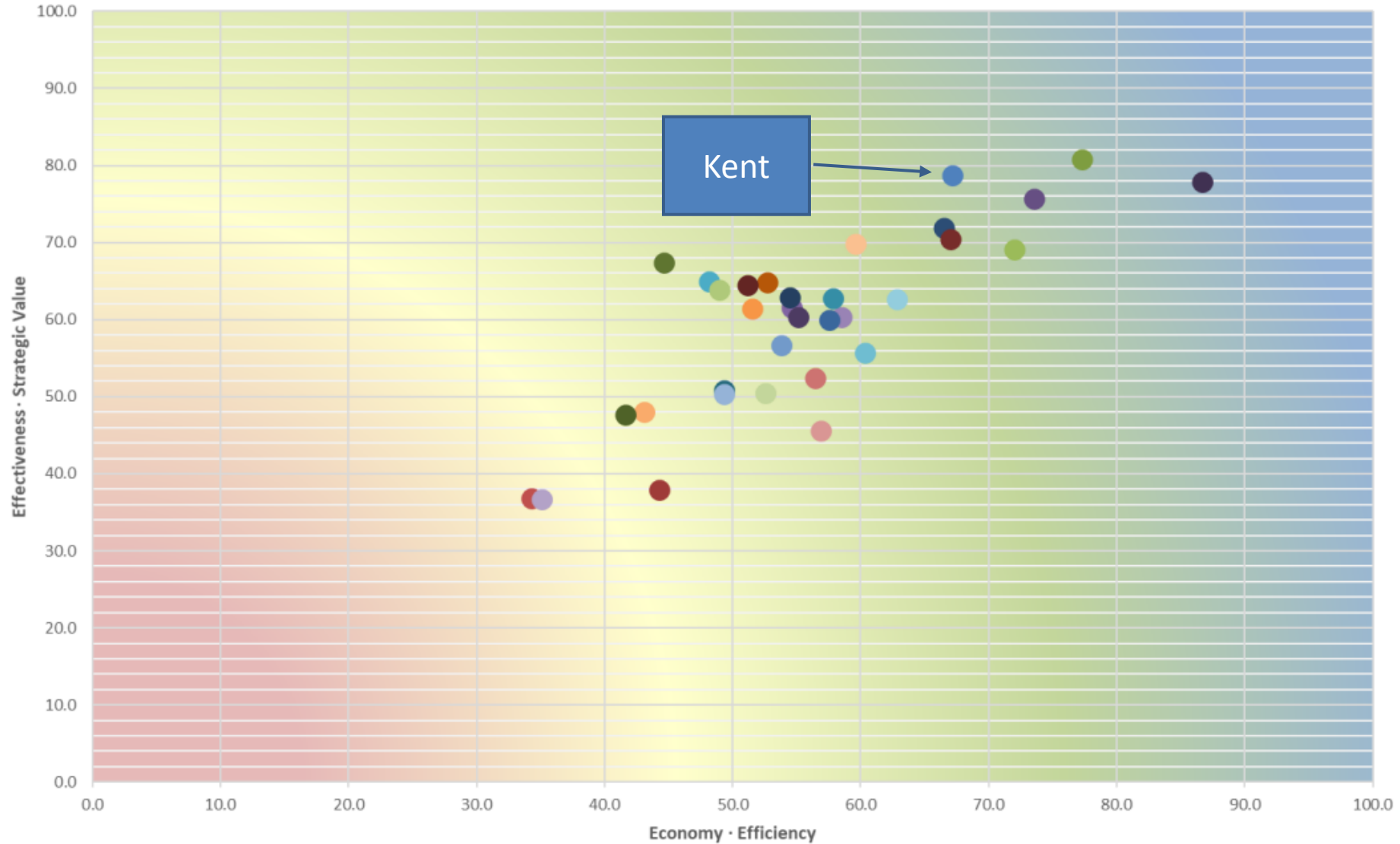


Kent Highways VfM Dimension Analysis



Kent Highways: FHRG VfM Benchmarking Position

Kent County Council - Highways Value for Money



Value for Money – Overall Conclusions

- **Kent County Council Highways Service (KCCHS) demonstrates strong performance against all the VfM dimensions.**
- **KCCHS is within the top four of Future Highways Research Group (FHRG) members as assessed within the last 18 months.**
- **The highways management team is cohesive, dedicated and mutually supportive, with an ethos of continuous improvement. This extends to the relationships with, and expectations of, all service delivery partners.**
- **KCCHS have a range of cost-effective contracts and frameworks designed to be flexible in meeting the current and evolving operational needs of the service.**
- **A key challenge is the increasing costs in delivering the service. Rates and charges currently paid to providers do not align to the true market costs. This is unsustainable and will increasingly impact on the quality of the service provided.**
- **The service has a good relationship with members, with strong support from the portfolio holder.**
- **KCCHS demonstrates its commitment and success in identifying and trialling innovations (technologies, data management and materials) to improve the performance of the service and help achieve the longer-term strategic objectives of the authority.**

Economy Dimension: VFM Scorecard

ID	Dimension	Factor Name	Weighting	Score (Text)	Score	Confidence	Opportunity (Text)	Opportunity	Priority
100	Economy	External Frameworks & Contracts							
100	Economy	Commissioned / Outsourced Service Contracts							
101	Economy	Highways Term Maintenance Contract (Amey)	100	Good [75]	75	50	Definitely [100]	100	
102	Economy	Resurfacing Contact (GW Highways)	80	Excellent [100]	100	75	Probably Not [25]	25	0.0
103	Economy	Pothole Blitz (10 contractors)	60	Good [75]	75	50	Probably [75]	75	2.8
104	Economy	Drainage Framework	60	Good [75]	75	50	Probably [75]	75	2.8
105	Economy	Soft Landscape	60	Excellent [100]	100	50	Possibly [50]	50	0.0
106	Economy	Streetlights	80	Excellent [100]	100	75	Probably Not [25]	25	0.0
107	Economy	Traffic Signals	40	Excellent [100]	100	50	Possibly [50]	50	0.0
108	Economy	Major Capital Projects	80	Satisfactory [50]	50	50	Probably [75]	75	7.5
109	Economy	Consultancy Framework (Design / Major Projects)	60	Good [75]	75	50	Probably [75]	75	2.8
110	Economy	Transactional / Internally-Contracted Costs (Where Applicable)							
111	Economy	Annual Retainers (Cost Justification & Cost Stability) Winter & Emergency	40	Excellent [100]	100	75	Probably [75]	75	0.0
112	Economy	Transactional Costs (Cost Analysis, Justification & Cost Stability)	80	Good [75]	75	75	Definitely [100]	100	5.0
113	Economy	Internal Costs							
114	Economy	Management & Professional	100	Good [75]	75	75	Probably [75]	75	4.7
115	Economy	Staff	100	Satisfactory [50]	50	75	Definitely [100]	100	12.5
116	Economy	Contract Cost/ Efficiency Management	60	Good [75]	75	50	Definitely [100]	100	3.8
117	Economy	Professional / Consultancy Services	80	Good [75]	75	75	Possibly [50]	50	2.5
118	Economy	IT / IS Services, Equipment & Software External	60	Good [75]	75	75	Possibly [50]	50	1.9
118	Economy	IT / IS Services, Equipment & Software Internal / Mandated	40	Requires Improvement [25]	25	50	Possibly [50]	50	3.8
119	Economy	Materials & Consumables	20	Requires Improvement [25]	25	50	Probably Not [25]	25	0.9
120	Economy	Vehicles / Equipment	60	Satisfactory [50]	50	50	Definitely [100]	100	7.5
121	Economy	Depots / Offices	60	Requires Improvement [25]	25	50	Definitely [100]	100	11.3
122	Economy	Other Operating Costs	0						
123	Economy	Cost of Risk (Where Applicable)							
124	Economy	Cost of Compensation (Including CEs / Functional FTP Events)	60	Good [75]	75	75	Possibly [50]	50	1.9
125	Economy	Cost of Risk (Anticipated & Emergent)	60	Good [75]	75	75	Possibly [50]	50	1.9
126	Economy	Revenue Generation (Where Applicable)							
127	Economy	Income / Services Trading	80	Good [75]	75	75	Probably [75]	75	3.8
128	Economy	Grant / Investment Winning	80	Excellent [100]	100	75	Probably [75]	75	0.0
129	Economy	Economy Improvement Plan (Savings Plan)	60	Good [75]	75	75	Probably [75]	75	2.8
130	Economy	Delivery of Service Within Budget	100	Good [75]	75	75	Probably Not [25]	25	1.6

Economy Assessment – Key Points

- Overall, strong Economy assessed performance.
- The majority of contracts and framework agreements deliver ‘excellent’ economic value. However, the rates paid are increasingly below market rates. It is recognised that this is unsustainable and a review of rates is required with an increase anticipated.
 - The rates paid impacts on the quality of subcontractors prepared to work through Amey.
- The service is provided through lean internal teams, paid at or below market rates. This is reflected in the difficulty the service has in recruiting the necessary skilled resource.
- Risk is well-managed by the service, with a low number of compensation events, a high repudiation rate for claims, and a policy of continuous risk management and scrutiny.
 - A solid highways inspection regime.
 - An effective Green Claims team who try and recover the all costs.
- **Economy improvements could be made in the following areas:**
 - The condition of satellite depots is poor and not conducive to efficient working.
 - The services uses two street works systems which creates inefficiencies and adds cost to the service.
 - Prices paid internally for stationary and high-vis jackets are considered expensive.

Economy Assessment – Key Points (cont..)

- **Following the project to deliver an innovative new digital solution for highway licenses, there has been a 30% increase in the recovery of fees**
- **KCCHS have had considerable success in recent years in attracting capital grants and investment, including Live Labs, the Local Growth Fund, Active Travel funding.**
 - Amey Consulting have been a valuable partner in winning and delivering these initiatives.
- **The Kent Lane Rental Scheme is generating over £1M pa which is being used to fund future innovations.**

Efficiency Dimension: VFM Scorecard

ID	Dimension	Factor Name	Weighting	Score (Text)	Score	Confidence	Opportunity (Text)	Opportunity	Priority
200	Efficiency	External Resource Efficiency (Commissioned / Outsourced Service Contract)							
201	Efficiency	Highways Term Maintenance Contract (Amey)	100	Good [75]	75	75	Definitely [100]	100	6.3
202	Efficiency	Resurfacing Contact (GW Highways)	80	Excellent [100]	100	75	Probably Not [25]	25	0.0
203	Efficiency	Pothole Blitz (10 contractors)	60	Good [75]	75	75	Probably [75]	75	2.8
204	Efficiency	Drainage Framework	60	Good [75]	75	75	Probably [75]	50	1.9
205	Efficiency	Soft Landscape	60	Good [75]	75	75	Probably Not [25]	25	0.9
206	Efficiency	Streetlights	80	Good [75]			Probably Not [25]		
207	Efficiency	Traffic Signals	40	Good [75]	75	75	Probably Not [25]	25	0.6
208	Efficiency	Major Capital Projects	60	Satisfactory [50]	50	50	Probably [75]	75	5.6
209	Efficiency	Consultancy Framework (Design / Major Projects)	80	Good [75]	75	50	Definitely [100]	100	5.0
210	Efficiency	Productivity of Internal Staff	0						
211	Efficiency	Productivity of Management	100	Good [75]	75	75	Definitely [100]	100	6.3
212	Efficiency	Productivity of Staff	100	Good [75]	75	75	Definitely [100]	100	6.3
213	Efficiency	Other Resource/ KCC Services (Productivity)	80	Satisfactory [50]	50	75	Definitely [100]	100	10.0
214	Efficiency	Efficiency Performance Management							
215	Efficiency	Service / Function Productivity & Throughput	100	Good [75]	75	75	Probably [75]	75	4.7
216	Efficiency	Service Optimisation	100	Good [75]	75	75	Definitely [100]	100	6.3
217	Efficiency	Service Utilisation	80	Excellent [100]	100	75	Probably Not [25]	25	0.0
218	Efficiency	Service Sustainability	100	Satisfactory [50]	50	50	Definitely [100]	100	12.5
219	Efficiency	Stakeholder Management (Internal & External)	100	Satisfactory [50]	50	75	Definitely [100]	100	12.5
220	Efficiency	Service Agility (Scope & Scale of Operations: Demand Matching)	80	Good [75]	75	75	Possibly [50]	50	2.5
221	Efficiency	IT / IS Management	100	Satisfactory [50]	50	75	Probably [75]	75	9.4
222	Efficiency	Information Analysis & Reporting Management	80	Satisfactory [50]	50	75	Probably [75]	75	7.5
223	Efficiency	Travel & Accommodation	40	Satisfactory [50]	50	75	Definitely [100]	100	5.0
224	Efficiency	Efficiency Improvement Plan	60	Satisfactory [50]	50	50	Definitely [100]	100	7.5

Efficiency Assessment– Key Points

- Overall, good Efficiency assessed performance.
- The KCCHS management team are highly effective, demonstrating cohesiveness and mutual support, with shared goals to continue to improve the service. The service aims to be agile and demand-responsive; however member requests can add to the workload burden.
 - Agreeing and adhering to a comprehensive Asset Management Plan has improved service efficiency.
 - The service achieves its annual programme of work although there can be some slippage on bespoke projects.
 - The last minute confirmation of annual budgets can make effective forward planning difficult.
 - All staff are set clear and precise goals which helps them in turn, become more efficient.
 - Virtual working has help improved the productivity and quality of communications within the management team.
- KCCHS have established a strong working relationship with Amey (in part due to the recent appointment of a new Contract Director) focused on continuous improvement and open, honest communications.
- The same collaborative and supportive ethos extends to other providers to deliver a quality, customer focused service.

Efficiency Assessment– Key Points (cont..)

- **The pothole blitz initiative has been very successful and bridges the gap between reactive and larger planned schemes.**
- **Demand for road space, including permits has risen by 50%, due in part to the broadband programme and the increase in capital schemes. With current resource levels, the co-ordination and management of this additional demand is proving a challenge for the street works team.**
- **The successful deployment of the Confirm system and use of tablets by crews has added to the efficiency of the workforce. The HADMS platform, developed as part of Live Labs, should enable significant improvements to service operations and performance management.**
- **There are critical challenges in recruiting and retaining the necessary staff. Several single points of potential failure have been identified.**
 - **The service is currently completing a workforce development plan to try and address these issues.**

Effectiveness Dimension: VFM Scorecard

ID	Dimension	Factor Name	Weighting	Score (Text)	Score	Confidence	Opportunity (Text)	Opportunity	Priority
300	Effectiveness	Effectiveness Management							
301	Effectiveness	Quality of Service	100	Good [75]	75	75	Definitely [100]	100	6.3
302	Effectiveness	Highways Term Maintenance Contract (Amey)	100	Good [75]	75	75	Definitely [100]	100	6.3
303	Effectiveness	Resurfacing Contact (GW Highways)	80	Excellent [100]	100	75	Definitely [100]	100	0.0
304	Effectiveness	Pothole Blitz (10 contractors)	60	Good [75]	75	75	Definitely [100]	100	3.8
305	Effectiveness	Drainage Framework	60	Good [75]	75	75	Definitely [100]	100	3.8
306	Effectiveness	Soft Landscape	60	Good [75]	75	75	Probably Not [25]	25	0.9
307	Effectiveness	Streetlights	80	Excellent [100]	100	75	Probably Not [25]	25	0.0
308	Effectiveness	Traffic Signals	40	Good [75]	75	75	Probably Not [25]	25	0.6
309	Effectiveness	Scope of Services	100	Good [75]	75	75	Possibly [50]	50	3.1
310	Effectiveness	Scale of Services	100	Good [75]	75	75	Probably [75]	75	4.7
311	Effectiveness	Resilience of Services	100	Satisfactory [50]	50	50	Definitely [100]	100	12.5
312	Effectiveness	Serious Events (Public Protection / Safety / Regulatory Compliance)	60	Excellent [100]	100	75	Possibly [50]	50	0.0
313	Effectiveness	Transactional Performance							
314	Effectiveness	% of On-Budget Transactions	100		80	75	Probably Not [25]	25	1.3
315	Effectiveness	% of Error-Free Transactions	100	Good [75]	75	75	Definitely [100]	100	6.3
316	Effectiveness	% of On-Time Transactions	100	Good [75]	75	75	Probably Not [25]	25	1.6
317	Effectiveness	% of Reworked / Discarded Outputs	60	Good [75]	75	75	Probably Not [25]	25	0.9
318	Effectiveness	Overall Customer Satisfaction	100	Good [75]	75	75	Definitely [100]	100	6.3
319	Effectiveness	Value Added Business Benefits							
320	Effectiveness	Services Development / Innovation	80	Good [75]	75	75	Definitely [100]	100	5.0
321	Effectiveness	Financial Benefits (Cashable)	80	Good [75]	75	75	Definitely [100]	100	5.0
322	Effectiveness	Social Benefits	80	Excellent [100]	100	75	Possibly [50]	50	0.0
323	Effectiveness	Environmental Benefits	80	Satisfactory [50]	50	75	Definitely [100]	100	10.0
324	Effectiveness	Reputational Benefits/Disbenefits	60	Good [75]	75	75	Probably [75]	75	2.8
325	Effectiveness	Effectiveness Improvement Plan	60	Satisfactory [50]	50	75	Definitely [100]	100	7.5

Effectiveness Assessment- Key Points

- **As for most highways authorities, KCCHS has the challenge of managing a declining asset with insufficient funding. A significant and currently unaffordable level of investment would be required to bring the highway network up to the desired standard.**
 - This is recognised by the portfolio holder - *'insufficient funding will impact on all areas of operations and is the main risk to the service'*.
- **However, given the funding constraints and size of network, it was agreed that a 'good' to 'excellent' quality of service is provided by the highways service and its providers.**
- **A good relationship with parishes helps extend the range and quality of services provided beyond just meeting statutory obligations. This has been helped by the Parish Highway Improvement Plan initiative.**
- **Workmanship is of a high standard, with customers generally pleased with work completed**
- **Jobs are usually delivered on-time, within an agreed budget and largely error-free.**
- **KCCHS have an 'excellent' response to serious and emergency events, including winter services and COVID.**

Effectiveness Assessment- Key Points (cont..)

- **The service actively encourages innovation in helping to drive through service improvements and increase VfM.**
- **The ADEPT Live Lab programme has been very successful, leading to the creation of a directorate Digital, Technology & Innovation Board to maintain and build upon the momentum achieved.**
- **Many social benefits are provided by KCCHS, including apprenticeships, local sponsorship, use of local businesses and involvement with schools.**
 - All providers are expected to contribute to delivering social value for Kent.
- **It is recognised that more will have to be done to address the current carbon and environmental challenges. However, there will be a potentially significant cost associated with this which unless properly funded, may impact on the future scope and scale of services provided.**

Strategic Value Assessment: Key Factors

ID	Dimension	Factor Name	Weighting	Score (Text)	Score	Confidence	Opportunity (Text)	Opportunity	Priority
400	Strategic Value	Support initiatives that deliver carbon neutral services, schemes and incentives.	100	Good [75]	75	75	Definitely [100]	100	6.3
401	Strategic Value	Optimise and improve network access and performance for all users under all conditions.	100	Good [75]	75	75	Definitely [100]	100	6.3
402	Strategic Value	Enhance the local economy through network expansion and improvement to meet the growth agenda.	100	Excellent [100]	100	75	Definitely [100]	100	0.0
403	Strategic Value	Sustain a financially resilient service that delivers best value with the resources available.	100	Good [75]	75	75	Definitely [100]	100	6.3
404	Strategic Value	Engage effectively to understand and meet the needs of our citizens and communities.	100	Good [75]	75	75	Definitely [100]	100	6.3
405	Strategic Value	Embrace best practice, innovations and new technologies enabling the service to continuously evolve.	100	Excellent [100]	100	75	Definitely [100]	100	0.0
406	Strategic Value	Develop and sustain collaborative partnerships that deliver the objectives of all partners.	100	Good [75]	75	75	Definitely [100]	100	6.3
407	Strategic Value	Attract, develop, empower and retain the best people capable of driving a dynamic and agile service.	100	Good [75]	75	75	Definitely [100]	100	6.3

- These assessment factors have been developed and agreed by the Future Highways Research Group (FHRG) reflecting the strategic priorities and challenges faced by all Local Highways Authorities. It was agreed that these are aligned and consistent with the strategic objectives of KCCHS.
- KCCHS have demonstrated significant contribution and progression in realising these objectives. Given their strategic importance, they will continue to remain an area of focus and effort as reflected in the 'Definitely' score for Opportunity.
- As evidenced during the VfM assessment, KCCHS have achieved a high level of service operational performance. This provides a strong foundation from which to tackle the more strategic ambitions of the service and authority.

Stakeholder Value Dimension: VFM Scorecard

ID	Factor Name	Weighting	Score (Text)	Score	Confidence	Opportunity (Text)	Opportunity	Priority
500	Politicians (Leader)	90	Good [75]	75	75	Definitely [100]	100	5.6
501	Portfolio Holder	100		90	100	Probably [75]	75	1.9
502	Politicians (Cabinet & Scrutiny)	90	Good [75]	75	75	Definitely [100]	100	5.6
503	Politicians (Other)	80	Good [75]	75	75	Definitely [100]	100	5.0
504	Other Councils							
505	Districts	60	Satisfactory [50]	50	75	Definitely [100]	100	7.5
506	Parishes and Town Councils	80	Good [75]	75	75	Definitely [100]	100	5.0
507	Neighbouring Authorities	40	Good [75]	75	75	Definitely [100]	100	2.5
508	Officers							
509	CEO & Corporate Team Management	100	Good [75]	75	75	Definitely [100]	100	6.3
510	In-Function	100	Good [75]	75	75	Definitely [100]	100	6.3
511	In Other Dependent Functions	80	Good [75]	75	75	Definitely [100]	100	5.0
512	Partners (Delivery / Value Chain)	80	Good [75]	75	75	Definitely [100]	100	5.0
513	Utilities Organisations	60	Good [75]	75	75	Probably [75]	75	2.8
514	Developers	80	Good [75]	75	75	Definitely [100]	100	5.0
515	DfT	40	Good [75]	75	75	Probably [75]	75	1.9
516	National Highways	50	Satisfactory [50]	50	75	Definitely [100]	100	6.3
517	Other Transport-related Organisations / Agencies	60	Good [75]	75	75	Definitely [100]	100	3.8
518	LEP	80						
519	General Public	100	Satisfactory [50]	50	50	Definitely [100]	100	12.5
520	Regulators	40	Good [75]	75	75	Possibly [50]	50	1.3
521	Special Interest Groups	80	Good [75]	75	75	Probably [75]	75	3.8

Stakeholder Analysis

- **The service aims to be accessible, helpful and consistent with all key stakeholders. This approach is reflected in the scores.**
- **The Portfolio Holder assessed the service as ‘good’ to ‘excellent’.**
 - Confirms the good relationship of the service with elected members, both executive and non-executive.
 - Recognises the efforts of officers to relate to members of the public, demonstrating competence and therefore building the reputation of the authority.
 - Recognises the efforts to innovate and use technology to improve the services.
 - Acknowledges that insufficient funding will impact on all areas of operations and is the main risk to the service.
- **The ‘Definitely’ scores in ‘Opportunities’ reflects the recognition by KCCHS that maintaining and improving effective relationships needs continued focus and effort.**

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Top Priority Improvements

(Weighting x Score X Confidence X Opportunity)

ID	Dimension	Factor Name	Weighting	Score (Text)	Score	Confidence	Opportunity (Text)	Opportunity	Priority
218	Efficiency	Service Sustainability	100	Satisfactory [50]	50	50	Definitely [100]	100	12.5
219	Efficiency	Stakeholder Management (Internal & External)	100	Satisfactory [50]	50	75	Definitely [100]	100	12.5
311	Effectiveness	Resilience of Services	100	Satisfactory [50]	50	50	Definitely [100]	100	12.5
519	Stakeholder Value	General Public	100	Satisfactory [50]	50	50	Definitely [100]	100	12.5
121	Economy	Depots / Offices	60	Requires Improvement [25]	25	50	Definitely [100]	100	11.3
213	Efficiency	Other Resource/ KCC Services (Productivity)	80	Satisfactory [50]	50	75	Definitely [100]	100	10.0
323	Effectiveness	Environmental Benefits	80	Satisfactory [50]	50	75	Definitely [100]	100	10.0
221	Efficiency	IT / IS Management	100	Satisfactory [50]	50	75	Probably [75]	75	9.4
208	Economy	Major Capital Projects	80	Satisfactory [50]	50	50	Probably [75]	75	7.5
220	Economy	Vehicles / Equipment	60	Satisfactory [50]	50	50	Definitely [100]	100	7.5
222	Efficiency	Information Analysis & Reporting Management	80	Satisfactory [50]	50	75	Probably [75]	75	7.5
224	Efficiency	Efficiency Improvement Plan	60	Satisfactory [50]	50	50	Definitely [100]	100	7.5
325	Effectiveness	Effectiveness Improvement Plan	60	Satisfactory [50]	50	75	Definitely [100]	100	7.5
505	Stakeholder Value	Districts	60	Satisfactory [50]	50	75	Definitely [100]	100	7.5
201	Efficiency	Highways Term Maintenance Contract (Amey)	100	Good [75]	75	75	Definitely [100]	100	6.3
211	Efficiency	Productivity of Management	100	Good [75]	75	75	Definitely [100]	100	6.3
212	Efficiency	Productivity of Staff	100	Good [75]	75	75	Definitely [100]	100	6.3
216	Efficiency	Service Optimisation	100	Good [75]	75	75	Definitely [100]	100	6.3
301	Effectiveness	Quality of Service	100	Good [75]	75	75	Definitely [100]	100	6.3
302	Effectiveness	Highways Term Maintenance Contract (Amey)	100	Good [75]	75	75	Definitely [100]	100	6.3
315	Effectiveness	% of Error-Free Transactions	100	Good [75]	75	75	Definitely [100]	100	6.3
318	Effectiveness	Overall Customer Satisfaction	100	Good [75]	75	75	Definitely [100]	100	6.3

- **Improve the sustainability of the service, specifically the recruitment, retention and development of key staff.**
 - It is recognised that solutions are required for both the immediate and longer term. However, the budget available is a significant constraint.
 - Continue with the development and implementation of the workforce development plan.
 - Improve career development and progression opportunities.
 - Consider being more flexible regarding entry point skills and qualifications.

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Given the current rates paid to Amey and other external partners are increasingly unsustainable, a review will be required.

- Use the opportunity to further incentivise providers to innovate and engage in process change.
- **Suggested improvements for Amey:**
 - Improved selection and supervision of sub-contractors in the delivery of schemes.
 - Ensure the right gangs always goes out first time to each job.
 - Improve visibility and sharing of data with KCC, including works orders and traffic management improvements.
- **Improvements to the current performance management model to put the right data in the hands of service managers to understand and improve (with providers) their service.**
 - A balanced incentive approach to ensure engagement with providers.

VfM Priority Improvements (Cont..)

- **Continue to enhance and develop the strategic asset management approach to all functions, encouraging all asset managers to participate.**
- **In line with KCC wide strategic direction improve digital ‘Apply&Pay’ services to customers in such areas as Light Vehicle Crossing Applications and Highway Boundary to improve back office process and efficiency.**
- **Review the future objectives and structure of the Pothole Blitz function to build upon its proven success.**
- **Improved stakeholder (customers, members and parishes) engagement and communications.**
 - Ensure access to timely and accurate information regarding planned works, progress reports and decisions-made.
 - Communicate environmental policies, issues and the funding challenges.
 - e.g. Use of herbicides, grass cutting regimes, street tree planting.
- **Review satellite depots to ensure they are fit-for-purpose and that the working conditions are at least satisfactory.**
 - Clarify responsibilities for the lease arrangement (between lease holder and corporate landlord)
 - Consider the location and layout of depots to improve travelling time and service efficiency.
- **Review the KCC highways fleet to ensure it continues to offer Value for Money.**
- **Build upon the achievements and profile of the Live Lab programme.**
 - Ensure all successful trials become embedded within operations, to the benefit of the authority and the delivery partner.
 - Maintain and build upon the momentum gained, ensuring future innovations are identified, evaluated and as required, funded.

Scoring Workshop Participants

- **Andrew Loosemore - Head of Highways Asset Management**
- **David Thomas - Business Manager**
- **Richard Emmett - Highway Manager**
- **Carol Valentine - Highway Manager**
- **Earl Bourner - Asset Manager Drainage & Structures**
- **Nikola Floodgate - Schemes Planning & Delivery Manager**
- **Alan Casson - Strategic Asset Manager**
- **Rob Clark - Procurement and Commercial Manager**
- **Nicola Blake (Amey) – Account Director**
- **Judith Bilboe (Amey) – Principal Operations Manager**
- **Owen Jenkins - Director of Growth and Economy, Oxfordshire County Council (Peer Reviewer)**
- **Karen Farquharson - Proving Services, Workshop Facilitator**

EQIA Submission – ID Number

Section A

EQIA Title

Highway Term Maintenance Contract

Responsible Officer

Robert Clark - CED SC

Type of Activity

Service Change

No

Service Redesign

No

Project/Programme

No

Commissioning/Procurement

Commissioning/Procurement

Strategy/Policy

No

Details of other Service Activity

No

Accountability and Responsibility

Directorate

Growth Environment and Transport

Responsible Service

Highways and Transportation

Responsible Head of Service

Andrew Loosemore - GT TRA

Responsible Director

Haroona Chughtai - GT TRA

Aims and Objectives

Kent County Council (KCC) is extending the current delivery model of the Highway Term Maintenance Contract with the current contractor. The existing term maintenance contract (to maintain, repair and improve existing and new infrastructure) expires in August 2023. Some of the services covered within the current contract include:

- Routine Maintenance (carriageway & footway repairs)
- Highways Improvement Schemes <£100,000
- Structures Maintenance
- High Speed Road Maintenance - including Traffic Management
- Emergency and Out of Hours Response
- Winter Service
- Drainage Improvements and Repairs
- Patching and Small Resurfacing
- Signs Maintenance and Improvements (non-illuminated only)
- Lining Maintenance and Improvements
- Gully and soakaways and catch pit emptying
- Barrier repairs and maintenance

Please find details of H&T customers below, and how they interact with the current service.

- Contractors/suppliers - use the contract itself, and provide the services required.
- Other customers, who benefit from the contract, include Parish Councils, County Council Members and members of the public.
- KCC have a number of service level agreements and internal arrangements with other areas of the council (some are based on internal 'fee' arrangements, and others simply on resource availability) these are very important to the delivery of our services to customers (e.g. Legal, Information & Communication Technology and Property).

HTW delivers services that are used by most, if not all, residents in Kent and those who travel through it. Our primary focus is to ensure everyone can travel as safely as possible on our highway network.

The intended beneficiaries are the travelling public in Kent such as residents, communities and businesses, now and in the future as the highway infrastructure is maintained to a safe standard and improved wherever possible.

This decision is centred on the implementation of a contract delivery model that enables all the service areas within HTW to deliver their business' objectives. Any decisions on what services are commissioned, the spend levels and what type of works completed through a financial year, will not be included within this programme. Additionally, any impact on the customer through policy changes and works affecting localised areas will be evaluated separately to this decision and is the responsibility of the individual asset manager or head of service

As a result the findings are that there are no Protected Characteristics that will be impacted upon either positively or negatively as a consequence of this extension. Any decision on day to day management of works or policies is outside of the scope of these works, as the programme is only facilitating contractual mechanisms to commission work.

There is no major change or type/volume to the services being delivered to the public, and therefore no interaction is needed at this stage.

All individual work where appropriate will therefore be required to produce their own EqIA specific to these orders. These will be carried out by the responsible manager.

Any policy changes that directly affect Kent residents and this contract will also have individual associated EqIAs carried out by the responsible manager.

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?

Yes

It is possible to get the data in a timely and cost effective way?

No

Is there national evidence/data that you can use?

No

Have you consulted with stakeholders?

Yes

Who have you involved, consulted and engaged with?

Highways and Transportation
Has there been a previous Equality Analysis (EQIA) in the last 3 years?
Yes
Do you have evidence that can help you understand the potential impact of your activity?
Yes
Section C – Impact
Who may be impacted by the activity?
Service Users/clients Service users/clients
Staff Staff/Volunteers
Residents/Communities/Citizens No
Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?
No
Details of Positive Impacts
Not Applicable
Negative impacts and Mitigating Actions
19. Negative Impacts and Mitigating actions for Age
Are there negative impacts for age?
No
Details of negative impacts for Age
Not Applicable
Mitigating Actions for Age
Not Applicable
Responsible Officer for Mitigating Actions – Age
Not Applicable
20. Negative impacts and Mitigating actions for Disability
Are there negative impacts for Disability?
No
Details of Negative Impacts for Disability
Not Applicable
Mitigating actions for Disability
Not Applicable
Responsible Officer for Disability
Not Applicable
21. Negative Impacts and Mitigating actions for Sex
Are there negative impacts for Sex
No
Details of negative impacts for Sex
Not Applicable
Mitigating actions for Sex
Not Applicable
Responsible Officer for Sex
Not Applicable
22. Negative Impacts and Mitigating actions for Gender identity/transgender
Are there negative impacts for Gender identity/transgender
No
Negative impacts for Gender identity/transgender

Not Applicable
Mitigating actions for Gender identity/transgender
Not Applicable
Responsible Officer for mitigating actions for Gender identity/transgender
Not Applicable
23. Negative impacts and Mitigating actions for Race
Are there negative impacts for Race
No
Negative impacts for Race
Not Applicable
Mitigating actions for Race
Not Applicable
Responsible Officer for mitigating actions for Race
Not Applicable
24. Negative impacts and Mitigating actions for Religion and belief
Are there negative impacts for Religion and belief
No
Negative impacts for Religion and belief
Not Applicable
Mitigating actions for Religion and belief
Not Applicable
Responsible Officer for mitigating actions for Religion and Belief
Not Applicable
25. Negative impacts and Mitigating actions for Sexual Orientation
Are there negative impacts for Sexual Orientation
No
Negative impacts for Sexual Orientation
Not Applicable
Mitigating actions for Sexual Orientation
Not Applicable
Responsible Officer for mitigating actions for Sexual Orientation
Not Applicable
26. Negative impacts and Mitigating actions for Pregnancy and Maternity
Are there negative impacts for Pregnancy and Maternity
No
Negative impacts for Pregnancy and Maternity
Not Applicable
Mitigating actions for Pregnancy and Maternity
Not Applicable
Responsible Officer for mitigating actions for Pregnancy and Maternity
Not Applicable
27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships
Are there negative impacts for Marriage and Civil Partnerships
No
Negative impacts for Marriage and Civil Partnerships
Not Applicable
Mitigating actions for Marriage and Civil Partnerships
Not Applicable
Responsible Officer for Marriage and Civil Partnerships
Not Applicable

28. Negative impacts and Mitigating actions for Carer's responsibilities

Are there negative impacts for Carer's responsibilities

No

Negative impacts for Carer's responsibilities

Not Applicable

Mitigating actions for Carer's responsibilities

Not Applicable

Responsible Officer for Carer's responsibilities

Not Applicable

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By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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From: Gaetano Romagnuolo, Research Officer, Overview & Scrutiny,
Kent County Council

To: Scrutiny Committee – 13 September 2023

Subject: Short Focused Inquiry – Home to School Transport

Classification: **Unrestricted**

1. Introduction

- a) At its meeting of 7 July 2021, the Scrutiny Committee agreed that the work programme for Short Focused Inquiries (SFIs) should include an inquiry into home to school transport in Kent. The first meeting of the Home to School Transport SFI took place on 8 November 2021. The SFI's report was finalised in late December 2021.
- b) Oral evidence was gathered from the following people/organisations:
- Mr David Brazier, Cabinet Member for Highways and Transport, KCC
 - Mr Alan Brookes, Chair of the Kent Association of Headteachers
 - Mr Craig Chapman, Head of Fair Access, KCC
 - Mr Norman Kemp, Chair of the Kent branch of the Confederation of Passenger Transport (CPT), and Company Director of Nu-Venture bus operator
 - Representatives of the Kent Youth County Council
 - Mr Phil Lightowler, Head of Public Transport, KCC
 - Mrs Shellina Prendergast, Cabinet Member for Education and Skills, KCC
- c) In addition, the Committee received written evidence from a variety of sources, including the following:
- KCC Members, who provided feedback from their own division's perspective
 - Mr Steve Manion – KCC Member, Dover North, and Chairman of the Regulations Appeals Panel for Home to School Transport
 - Essex County Council
 - Contracted home to school transport operators
 - BUSK, a national organisation that works to improve passenger transport safety.
- d) The development of the SFI report and relevant recommendations was delegated to the group of KCC Members undertaking the inquiry. The report represents the outcome of their focused work, discussion, debate and careful exploration of the issues on a cross-party basis (akin to the Select Committee process).

- e) While the SFI group has undertaken all the practical work, as an informal body, it does not have authority to require a response from the Executive. This report is presented to seek the Scrutiny Committee's authority to refer the report to the Executive and require a response via the normal Scrutiny arrangements.
- f) As the Members of the SFI group reviewed the evidence, engaged with witnesses and determined the recommendations based on that active work undertaken by them, it is not for the Scrutiny Committee to seek to amend the report and recommendations. Now that the SFI report has been finalised, the Scrutiny Committee may either formally refer the report to the Executive for response or it may reject the report and take no further action on the matter.
- g) It is important to highlight that the SFI report was developed in late 2021. As such, the findings and recommendations reflect issues as identified by the SFI group at the time of the enquiry. Certain aspects of the Home to School Transport landscape may have changed since the inquiry. This has occurred with Select Committees in the past; it is important to confirm that the work reflects the position at the time of the inquiry, and it is not viable to revisit the investigation to update it in a substantive way through the SFI process. It is recommended that, should the Scrutiny Committee approve the referral of the report to the Executive, that this approach includes a request for any such response to clarify and explain where the current situation differs from that described in the report, and outlines how this may impact on any of the SFI recommendations.
- h) The SFI report, which includes the recommendations and main findings of the inquiry, is in **Appendix 1**.

2. Recommendation:

The Scrutiny Committee is asked to refer the Home to School Transport Short Focused Inquiry Report (Appendix 1) to the Executive, and require:

- That a response be prepared for presentation to the Scrutiny Committee within 3 months.
- That the response addresses how the Home to School Transport position has developed or changed since the report was developed in 2021.

3. Appendices

Appendix 1 – Home to School Transport – Short Focused Inquiry (SFI) Report

4. Background Documents

The SFIs' work programme was agreed by the Scrutiny Committee on 7 July 2021. A link to the meeting's agenda pack is provided below.

<https://democracy.kent.gov.uk/documents/g8737/Public%20reports%20pack%2007th-Jul-2021%2010.00%20Scrutiny%20Committee.pdf?T=10>

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Kent County Council

Home to School Transport Short Focused Inquiry Report

DRAFT

December 2021



Headline Findings

- Based on analysis of the most recent Section 251 budget and outturn statements, the total national spend on home to school transport increased from £1.02 billion in 2014-15 to £1.08 billion in 2017/18 – an overall increase of 6.5%. However, this figure masks different trends in expenditure for pupils eligible for home to school transport on the basis of ‘mainstream’ criteria (for example distance to school), and those eligible for home to school transport on the basis of their special educational needs and disabilities (SENDS).
- Expenditure on transport for children with SEND in this period increased by 13% for pre-16 children and by 68% for those who are post-16. This compares with a drop of 12% in spend on pre-16 mainstream transport and a drop of 27% in spend on post-16 mainstream transport. As a result, expenditure on home to school transport for children and young people with SEND increased from 62% of the total in 2014-15 to 69% in 2017-18.
- The number of SEND pupils receiving school travel support in Kent is relatively high. In December 2019, the figure was over 6,000, while in a comparable authority, such as Birmingham CC, it was around 5,400.
- It appears that the increasing number of children with an Education and Health Care Plan (EHCP) is a significant factor in explaining the growth of SEND school transport. Data from the Department for Education shows that, between 2014 and 2018, the number of children and young people with an EHCP or statement of SEND increased by 35% - from about 240,000 to about 320,000. This compares with an increase of only 4% in the previous 5 years.
- In Kent, the number of young people with EHCPs who are eligible for school transport assistance has increased significantly - from just over 4,500 in October 2018, to over 6,100 in October 2021.
- Special schools that are full present a particular challenge for counties because the distance to the next nearest suitable provision may be considerable. A number of counties described how difficult it was to even combine journeys for pupils because to do so would make journey times unacceptably long. They were left with few options other than solo taxi provision.
- Providing Personal Transport Budgets, rather than dedicated transport, saves KCC about £1.6 million per annum.
- There is an unresolved tension at the heart of home to school transport policy between the responsibility of parents to get their children to school, and the expectations parents have of the level and type of assistance that local authorities should provide.

1.Introduction and Scope

1.1. Introduction

1.1.1. When considering whether to assist with home to school transport, local authorities are under a statutory duty to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school. Kent County Council is the largest local authority in England, and the demands placed on its educational transport reflect its size, population and proximity to London.

1.1.2. The provision of home to school transport is managed in two stages: firstly, the identification and assessment of pupil eligibility by KCC's Transport Eligibility team. Secondly, the creation and management of travel arrangements by KCC's Public Transport service.

1.1.3. The Council provides travel assistance in the form of:

- Public Bus & Rail Tickets
- Contracted Vehicles
- Personal Transport Budgets
- Independent Travel Training.

1.1.4. The Public Transport team plans and co-ordinates all transport provision to ensure that resources are used effectively. KCC does not operate its own fleet of vehicles to support school transport; it provides this service through the commercial market.

1.1.5. The aim of this inquiry was to review home to school transport arrangements in Kent and KCC's home to school travel assistance.

1.2. Committee Membership

1.2.1. The membership of the inquiry consisted of most KCC councillors who are members of KCC's Scrutiny Committee:

Mr Paul Barrington-King (Inquiry's Chairman, Conservative)

Mr Andy Booth (Conservative)

Mrs Rosalind Binks (Conservative)

Mr Ian Chittenden (Liberal Democrat)

Mr Nigel Collor (Conservative)

Mr Gary Cooke (Conservative)

Mr Antony Hook (Liberal Democrat)

Mrs Sarah Hudson (Conservative)

Mr Rory Love, OBE (Conservative)

Mr Oliver Richardson (Conservative)

Mr Paul Stepto (Green Party)

Mr Barry Lewis (Labour, substituting for Dr L Sullivan)

Mr John Wright (Conservative)

1.3. Scope

1.3.1. The scope of the inquiry was:

1. To define and briefly set out the context of home to school transport in Kent.

2. To explore the process for determining pupils' eligibility for school transport assistance, and the implementation and operation of school transport arrangements in the county.

3. To identify measures that KCC could take to enhance home to school transport in Kent.

2. Background

2.1. Definition

2.1.1. Home to school transport is a complex area of local authority statutory responsibility which involves teams in school admissions, special educational needs, transport, procurement and commissioning.¹

2.1.2. For the purpose of this inquiry, “Home to School Transport” refers to a general, statutory duty on local authorities to promote the use of sustainable school travel and transport. The duty applies to children and young people of compulsory school age who travel to receive education or training in a local authority’s area. The duty relates to journeys to and from the institutions where education or training is delivered.²

¹ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

² Department for Education (2014) Home to School Travel and Transport Guidance: Statutory Guidance for Local Authorities, London

2.2. National Context - Legislation

2.2.1. The provision of home to school transport is based on two sets of statutory guidance: one relates to school age pupils³, and the other to 16-25 year-olds.⁴ The guidance for school age pupils is based on broad eligibility criteria, last reviewed in 2014, but originating from the Education Act 1996. The guidance for the post-16 group was updated more recently in January 2019.^{5 6}

2.2.2. Provision of home to school transport for school-age pupils is based on age, special educational needs, distance criteria and additional extended rights based on free school meals and working tax credits. Local authorities are expected to adopt transport policies using discretion to interpret the eligibility of children beyond the statutory minimum. According to Schedule 35B of the 1996 Act, local authorities are required to:

- Provide free transport if a child is below 8 years old and is attending their nearest suitable school which is beyond a walking distance of 2 miles.
- Provide free transport if a child is aged between 8 to 16 and attends their nearest suitable school which is beyond a walking distance of 3 miles.
- Make transport arrangements if a child attends their nearest suitable school and cannot reasonably be expected to walk because the nature of the route is unsafe.
- Make transport arrangements if a child attends their nearest suitable school and cannot reasonably be expected to walk because of their special educational needs, disability or mobility problems.
- Provide free transport if a child is entitled to free school meals, or their parents are in receipt of maximum Working Tax Credit, and:
 - they attend their nearest suitable school, and it is beyond 2 miles from their home (and the child is aged between 8 and 11)
 - they attend one of their three nearest suitable schools, and it is between 2 and 6 miles from their home (and the child is aged 11 to 16)
 - they attend a school that is between 2 and 15 miles from their home if their parents have chosen it on the grounds of their religion or belief,

³ Department for Education (2014) Home to School Travel and Transport Guidance: Statutory Guidance for Local Authorities, London

⁴ Department for Education (2016) Post-16 Transport and Travel Support to Education and Training, London

⁵ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

⁶ Department for Education (2014) Home to School Travel and Transport Guidance: Statutory Guidance for Local Authorities, London

and having regard to that religion or belief, there is no nearer suitable school (and the child is aged 11 to 16).⁷

2.2.3. The statutory guidance for post-16 transport is more open to local authority discretion. The national guidance refers to two main groups – adult learners and young adults – that are linked to the age-groups 16-19 and 19-25, with and without an Education and Health Care Plan (EHCP).⁸

2.2.4. The EHCP is a document which sets out the education, healthcare and social care needs of a child or young person for whom extra support is needed in school, beyond that which the school can normally provide. It was formerly known as a 'statement of special educational needs'.^{9 10}

2.2.5. Within these age-groups, a distinction is made between young people who are continuing a course that was started before their 19th birthday and those who started a course after their 19th birthday. The guidance covers the eligibility criteria for these groups, and the ability of a local authority to charge individuals for the use of transport.¹¹

2.2.6. There is wide-ranging discretion for a local authority to adopt their own transport policies, but the thresholds they set must be easily understood in their post-16 transport policies. Overall, the eligibility of these groups for transport is determined by the local authority, but underpinning its decisions is the duty to ensure that learners can access the education and training of their choice.¹²

2.2.7. For learners with EHCPs, these arrangements must be reviewed when a young person moves from compulsory schooling to post-16, even if s/he remains at the same educational institution.¹³

⁷ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

⁸ Ibid

⁹ Gov.UK (2021) Children with Special Educational Needs and Disabilities (SEND), online, <https://www.gov.uk/children-with-special-educational-needs/extra-SEN-help>

¹⁰ Department for Education (2018) Education, Health and Care Plans: A Qualitative Investigation into Service User Experiences of the Planning Process, Research Report, London

¹¹ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹² Ibid

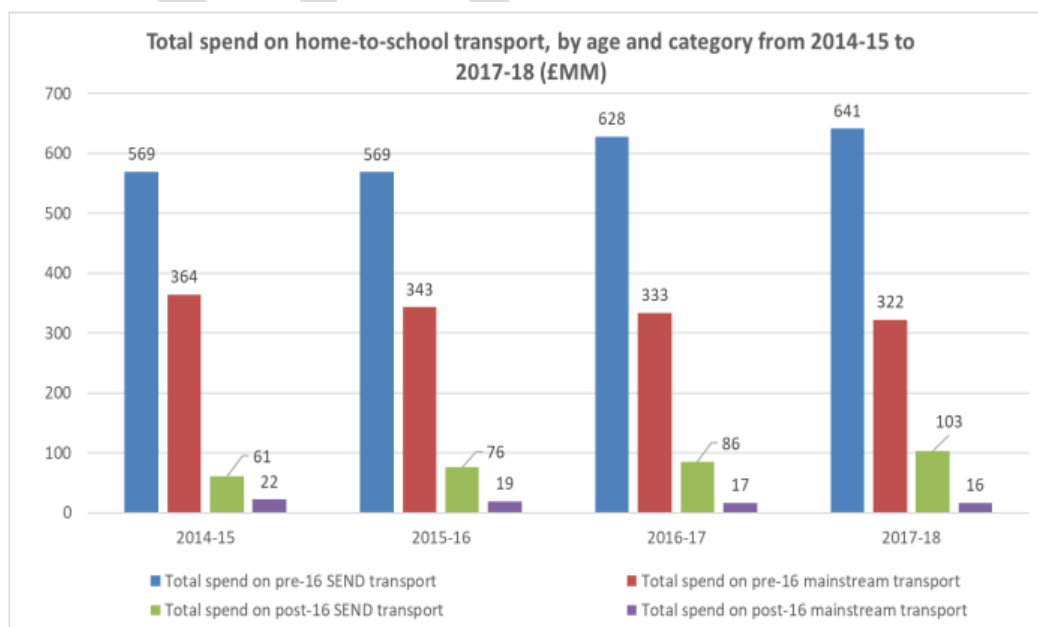
¹³ Ibid

2.3. National Context – School Transport Provision

2.3.1. Based on the most recent analysis of Section 251 budget and outturn statements, the total national spend on home to school transport has increased from £1.02 billion in 2014-15 to £1.08 billion in 2017/18 – an overall increase of 6.5%. However, this figure masks different trends in terms of expenditure for pupils eligible for home to school transport on the basis of ‘mainstream’ criteria (for example distance to school), and those eligible for home to school transport on the basis of their special educational needs and disabilities (SENDS).¹⁴

2.3.2. Expenditure on transport for children with SEND in this period has increased by 13% for pre-16 children and by 68% for those who are post-16. This compares with a drop of 12% in spend on pre-16 mainstream transport and a drop of 27% in spend on post-16 mainstream transport. As a result, the expenditure on home to school transport for children and young people with SEND has increased from 62% of the total in 2014-15 to 69% in 2017-18.¹⁵

Figure 1: Total spend on home to school transport from 2014-15 to 2017-18



Source: LGA (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁴ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁵ Ibid

- 2.3.3. This is in line with the Association of Directors of Children's Services (ADCS) 'Survey of Local Authority Spend, 2015/16' (2017), which found that, in 2015/16, local authorities spent almost £1 billion on home to school transport, and that 64% of that total (based on the local authorities that responded to their survey) was on SEND transport.¹⁶
- 2.3.4. The rising costs of home to school transport have made it difficult for local authorities to manage within the budgets they have allocated for this area of provision. An analysis of S251 budget and outturn statements from 2015-16 to 2017-18 shows that the overspend, nationally, for SEND transport has increased considerably since 2015-16. The percentage deficit for spend on pre-16 SEND transport increased from 5% to 17%, and the percentage deficit for spend on post-16 SEND transport increased from 16% to 29%.¹⁷
- 2.3.5. To understand what is driving these overall trends in expenditure, it is important to appreciate the relationship between the numbers of children and young people eligible for school transport and the costs associated with transporting them. As there is no nationally published data on the number of children receiving home to school transport, or on the unit costs of travel, the evidence is based on returns by local authorities to surveys conducted by both the Local Government Association (LGA) and the Association of Transport Co-ordinating Officers (ATCO).¹⁸
- 2.3.6. The LGA's survey shows that the total number of children and young people receiving pre-16 mainstream or SEND home to school transport in the local authorities that responded decreased from 133,051 in 2014-15 to 124,758 in 2018-19.¹⁹
- 2.3.7. As a percentage of the population aged 0-25 years, total numbers receiving home to school transport (both SEND and mainstream) declined from 3.9% in 2015-16 to 3.2% in 2018-19.²⁰
- 2.3.8. Data provided by ATCO corroborates this trend. In the period between 2016 and 2018, the number of those who received mainstream transport dropped from 102,000 to 96,000, while the number of those who received SEND transport increased from 16,000 to 19,000, for the 18 local authorities that consistently responded.²¹

¹⁶ Ibid

¹⁷ Ibid

¹⁸ Ibid

¹⁹ Ibid

²⁰ Ibid

²¹ Ibid

2.3.9. The LGA has estimated that, nationally, in 2018/19 there were around 550,00 children and young people receiving home to school transport across pre-16 SEND, mainstream and post-16 SEND.²²

2.3.10. It appears that the overall reduction in the numbers of children and young people receiving home to school transport is being driven by falling numbers of children receiving mainstream transport or post-16 SEND transport, partially offset by increasing numbers of children receiving pre-16 SEND transport.

2.3.11. The increasing number and percentage of children eligible for pre-16 SEND transport explains why expenditure on home to school transport is rising at a time when overall pupil numbers are falling. The average cost of providing transport for a school-age child with special educational needs is £5,400 per year, compared with £1,200 per year for the average child eligible for mainstream transport.²³

2.3.12. The effect of unit costs on expenditure is particularly acute for post-16 SEND transport. The expenditure on this group increased by over £40 million between 2014 and 2018, even though the size of this group declined slightly. This highlights the complexity of the needs of these young people, and the high unit cost of making suitable transport arrangements for them. By comparison, the year-on-year percentage decrease in the number of children and young people receiving mainstream transport pre-16 reflects the percentage decrease in spend on their transport, with a 10% and 12% drop respectively since 2014-15.²⁴

Differences between local authorities

2.3.13. There are significant variations between local authorities in the amount they spend per head of population on home to school transport and in the percentage of children eligible for transport. In 2017-18 the spend per head of population by local authority ranged from £9 to £164.²⁵

2.3.14. The most important factor behind these variations in expenditure appears to be the size and rurality of different authorities. A study by the University of Plymouth (2017), and reports by the Campaign for Better Transport Report (2016) and by the County Councils Network (2018), show that pupils in rural areas tend to travel longer distances to get to

²² Ibid

²³ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

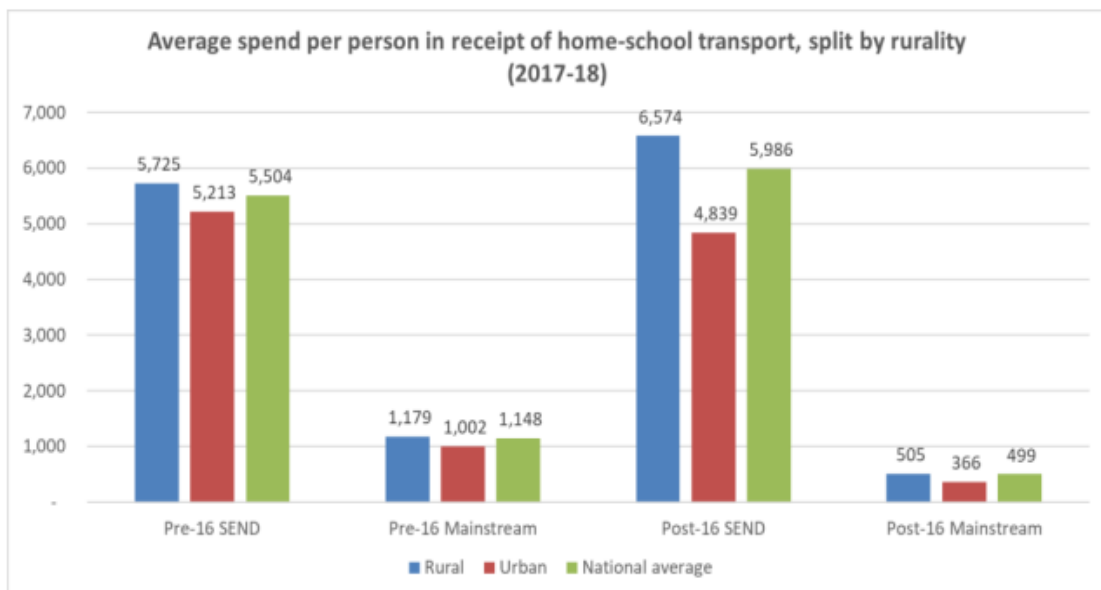
²⁴ Ibid

²⁵ Ibid

school. The County Councils Network report emphasises this point; if part of the eligibility criteria is based on pupils under 8 receiving free transport if they live 2 or more miles away from the most suitable school, and 3 miles for those over 8 years, there will inevitably be higher numbers of pupils who are eligible in rural areas. The University of Plymouth study (2017) suggests that, although pupils in urban areas are more likely to attend a school other than their nearest, they still tend to travel shorter distances than those in rural areas.²⁶

2.3.15. A survey by the LGA shows that rural authorities transport proportionately more children and young people for both SEND and mainstream provision and for longer distances than predominantly urban authorities. The survey also shows that, for every type of pupil eligible for school transport (pre- and post-16, SEND and mainstream), rural areas spend more per head for those receiving it than their urban counterparts and the national average.²⁷

Figure 2: Average spend per person in receipt of home to school transport, urban and rural areas, 2017-18



Source: LGA (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

²⁶ Ibid

²⁷ Ibid

Factors influencing mainstream home to school transport

2.3.16. There are several factors that can affect the number of children receiving mainstream home to school transport. These include: population growth, housing, the changing pattern of schools, and the changing characteristics of the underlying population.

Population growth

2.3.17. Between 2014 and 2019, the number of 5 to 16-year-olds educated in maintained schools in England grew by 485,000 (around 6%),²⁸ creating a larger pool of pupils who might be eligible for home to school transport. However, population growth is not evenly distributed; in some areas it is a far more pressing issue than in others.²⁹

Housing

2.3.18. Population growth has also led to an increase in new housing developments, which pose their own unique challenges to local authorities providing home to school transport. After a period of limited building between 2010 and 2014, England has experienced a large increase in the number of new housing developments. Between 2014 and 2019, the number of permanent dwellings being built per year grew by 40%, from about 118,000 to about 165,000.³⁰

2.3.19. The private sector accounts for 82% of these builds. The evidence describes how these developments can be located without due regard for access to schooling and the consequential implications for home to school transport budgets.³¹

2.3.20. At the other end of the spectrum, insufficiency of housing is also creating pressures. The growth in the number of families held in temporary housing for longer periods of time is leading to an increased demand for transport. When families are housed within a commutable distance every effort is made to ensure that the children remain in their

²⁸ Gov.UK (2014, 2019) Schools, Pupils and Their Characteristics, January 2014 and January 2019

²⁹ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

³⁰ Ministry of Housing, Communities and Local Government (2019) Live Tables on House Building: New Build Dwellings

³¹ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

original school to provide continuity, but this may still be a considerable distance from their new address.³²

The changing pattern of schools

2.3.21. The building of new schools is another factor contributing to changing demand for home to school transport. On the other hand, the closure of schools can also lead to increases in school transport demand. This seems to be a particular issue for the larger rural counties. Pressure on school budgets in recent years have led some local authorities to close small rural schools that have become financially unsustainable. This creates pressure on transport budgets, as more children then have to travel farther to school.³³

The changing characteristics of the population

2.3.22. Changes to the underlying characteristics of their pupil populations can also affect the numbers eligible for home to school transport. A survey by the LGA shows that the growing number of looked-after children is a significant issue. For many of these children and young people every effort is made to maintain their educational provision if their foster or residential placement changes, but this can often result in long, costly and often individual transport arrangements.³⁴

2.3.23. Another changing dynamic for local authorities has been the changing numbers of children and young people who qualify for transport on the basis of free school meals. While the national population of secondary age children receiving free school meals has remained largely stable at between 12% and 14%,³⁵ the variation between local authorities can be dramatic. Between 2014 and 2018 there was a fall of 3.2% in one local authority and an increase of 11.7% in another.³⁶

³² House of Commons Library (2019) Households in Temporary Accommodation

³³ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

³⁴ Ibid

³⁵ Gov.UK (2014, 2019) Schools, Pupils and Their Characteristics, January 2014 and January 2019

³⁶ Ibid

Actions taken by local authorities to address pressures on school transport

Changing eligibility criteria

2.3.24. Given the range of the inflationary pressures outlined above, it may seem surprising that the number of students accessing pre-16 mainstream transport appears to be consistently falling. This can be largely explained by changes local authorities have made to the eligibility criteria for mainstream home to school transport.

2.3.25. The Campaign for Better Transport claims that, since 2010, many local authorities have reduced their provision of mainstream home to school transport to the statutory minimum, thus reducing the overall number of pupils entitled to free transport. In total, the organisation estimates that 27% fewer pupils are receiving home to school transport than was the case in 2008.³⁷

2.3.26. Some of the main ways in which authorities have reduced the number of children eligible for home to school transport, or the number of routes commissioned, included:

- Making physical changes to walking routes previously considered unsafe by, for example, installing bridges, traffic crossings or pedestrian walkways to make them safe.
- Removing discretionary elements from their transport policies, such as transport provided for parents who choose Faith Schools or Grammar Schools.
- Changing travel policies so that travel is only provided 'to the nearest school' rather than a wider definition such as schools within a designated geographical area.
- Removing provision for travel to multiple sites (for pupils who attend more than one provision).
- Removing provision for travel from more than one home address (for example, pupils who live for part of the week with their mother and for part of the week with their father).
- Tightening up criteria for collecting children from central pick-up points.³⁸

³⁷ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

³⁸ Ibid

Factors affecting the unit costs for mainstream school transport

2.3.27. The trends in expenditure on home to school transport depend not just on the numbers of children receiving transport but also on the unit costs of providing it. Research shows that the average unit cost per child receiving mainstream home to school transport has increased slowly but consistently, across different forms of transport over the last four years.³⁹

2.3.28. Across all forms of transport, the average unit cost per child receiving mainstream transport has increased from £1,045 in 2014-15 to £1,163 in 2018-19.⁴⁰

Market pressures

2.3.29. A key factor is the financial pressure on commercial bus services, that can lead to the ending of unsustainable public transport routes. This is a particularly acute issue in rural areas. The Campaign for Better Transport indicates that, between 2010 and 2016, local authorities in England and Wales cut £78 million in funding for bus services and that about 2,400 bus routes were reduced or withdrawn.⁴¹ With fewer public transport routes available, more children and young people may need to be transported on specially commissioned school bus routes rather than subsidised on existing public transport. This comes at a higher cost per child.⁴²

2.3.30. A second related factor is the number of bus companies that have ceased trading. Where fewer providers are competing for contracts, the ability of commissioners to negotiate on price can be limited.⁴³

³⁹ Ibid

⁴⁰ Ibid

⁴¹ Campaign for Better Transport (2015) Buses in Crisis

⁴² Ibid

⁴³ Ibid

Actions that can help to mitigate cost pressures for mainstream school transport

Sharper commissioning

2.3.31. Local authorities have used a wide range of commissioning mechanisms to gain maximum value for money from mainstream transport contracts. They include the following:

- Carrying out regular reviews of routes to make sure that they are achieving maximum efficiency in filling buses, reducing transport distances where possible, and combining pick-ups and drop-offs in a strategic way. A number of authorities had invested in mapping software that enables route reviews to be carried out more frequently and with fewer person-hours than traditional more manual methods.
- Tendering contracts in a flexible way to enable local authorities to make sensible adjustments to the number of buses, journeys or routes a provider is asked to make.
- In many London local authorities, boroughs work together to commission transport.
- Experimenting with different contract lengths. Longer contracts can provide an opportunity to lock-in a better price by giving providers more certainty of future income, but they can also lead to authorities being tied into a particular pattern of provision which may become less efficient over time, as the journeys pupils make may need to change. Shorter contracts offer more opportunity for review but can also lead to instability being 'priced in'.⁴⁴

Income generation

2.3.32. Alongside sharper commissioning, a trend increasingly seen in local authorities is the growth in income generated by charging children and young people who do not qualify for free transport. Some arrange this on a termly bus-pass basis, while others operate a walk-on set-up for any seats that are not used that day.

⁴⁴ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

Factors influencing SEND home to school transport

2.3.33. Mainstream home to school transport has been characterised by moderate inflationary pressures affecting the demand for transport and the costs of providing it, which have been offset by tightening discretionary local eligibility criteria and a strong focus on achieving value for money through contracting and income generation. The picture for SEND home to school transport is very different. There has been a significant rise in both the numbers of children receiving transport and in the year-on-year costs of providing it.⁴⁵

Increasing numbers of children with Education Health and Care Plans (EHCPs)

2.3.34. It appears that the increasing number of children with an Education and Health Care Plan (EHCP) is a significant contributory factor in explaining the growth of SEND school transport. Data by the Department for Education shows that, between 2014 and 2018, the number of children and young people with an EHCP or statement of SEND increased by 35% from about 237,000 to about 320,000.⁴⁶ This compares with an increase of only 4% in the previous 5 years.⁴⁷

2.3.35. Although the guidance is clear that the fact of having an EHCP does not, in itself, provide entitlement to assistance with transport, many local authorities have pointed to the impact of the Children and Families Act (2014) in raising parental expectations of what local authorities should provide. These raised expectations can often apply to transport as much as to educational provision. Working with parents constructively and collaboratively to determine the extent of parental and local authority responsibilities for transporting children with SEND remains an ongoing challenge.⁴⁸

Increasing complexity of needs

2.3.36. Another key factor behind the growth in expenditure on SEND home to school transport is the increasing complexity of needs experienced by children and young people.

⁴⁵ Ibid

⁴⁶ Statements of SEN and EHC Plans: England, 2018

⁴⁷ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

⁴⁸ Ibid

2.3.37. Local authorities are dealing with greater numbers of children and young people with more complex needs. They often require transport solutions that are more bespoke and more expensive. Local authorities have identified two particular groups of children for whom this is the case: children with very complex medical needs, and children and young people with very challenging behaviour.⁴⁹

2.3.38. For those with complex medical needs, physical adaptations may need to be made to vehicles to keep children and young people safe and comfortable during their journeys to school. For those with life threatening medical conditions, much more highly skilled and trained Passenger Assistants need to be provided (either on buses or in taxis) in order to offer appropriate care in the case of a medical emergency.⁵⁰

2.3.39. The second group of pupils identified by local authorities as contributing to increasing costs of school transport are those exhibiting challenging behaviour. Since 2012/13, the number of permanent exclusions has risen by 67% and the number of fixed-term exclusions by 43%.⁵¹ Of the children and young people permanently excluded in 2016-17 with a special educational need, 61% had social, emotional and mental health as a primary need. For the fixed-term excluded the comparable figure was 54%.⁵² There has been a general rise in more complex social, emotional and mental health (SEMH) needs; the numbers of those with either SEN Support or an EHCP with a primary need of SEMH or ASD, have increased by 22% and 46% respectively since 2015.⁵³

2.3.40. The impact of these trends on transport are many. Firstly, more permanent exclusions create more demand for placements in a local area's Pupil Referral Unit (PRU) or alternative provision. The locations of such provision are likely to be further afield than a child's previous local school and more children will therefore become eligible for transport.⁵⁴

2.3.41. Local authorities also face particular challenges for those young people whose alternative provision is carried out on multiple sites. Providing individual and bespoke transport to these settings increases the chance of the young person attending but comes at a significant financial cost.⁵⁵

⁴⁹ Ibid

⁵⁰ Ibid

⁵¹ Permanent and Fixed Period Exclusions in England: 2016 to 2017

⁵² Ibid

⁵³ SEN in England: January 2015 and SEN in England: January 2019

⁵⁴ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

⁵⁵ Ibid

2.3.42. Finally, local authorities also need to make provision for a growing cohort of young people whose extreme behaviour on transport puts either themselves, the driver or other road users at risk. In those cases, local authorities have little choice but to commission individual taxis, with one or more Passenger Assistants, at a very high unit cost.⁵⁶

Increasing distance travelled due to school occupancy and distribution of specialist provision

2.3.43. Both the increasing number of children and young people with EHCPs, and the increased complexity of their needs, are requiring changes to where children and young people with SEND are placed, and this is itself having a major impact on expenditure on transport. More children with EHCPs are being educated in special schools and, when local special schools are full, the 'nearest suitable school' is necessarily further afield. This is particularly acute if no available local special schools are deemed adequate and the child is sent to an independent or non-maintained special school, possibly out-of-county or borough.⁵⁷

2.3.44. The effect of special schools that are full is particularly challenging for counties because the distance to the next nearest suitable provision may be considerable. A number of counties described how difficult it was to even combine journeys for pupils because to do so would make journey times unacceptably long, again leaving them with few options other than solo taxi provision.⁵⁸

2.3.45. Rural areas use taxis for transporting children and young people with SEND much more frequently than urban areas and the average unit cost per child is considerably higher in rural areas for taxi transport than for other forms of transport.⁵⁹

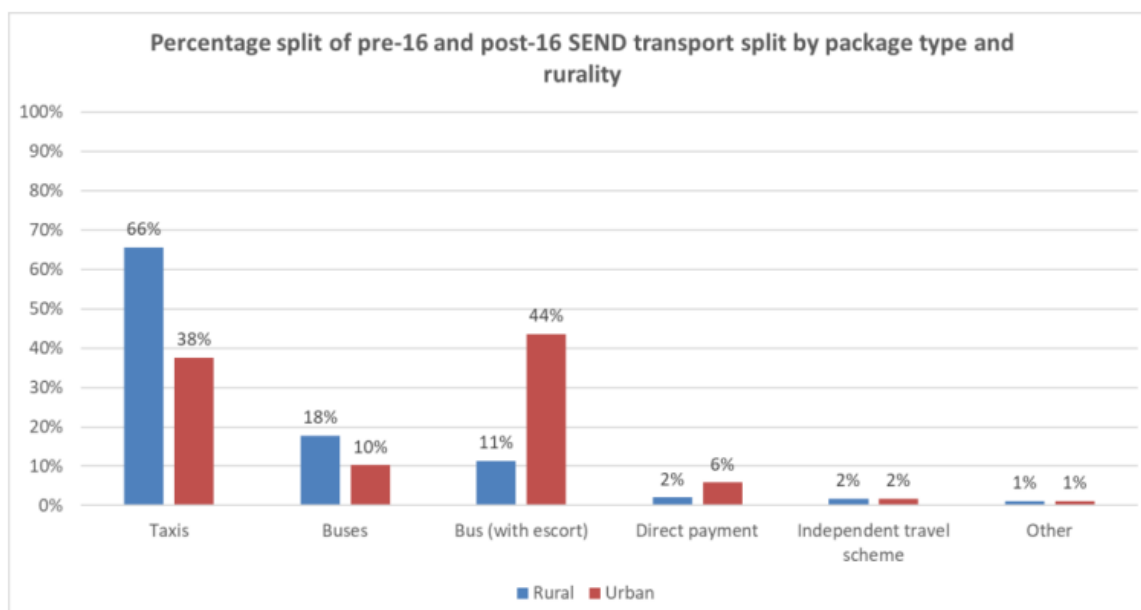
⁵⁶ Ibid

⁵⁷ Ibid

⁵⁸ Ibid

⁵⁹ Ibid

Figure 3: Percentage split of package types used in provision of SEND transport, urban and rural areas, 2018-19



Source: LGA (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

2.3.46. For local authorities that place many more pupils in special schools than the number of places they formally commission, the average annual spend per child or young person in receipt of SEND transport in 2018-19 was £7,738. This compares with £3,440 per child in local authorities in which the number of commissioned places was much closer to the actual number of children in special schools.⁶⁰ This variation is likely to be because local authorities with more special schools at, or over, capacity have to transport children further afield. Similarly, spend on SEND transport is somewhat higher per child for local authorities that have higher proportions of placements in independent or non-maintained special schools (INMSS). For local authorities with high proportions of children with EHCPs placed in INMSS, the average spend per child on SEND transport in 2018-19 was £5,842, compared to £5,428 for local authorities with low proportions.⁶¹

⁶⁰ High Needs: Place Allocations for 2017-2018 and Schools, Pupils and Their Characteristics: January 2018

⁶¹ Statements of SEN and EHC Plans, England, 2018 and Section 251: Outturn, 2017-18

Market forces within the SEND transport sector

- 2.3.47. As is the case for mainstream transport, the average unit cost (per child per annum) for SEND transport increased, from £4,561 in 2014-15 to £5,379 in 2018-19. Within this overall trend, there were some significant increases for certain types of transport, in particular the unit cost per child of bus travel (both with and without an escort). Taxi unit costs also increased substantially in this period.⁶²
- 2.3.48. There are a number of possible reasons for these increases. In terms of transport by taxi, some local authorities described the difficulties they experienced in commissioning sufficient taxi capacity, because some companies choose not to bid for the work. With a smaller pool of providers it is harder to limit cost increases. This point is echoed by the ATCO survey which found that, for SEND transport, the average number of tenderers per contract decreased from 7 to 5 between 2017 and 2019.⁶³
- 2.3.49. Many authorities also report that the requirement on providers to be compliant with the Public Service Vehicle Accessibility Regulations (PSVAR, 2016), though very important, forces up unit cost. PSVAR-compliance applies to buses with capacity for more than 22 passengers and requires that, amongst other things, there is sufficient space for a wheelchair, priority seats for disabled passengers, and audible and visible signals to stop a vehicle. This has led to increased unit costs for many authorities as the pool of suitable, fully compliant buses has reduced, and because the process to become compliant requires costly alterations.⁶⁴

Actions that help to mitigate cost pressures for SEND home-to-school transport

- 2.3.50. The local authorities that appear to have been most successful in limiting the rising expenditure for home to school transport for children with SEND have taken a very strategic approach to the commissioning and provision of home to school transport, placed the long-term needs of the child at the heart of their strategy, and have been disciplined in the implementation of their policies.⁶⁵

⁶² Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

⁶³ Ibid

⁶⁴ SEN in England: January 2014 and SEN in England: January 2019

⁶⁵ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

A strategic approach to SEND and inclusion

2.3.51. Successful local authorities were clear that managing the costs of SEND transport must start with a strategy on how to ensure that as many children with SEND as possible are educated successfully in their local schools in a way that meets their needs and enables them to thrive. This means developing an effective mechanism in mainstream education to support children with SEND. This helps to alleviate pressure on maintained special schools, and creates more opportunities to place children in special schools close to home and reduce reliance on more distant or INMSS provision.⁶⁶

Clear leadership of SEND transport planning

2.3.52. The second strategic consideration is how well local authorities are able to establish coherent and joined-up ways of working between those who set the SEND transport policy, those who make decisions about individual pupil placements, those who make decisions about the award of transport assistance, and those who commission the transport.⁶⁷

2.3.53. It appears to be a feature of the delivery of SEND transport that strategy, commissioning and budget holding functions tend to be split between multiple teams. This split of key functions can cause a lack in strategic coherence, unless it is united through a strong central leadership function.⁶⁸

Travel assistance options

2.3.54. Managing SEND transport budgets successfully within the current policy and funding context depends on the quality of the initial conversations with young people and families. A number of authorities have emphasised the critical importance of having effective transport advisers who are able to accurately assess and moderate applications for transport, and discuss with both young people and parents how travel assistance might be provided and how it might evolve over time.⁶⁹

⁶⁶ Ibid

⁶⁷ Ibid

⁶⁸ Ibid

⁶⁹ Ibid

2.3.55. If a meaningful dialogue with parents and young people is not embedded in the process for determining transport arrangements, this can lead to very expensive packages emerging as a result of limited assessments of a child's needs, adversarial relationships with families, or more formal challenges through tribunals or other legal processes.⁷⁰

2.3.56. Importantly, some local authorities have been successful in setting out and communicating effectively what 'assistance with travel' means in local policy terms, and moving expectations away from the assumption that bus or taxi transport would be provided for children with SEND as a matter of course. One local authority set out a very clear hierarchy of transport offers which they would discuss with parents. They started from the assumption that, wherever possible, the parent would be able to support the child or young person in travelling to school. If this was not possible, they would explore options involving independent travel training or providing a parental allowance. Only if these options had been considered and found to be unfeasible, would commissioning a place on a bus be considered. Taxi travel was seen as the option of last resort.⁷¹

Independent travel training

2.3.57. The aim of independent travel training (ITT) is to provide young people with SEND with the skills to enable them to travel to school safely on their own using public transport. This depends on having an adequate public transport infrastructure in place to allow the journey to be made simply and on time.⁷²

2.3.58. While this is likely to be used more widely in more urban areas where the density of public transport is greater, it has also been adopted successfully by a number of counties. ITT is likely to be more effective when the decision is made in partnership with both families and schools, and where the emphasis is on promoting independence and developing life opportunities rather than cutting costs.⁷³

Personal allowances

2.3.59. The objective of personal allowances is to provide financial assistance to parents or carers to enable them to take responsibility for transporting their child to school. These arrangements tend to achieve greater take-up among parents, and deliver greater cost-savings to the local authority, when parents are able to set the scope of the allowance

⁷⁰ Ibid

⁷¹ Ibid

⁷² Ibid

⁷³ Ibid

and how they would want to use it, and when there are clearly defined parameters for the upper limit that might apply. Parents can choose to use the allowances in a number of ways, from covering their own direct costs of transporting the child to school through to making their own taxi arrangements.⁷⁴

Working in partnership with schools and across services

2.3.60. Finally, a number of local authorities are working in partnership with schools and across services to explore alternative ways of providing transport. One option that has been used successfully in some areas is devolving transport budgets to schools to enable them either to make their own commissioning arrangements, or to develop and run their own transport. In some cases, local authorities found that, if schools commissioned all of their transport from one provider, they were able to negotiate better contract prices than the local authority could.⁷⁵

2.3.61. In some local authorities, SEMH special schools were particularly keen to take up the offer of devolved transport budgets because they found that, by having greater control over the choice of drivers and passenger assistants, and by employing people who were skilled in working with young people in these roles, there was less disruption on journeys to school and better attendance. However, in other areas, schools were reluctant to take on both the administrative burden and the financial risk of organising transport for their pupils.⁷⁶

2.3.62. Another way in which local authorities work with their special schools on the transport agenda, is in negotiating staggered school start and finish times that might enable buses to operate more effectively by serving multiple schools. Some local authorities have also offered to support special schools in the provision of Breakfast Clubs to enable flexible drop-off and pick-up times.⁷⁷

2.3.63. Finally, local authorities are also working across services to maximise the use of, and in some cases increase, their in-house fleet provision. For example, one local authority described how it is considering working across SEND and adults social care to explore how existing local authority minibuses could be deployed more cost effectively

⁷⁴ Ibid

⁷⁵ Ibid

⁷⁶ Ibid

⁷⁷ Ibid

if adjustments were made to school starting times and to the timing of transport to adult day care provision.⁷⁸

Factors that limit local authorities' capacity to contain spending pressures on school transport

- 2.3.64. By focusing on eligibility criteria, smart commissioning, strong strategic leadership of the SEND agenda, effective working across service boundaries and with schools, and more creative dialogue with parents, local authorities are able to mitigate some of the increased spending pressures on home to school transport. However, there is a limit to what they can achieve. Nationally, expenditure on home to school transport has increased by £66 million in four years, and the national deficit – the extent to which local authorities collectively overspent their budgets – stood at £111 million in 2017-18. It is therefore worth discussing briefly what limits the capacity of local authorities to control spending pressures on this activity.⁷⁹
- 2.3.65. As pointed out earlier, the growth in home to school transport expenditure is currently being driven by increases in expenditure on SEND transport. There are considerable policy, funding, demographic and societal pressures which, in combination, are fuelling the unprecedented rise in the number of children with EHCPs, the increasingly complex presentation of their needs, and the crisis in special school capacity. These have been well documented in a number of research studies and all, to a greater or lesser extent, are outside the control of individual authorities. All these factors are contributing to the increased expenditure on SEND transport.⁸⁰
- 2.3.66. Secondly, there is an unresolved tension at the heart of home to school transport policy between the responsibility of parents to get their children to school, and the expectations parents have of the level and type of assistance that local authorities can provide. There have been several high-profile judicial reviews that have found in favour of parents and against local authorities that have tried to reduce transport entitlements. Similarly, some local authorities reported examples of reforms and cost reductions that they had attempted to introduce but had abandoned in the face of strong parental opposition.⁸¹

⁷⁸ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

⁷⁹ Ibid

⁸⁰ Ibid

⁸¹ Ibid

2.3.67. Ambiguities in the guidance, and mismatches between statutory requirements for SEND and statutory requirements for transport, can make these disputes more difficult to resolve. For example, while there is no legal obligation to provide transport to children below statutory school age, some local authorities have come under very strong pressure from parents to provide transport assistance to nursery schools named on a child's EHCP if they were beyond the statutory walking distance.⁸²

2.3.68. Thirdly, there are further unresolved tensions between some of the broader strategic aims of local authorities and schools, and the need to limit expenditure on home to school transport. For example, putting in place a good transport offer for young people at risk of poor attendance, attending multiple alternative provision sites, or getting back into college post-16 after a period of being NEET can all help to further the educational outcomes and life-chances for those young people, but they all require investment in transport on the part of the local authority over and above statutory requirements.⁸³

2.3.69. In addition to these common pressures, rural local authorities - as a result of longer distances, lower population densities, limited public transport networks and more sparsely distributed schools - bear a disproportionate financial burden in terms of both the relative number of children and young people who are eligible for transport and the cost per head of providing it.⁸⁴

2.3.70. Finally, mainstream home to school transport costs are relatively stable for the moment, and reductions in the past have helped to offset the increased spend elsewhere. However, this position cannot be expected to last indefinitely. Evidence suggests that many local authorities are now at, or close to, the statutory minimum for mainstream transport provision, and the market may not sustain greater efficiencies driven through commissioning. This suggests that local authorities might be approaching a limit to the reductions that can be made in mainstream transport expenditure; if so, this will exacerbate the pressures on SEND transport spending.⁸⁵

⁸² Ibid

⁸³ Ibid

⁸⁴ Ibid

⁸⁵ Ibid

2.4. Local Context – Overview

2.4.1. Under the Education Act (1996) there is a statutory duty on local authorities to provide travel assistance to students who are deemed eligible. Following national guidance, KCC has established its own criteria for assessing eligibility for transport assistance.⁸⁶

2.4.2. The provision of home to school transport in Kent is managed in two stages: firstly, the identification and assessment of pupil eligibility by KCC's Transport Eligibility team, and secondly, the creation and management of travel arrangements by the Public Transport service. KCC's Children, Young People and Education directorate holds the budget for all home to school transport services.⁸⁷

2.4.3. The Council provides travel assistance in the form of the following arrangements:

- Public Bus & Rail Tickets
- Contracted Vehicles
- Personal Transport Budgets
- Independent Travel Training.⁸⁸

2.4.4. The Public Transport team plans and co-ordinates all transport provision to ensure resources are used effectively. KCC does not have its own fleet of school transport vehicles, so it provides this service through the commercial market. Transport services are currently supplied by over 350 approved providers. Approximately 250 of them are currently operating routes on behalf of the Council.⁸⁹

⁸⁶ The Education Act (1996), available at <https://www.legislation.gov.uk/ukpga/1996/56/contents>

⁸⁷ Kent County Council, Home to School Transport SFI, Background Briefing

⁸⁸ Ibid

⁸⁹ Ibid

2.5. Local Context – Eligibility Assessment

- 2.5.1. All applications for transport assistance are assessed individually in accordance with Kent’s transport criteria.⁹⁰ As criteria are based on statutory requirements, at this stage Transport Officers apply the policy without discretion to each application. Wider circumstances can be considered at a later stage by members of Kent’s Transport Regulation Committee Appeals Panel.⁹¹
- 2.5.2. To qualify for free school transport a child must attend their “nearest appropriate school” for transport purposes, *and* that school must be over the statutory distance from their home. Free school transport is not provided where a child meets only one of these criteria.⁹²
- 2.5.3. The nearest appropriate school for transport purposes is the nearest school that is considered by the Department for Education to provide education suitable for the child’s age and ability. This includes all academies, Free schools, and faith schools, even if a family is not of the same faith. In some areas of the county, a child nearest appropriate school may be located outside Kent.⁹³
- 2.5.4. When determining the nearest appropriate school for transport purposes, KCC does not consider a parent’s preference for a single-sex, mixed, specialist or other particular type of school. This means that children will not automatically receive transport assistance to any school that offers them a place. Children assessed as suitable for a Grammar school are not automatically eligible for transport assistance to that school. A Grammar school is considered a parental preference and, where it is not the nearest school, there may be no eligibility for free transport. No transport is provided for a child attending a fee-paying mainstream independent school.⁹⁴
- 2.5.5. Statutory school distances are set in legislation and depend on the child’s age. A child’s school must be over the statutory school distance for them to be considered for free school transport. For a child under the age of 8, the school must be over 2 miles from their home. For children over 8, the school must be over 3 miles. This means that where a child lives between 2 and 3 miles from their nearest school, they will only be

⁹⁰ Kent County Council (2021) Home to School Transport Guidance 2021-22

⁹¹ Ibid

⁹² Kent County Council (2021) Home to School Transport Guidance 2021-22

⁹³ Ibid

⁹⁴ Ibid

eligible for free school transport assistance until the end of the term in which they become 8 years of age.⁹⁵

2.5.6. KCC initially identifies the nearest appropriate school via the shortest available route. School transport distances are calculated between the child's permanent main residence and the school. Route assessments may consider public footpaths, bridleways, other footpaths as well as recognised roads where they are available. In line with legislation, where the distance to a school is over 6 miles, vehicular road routes may be favoured regardless of whether there may be shorter walking routes. This initial assessment does not consider whether the chosen route is of a hazardous nature as there is no expectation that children will necessarily use it to access their place of education. This stage simply establishes which school is the closest to their home.⁹⁶

2.5.7. Where a safe walking route is available to the nearest appropriate school that is shorter than the statutory walking distance, transport will not be provided as it is expected that the child would be able to walk to school. Where no safe walking route is available, or where the shortest available safe walking route it is over the statutory distance, free school transport will be provided to the nearest appropriate school. A safe walking route is one where a child can walk safely accompanied as necessary by a responsible adult. Once the nearest school has been established, KCC will not consider the route a child may take to any other school, as they will not be eligible to receive free school transport to that school. If parents live within the statutory walking distance, and consider the route to their child's school to be hazardous, they can ask that it be assessed by KCC's Transport Officers.⁹⁷

2.5.8. KCC's transport assessment criteria for applications from low-income families are different, although again based on the requirements of transport legislation. A child is assessed under Low Income criteria if they are entitled to receive free school meals, or where their parents are in receipt of one of the following benefits:

- Income Support
- Income-based Jobseeker's Allowance
- Child Tax Credit (without Working Tax Credit and with an annual income of no more than £16,385)
- Guaranteed element of state pension credit
- Income-related employment and support allowance
- Maximum level of Working Tax Credit

⁹⁵ Ibid

⁹⁶ Kent County Council (2021) Home to School Transport Guidance 2021-22

⁹⁷ Kent County Council, Home to School Transport SFI, Background Briefing

- Universal Credit (provided applicants have an annual net earned income of no more than £7,400, as assessed by earnings from up to three of their most recent assessment periods). When parents receive Child Tax Credit but not Working Tax Credit, the level of yearly income (currently £16,190) would be taken into account when assessing the child's eligibility. If parents receive both Child Tax Credit and Working Tax Credit, then the Working Tax Credit element overrides the Child Tax Credit element, and parents must receive the maximum level of Working Tax Credit to qualify for transport assistance on Low Income grounds.⁹⁸

2.5.9. When children are assessed under Low Income criteria, eligibility depends on the child's age. Children from low-income families who attend a primary school and who are aged 8 years and over but less than 11 years, and who attend their nearest appropriate school as outlined above, are eligible for free school transport, as long as they live between 2 and 6 miles from the school. In most cases this means that a low-income child would not lose free transport eligibility when they turn 8 years of age and live less than three miles from their nearest school.⁹⁹

2.5.10. Low Income children over 11 years of age but under 16 are given transport eligibility to any one of their three nearest appropriate schools as explained above, where their home is between 2 and 6 miles from the school.¹⁰⁰

2.5.11. Children from low-income families aged between 4 and 16 who are attending the nearest faith school between 2 and 15 miles from their home, are eligible for free school transport if they can produce an application form signed by a vicar/priest of the same denomination stating that the child is a regular and practising member of a church of the same denomination as the school.¹⁰¹

2.5.12. Children from low-income families also receive transport assistance to their nearest Grammar school, if they have met the entry requirements and been offered a place there, and the school is between 2 and 15 miles from their home. This is a *discretionary* offer under Kent's Transport criteria.¹⁰²

⁹⁸ Ibid

⁹⁹ Ibid

¹⁰⁰ Kent County Council (2021) Home to School Transport Guidance 2021-22

¹⁰¹ Ibid

¹⁰² Ibid

- 2.5.13. Transport that is provided under the low-income criteria is reviewed annually. Renewal forms are sent out in April to remind families to re-apply.¹⁰³
- 2.5.14. KCC's transport arrangements make *additional* provisions for children in the care of KCC. Children in Local Authority Care are children under the age of 18 years who are (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions.¹⁰⁴
- 2.5.15. Children in the care of KCC will receive transport assistance to their nearest Grammar school if they have met the entry requirements, been offered a place at the school, and the school is between 2 and 15 miles from their home.¹⁰⁵
- 2.5.16. They do not have an automatic right to free home to school transport. They are assessed in accordance with Kent's transport criteria in the same way as any other child. However, Children in Care and Young Carers can apply for a KCC Travel Saver card. This pass is free for all children in care and young carers until the age of 21.¹⁰⁶
- 2.5.17. When considering eligibility for free transport for a child who has special educational needs or disability or mobility problems, but who does not have an EHCP, KCC will regard the child's nearest appropriate school as the closest school to their home, via the shortest available route, that can meet their specific needs.¹⁰⁷
- 2.5.18. Where a child has an EHCP, their nearest appropriate school will usually be named in their EHCP. Where a parent asks for transport to be provided to a school that is not the nearest appropriate school, it is unlikely that their child will be eligible for free school transport.¹⁰⁸
- 2.5.19. Similarly, transport assistance will not be provided if attendance at the school is conditional on the parent agreeing to pay part or all the transport costs. In accordance with the above principles, the Transport Eligibility Team will work with colleagues in KCC's special educational needs and disabilities teams to identify which school could be considered a child's nearest appropriate school. Where a parent asks that transport should be provided to a school that is not the nearest appropriate school, it is unlikely that their child will be eligible for free school transport unless

¹⁰³ Ibid

¹⁰⁴ Kent County Council, Home to School Transport SFI, Background Briefing

¹⁰⁵ Ibid

¹⁰⁶ Ibid

¹⁰⁷ Ibid

¹⁰⁸ Ibid

it can be demonstrated that any associated or additional costs would represent an efficient use of KCC's resources or are negligible.¹⁰⁹

2.5.20. Statutory distances do not apply to children with an EHCP. Parents are asked to provide evidence showing that their child's needs may inhibit their ability to walk to and from school and/or access public transport.¹¹⁰

2.5.21. Free school transport is not available in the same way for pupils in post-16 education. KCC considers that, in most cases, the provision of a subsidised KCC 16+ Travel Saver card should be sufficient to facilitate the attendance of those aged 16–19 at their chosen education or training provider.¹¹¹

2.5.22. The KCC 16+ Travel Saver card is usually available at a lower rate for young people with parents on a low income, via learning provider subsidies. Applications for cards at this lower rate are therefore made directly through the young person's education provider.¹¹²

2.5.23. Students who have an EHCP which has either lapsed or stopped, and are continuing their education by attending a college, school or other learning establishment, can firstly apply for a KCC 16+ Travel Saver.¹¹³

2.5.24. If, however, the young adult has mobility problems or disabilities that inhibit their ability to access public transport, they can ask KCC for additional support. KCC will assess the application and, if the student is eligible for transport assistance, several options can be considered:

- KCC will initially consider all applicants for travel training.
- KCC may consider providing transport directly where there is a particular need and/or disability.
- KCC may consider granting a student a Personal Transport Budget.¹¹⁴

¹⁰⁹ Ibid

¹¹⁰ Ibid

¹¹¹ Kent County Council, Home to School Transport SFI, Background Briefing

¹¹² Ibid

¹¹³ Ibid

¹¹⁴ Ibid

2.6. Local Context – Implementation of Transport Arrangements

- 2.6.1. Statutory guidance states how local authorities are required to make specific school transport arrangements. These include: specifying journey times; assessment policies; and the reasonableness of the arrangements.¹¹⁵
- 2.6.2. Journey times play a key role in the determination of travel arrangements across the county. The statutory guidance requires local authorities to ensure that primary school children do not have a journey time exceeding 45 minutes, and those in secondary school do not exceed more than 75 minutes. However, the guidance acknowledges this may not be possible in all circumstances, especially for students attending specialist provision, such as special needs establishments.¹¹⁶
- 2.6.3. The reasonableness of travel arrangements is determined by: the distance a student may have to walk to a collection point; whether the student has mobility difficulties; whether a passenger assistant is required to be onboard and; whether the route is safe.¹¹⁷
- 2.6.4. When the Public Transport service receives an application or request for travel assistance, the following steps are applied, in order, moving on to the next step if the mode of transport is unavailable.¹¹⁸
- 2.6.5. Identify whether the student is able to use the public transport network (a bus or train), taking account of their needs. Public transport is normally considered to be the cheapest form of transport. Season ticket agreements are in place with bus and train operators.¹¹⁹
- 2.6.6. If they are unable to use public transport, KCC will consider whether the student can be allocated to a contracted service. The form of transport may be a coach, minibus or taxi.¹²⁰
- 2.6.7. If the above options are unavailable, the last step is tendering for a new contracted service.¹²¹

¹¹⁵ Kent County Council, Home to School Transport SFI, Background Briefing

¹¹⁶ Ibid

¹¹⁷ Ibid

¹¹⁸ Ibid

¹¹⁹ Ibid

¹²⁰ Ibid

¹²¹ Ibid

2.6.8. When securing provision via a new tender, KCC purchases services from the commercial market using an approved list of suppliers, in accordance with the Public Contract Regulation (2015). A transparent and systematic tendering process is undertaken.¹²²

2.6.9. If a tender response is too high, or no bids are received, KCC officers liaise with transport operator companies that are close to the client's residence in an effort to source a service – with a consideration of transport costs and viability. Ultimately, KCC is legally required to provide transport arrangements for all eligible pupils.¹²³

2.7. Local Context - Contract Management

2.7.1. Contract management is critical to the successful operation of home to school transport services. The management of services includes various elements, from operator performance through to the cleanliness of the transport network. Transport inspectors are responsible for monitoring the performance of transport operators.¹²⁴

2.7.2. The Public Transport team, as part of its contractual agreement with approved suppliers, raises all identified performance issues via the Service Failure Enquiries (SFE) process. The Council requests a response from the supplier to the concern or complaint that has been raised. If an operator is considered to have breached the contract, a variety of sanctions can be applied, depending on the severity of the issue.¹²⁵

2.7.3. Other forms of performance review include the analysis of the capacity rates of vehicles, and contracts across the entire network. There can be significant annual variation in the demand for specific school transport services; for SEN transport provision, this can peak at 2,500 students every year. These variations result from changing pupil circumstances and requirements, such as changes in need or school/home address.¹²⁶

¹²² Ibid

¹²³ Ibid

¹²⁴ Kent County Council, Home to School Transport SFI, Background Briefing

¹²⁵ Ibid

¹²⁶ Ibid

2.8. Local Context – School Transport Delivery

2.8.1. Kent County Council is the largest county authority in England, and the demands on its educational transport reflect its size, population and its proximity to London. These factors should be taken into account when reviewing KCC's performance on school transport, and when comparing it with other local authorities.¹²⁷

2.8.2. It is also important to note that, since 2011, the county has limited its eligibility criteria for mainstream transport; those who are travelling to a selective or denominational school are no longer automatically entitled to free home to school transport. However, students who are not entitled to free school transport can buy concessionary travel products, such as the Young Persons Travel Pass and Kent Travel Saver.¹²⁸

2.8.3. The table below shows the number of pupils who have been provided with free home to school transport in Kent since 2011.

Figure 4: Number of pupils who have been provided with free home to school transport in Kent, 2011-21

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
MS	18419	17703	11267	9237	7571	6057	5749	5628	5325	5242	5399
SEN	3962	4068	4010	3826	3840	3864	3971	4325	4602	4845	5499
SEN FE			348	204	291	361	350	385	457	575	695

Source: Kent County Council, Home to School Transport SFI, Background Briefing

2.8.4. The steady reduction in the number of Mainstream (MS) pupils receiving free school transport since 2011 is largely due to the removal of most of the discretionary criteria. Pupils who received discretionary support prior to 2011 continued to receive it until their circumstances changed and required a reassessment (for example, a change of residence or school). This is a key factor in the slow decline of free school travel provision. If this trend continues, it is estimated that the provision of free school transport for SEN pupils will soon exceed that for mainstream pupils.¹²⁹

¹²⁷ Kent County Council, Home to School Transport SFI, Background Briefing

¹²⁸ Ibid

¹²⁹ Kent County Council, Home to School Transport SFI, Background Briefing

2.8.5. The table below shows KCC's current expenditure on mainstream home to school transport in comparison with other local authorities.

Figure 5: Expenditure on mainstream home to school transport by local authority, 2019-20

Local Authority	LA Grouping	Out-turn net expenditure on mainstream education transport for entitled pupils in 2019-20	Predicted net expenditure for the provision of mainstream education transport for entitled pupils in 2020-21	Percentage Change
Aberdeen City Council	SC	£1,299,551	£1,304,720	0.40%
Aberdeenshire Council	SC	£15,085,196	£14,841,590	-1.61%
Angus Council	SC	£2,600,000	£2,650,000	1.92%
Argyll and Bute Council	SC	£6,623,934		
Bracknell Forest Council	EUU	£299,000	£300,000	0.33%
Cambridgeshire county Council	EC	£9,141,006	£9,421,314	3.07%
Cheshire East Borough Council	ERU	£2,671,533	£2,422,241	-9.33%
Cheshire West and Chester	ERU	£2,661,547	£2,726,000	2.42%
Clackmannanshire Council	SC	£1,135,208	£1,102,684	-2.87%
Cumbria County Council	EC	£10,949,572	£9,674,654	-11.64%
Cumbria County Council	EC	£10,948,619	£10,746,654	-1.84%
Derby City Council	EUU	£100,000	£100,000	0.00%
Devon County Council	EC	£14,106,867	£13,926,143	-1.28%
Dorset Council	ERU		£9,000,000	
Essex County Council	EC	£11,043,944	£13,299,142	20.42%
Fife Council	SC	£10,911,000	£10,939,000	0.26%
Halton Borough Council	EUU	£54,073	£44,484	-17.73%
Hartlepool Borough Council	EUU	£239,311	£214,756	-10.26%
Herefordshire Council	ERU	£2,820,000	£3,400,000	20.57%
Hertfordshire County Council	EC			
Kent CC	EC	£6,531,611	£6,365,972	-2.54%
Lancashire County Council	EC	£4,211,000	£5,559,000	32.01%
Leicestershire County Council	EC	£3,468,741	£3,575,768	3.09%
Medway Council	EUU	£997,875	£1,275,000	27.77%
Middlesbrough Council	EUU	£450,000	£620,000	37.78%
Norfolk County Council	EC	£13,611,407	£13,388,542	-1.64%
North Somerset Council	ERU	£1,663,677	£1,372,440	-17.51%
North Yorkshire County Council	EC	£14,124,168	£13,615,736	-3.60%
Northumberland County Council	EUU	£9,647,146	£9,021,133	-6.49%
Oxfordshire County Council	EC	£7,080,246	£7,177,089	1.37%
Perth & Kinross Council	SC	£5,030,000	£6,770,000	34.59%
Shropshire Council	ERU			
Solihull MBC	MBC	£411,055	£560,000	36.23%

Somerset County Council	EC	£9,174,152	£9,497,166	3.52%
Southend Borough Council	EC	£48,000	£60,000	25.00%
Staffordshire County Council	EC	£5,574,649	£5,653,837	1.42%
Stirling Council	SC	£1,914,998	£1,933,558	0.97%
Suffolk County Council	EC	£12,172,086	£12,499,568	2.69%
Surrey County Council	EC	£8,355,000	£6,118,000	-26.77%
Thurrock Council	EUU			
Warrington Borough Council	EUU	£255,573	£201,460	-21.17%
Warwickshire County Council	EC	£8,328,000	£8,280,000	-0.58%
West Sussex County Council	EC	£4,101,000	£4,420,000	7.78%
Wiltshire Council	ERU	£8,097,865	£8,250,454	1.88%
Wokingham Borough Council	EUU	£1,280,000	£1,340,000	4.69%

Source: Kent County Council, Home to School Transport SFI, Background Briefing

2.8.6. When the above figures were provided, the number of mainstream home to school transport clients in Kent was 4,976. The number of students making use of the Kent Travel Saver, and its 16+ version, was 24,101.¹³⁰

2.8.7. While the numbers entitled to free mainstream home to school transport have dropped, those for SEN (and Further Education SEN) school travel have increased significantly. As the table below shows, Kent has one of the largest numbers of SEN students receiving school transport assistance.¹³¹

¹³⁰ Kent County Council, Home to School Transport SFI, Background Briefing

¹³¹ Ibid

Figure 6: Expenditure on SEN home to school transport by local authority, 2019-20

Local Authority	LA Grouping	Out-turn net expenditure on SEN transport for entitled pupils in 2019-20	Number of entitled SEND pupils / students in total receiving transport or travel support in December 2019.	Expenditure per pupil
Aberdeen City Council	SC	£1,471,673	445	£3,307
Aberdeenshire Council	SC	£2,755,461	732	£3,764
Argyll and Bute Council	SC	£884,000	119	£7,429
Bedford Borough Council	ERU		430	
Birmingham City Council	MCC	£25,364,491	5,410	£4,688
Blackpool Council	EUU	£2,182,614	362	£6,029
Bracknell Forest	EUU	£1,708,398	318	£5,372
Cambridgeshire County Council	EC	£10,811,276	1,537	£7,034
Cheshire East Borough Council	ERU	£4,537,596	744	£6,099
Cheshire West & Chester Council	ERU	£4,730,887	804	£5,884
City of York Council	EUU			
Clackmannanshire Council	SC			
Cumbria County Council	EC	£8,306,258	1,022	£8,127
Derby City Council	EUU	£4,000,000	750	£5,333
Devon County Council	EC	£13,352,240	1,645	£8,117
Essex County Council	EC	£13,811,117	3,009	£4,590
Fife Council	SC	£4,559,000	870	£5,240
Halton Borough Council	EUU	£1,839,790	380	£4,842
Hartlepool Borough Council	EUU	£1,328,795	359	£3,701
Herefordshire Council	ERU	£1,555,425	344	£4,522
Hertfordshire County Council	EC		2,509	
Highland Council	SC	£1,471,748	433	£3,399
Kent CC	EC	£33,885,043	6,086	£5,568
Lancashire County Council	EC	£19,198,288		
Leicestershire County Council	EC	£13,125,740	1,910	£6,872
Medway Council	EUU	£5,572,596	1,364	£4,085
Middlesbrough Council	EUU	£2,500,000	703	£3,556
Norfolk County Council	EC	£21,384,842	2,627	£8,140
North Somerset Council	ERU	£2,144,506	446	£4,808
North Yorkshire County Council	EC	£11,454,703	1,293	£8,859
Northumberland County Council	ERU	£5,574,839	1,128	£4,942
Oxfordshire County Council	EC	£11,136,272	1,239	£8,988
Perth & Kinross Council	SC	£2,148,000	302	£7,113
Plymouth	EUU	£4,300,000	800	£5,375
Sandwell Metropolitan Borough Council	MBC	£5,178,896	784	£6,606

Solihull MBC	MBC	£2,821,083	565	£4,993
Somerset County Council	EC	£4,871,471	633	£7,696
Southend on Sea Borough Council	EUU	£1,554,000	364	£4,269
Staffordshire County Council	EC	£13,460,994	1,907	£7,059
Stirling Council	SC			
Suffolk County Council	EC	£8,648,677	1,369	£6,318
Surrey County Council	EC	£34,325,000	3,489	£9,838
Thurrock Council	EUU		477	
Walsall MBC	MBC	£3,460,000	705	£4,908
Warrington Borough Council	EUU	£1,924,401	441	£4,364
Warwickshire County Council	EC	£10,418,000	1,683	£6,190
West Sussex County Council	EC	£13,013,000	1,903	£6,838
Wiltshire Council	ERU	£8,930,423	1,092	£8,178
Wokingham Borough Council	EUU	£2,000,000	302	£6,623
Wolverhampton City Council	MBC		1,212	

Source: Kent County Council, Home to School Transport SFI, Background Briefing

2.8.8. It should be noted that, in Kent, there is a significant variation in the costs for different groups of pupils. While the cost per person for mainstream school transport is about £1,250, and that for SEN transport about £5,500, provision for those with complex needs can be as high as £40,000 per year. These average costs also do not reflect the variation in the distances travelled by individual students.¹³²

¹³² Kent County Council, Home to School Transport SFI, Background Briefing

2.8.9. The table below shows the forecast change in SEN school travel expenditure between 2019-20 and 2020-21.

Figure 7: Change in net SEN school transport expenditure between 2019-20 and 2020-21, by local authority

Local Authority	LA Grouping	Out-turn net expenditure on SEND transport and travel support for entitled pupils in 2019-20	Budget for provision of SEND transport and travel support for entitled pupils in 2020-21	Forecast net expenditure for the provision of SEND transport and travel support for entitled pupils in 2020-21	% Change in net expenditure between 2019-20 and 2020-21 (forecast)
Aberdeen City Council	SC	£1,471,673	£1,219,000	£1,471,280	-0.03%
Aberdeenshire Council	SC	£2,755,461	£2,943,000	£32,828,000	1091.38%
Argyll and Bute Council	SC	£884,000		£931,000	5.32%
Bedford Borough Council	ERU		£1,424,310	£1,715,330	
Birmingham City Council	MCC	£25,364,491	£24,600,542	£25,013,367	-1.38%
Blackpool Council	EUU	£2,182,614	£1,496,522	£2,371,146	8.64%
Bracknell Forest	EUU	£1,708,398		£1,800,000	5.36%
Cambridgeshire County Council	EC	£10,811,276	£11,814,541	£12,941,665	19.71%
Cheshire East Borough Council	ERU	£4,537,596	£4,546,853	£5,058,243	11.47%
Cheshire West & Chester Council	ERU	£4,730,887	£4,855,646	£5,312,000	12.28%
Clackmannanshire Council	SC	£1,126,674	£1,168,343	£1,095,684	-2.75%
Cumbria County Council	EC	£8,306,258	£8,549,728	£7,676,953	-7.58%
Derby City Council	EUU	£4,000,000	£3,750,000	£4,000,000	0.00%
Devon County Council	EC	£13,352,240	£15,412,000	£17,296,180	29.54%
Essex County Council	EC	£13,811,117	£16,761,875	£16,761,875	21.37%
Fife Council	SC	£4,559,000	£4,677,000	£4,437,000	-2.68%
Halton Borough Council	EUU	£1,839,790	£1,388,594	£1,545,174	-16.01%
Hartlepool Borough Council	EUU	£1,328,795	£1,113,810	£1,323,629	-0.39%
Herefordshire Council	ERU	£1,555,425	£1,740,000	£1,800,000	15.72%
Highland Council	SC	£1,471,748	£1,331,151	£1,608,350	9.28%
Kent CC	EC	£33,885,043	£35,993,700	£31,416,588	-7.28%
Lancashire County Council	EC	£19,198,288	£20,983,729		
Leicestershire County Council	EC	£13,125,740	£14,284,945	£15,628,781	19.07%
Medway Council	EUU	£5,572,596	£5,884,555	£5,390,909	-3.26%
Middlesbrough Council	EUU	£2,500,000	£2,500,000	£2,500,000	0.00%
Norfolk County Council	EC	£21,384,842	£21,775,500	£21,972,481	2.75%
North Somerset Council	ERU	£2,144,506	£2,139,510	£2,252,627	5.04%
North Yorkshire County Council	EC	£11,454,703	£12,061,600	£11,366,306	-0.77%
Northumberland County Council	ERU	£5,574,839	£5,564,540	£5,753,732	3.21%

Oxfordshire County Council	EC	£11,136,272	£13,671,900	£12,480,040	12.07%
Perth & Kinross Council	SC	£2,148,000	£2,558,600.00	£2,777,100	29.29%
Plymouth	EUU	£4,300,000	£4,300,000	£4,700,000	9.30%
Sandwell MBC	MBC	£5,178,896	£2,550,000	£5,832,000	12.61%
Solihull MBC	MBC	£2,821,083	£2,627,910	£2,976,800	5.52%
Somerset County Council	EC	£4,871,471	£4,442,900	£5,372,122	10.28%
Southend on Sea Borough Council	EUU	£1,554,000	£1,188,000	£1,500,000	-3.47%
Staffordshire County Council	EC	£13,460,994	£11,886,290	£14,997,168	11.41%
Stirling Council	SC	£1,914,977	£1,971,520	£1,933,558	0.97%
Suffolk County Council	EC	£8,648,677	£9,000,000	£10,766,701	24.49%
Surrey County Council	EC	£34,325,000	£32,366,000	£26,844,000	-21.79%
Walsall MBC	MBC	£3,460,000	£3,580,000	£4,390,000	26.88%
Warrington Borough Council	EUU	£1,924,401	£2,015,539	£2,013,692	4.64%
Warwickshire County Council	EC	£10,418,000	£10,157,000	£10,761,000	3.29%
West Sussex County Council	EC	£13,013,000	£13,284,000	£13,642,000	4.83%
Wiltshire Council	ERU	£8,930,423	£9,803,711	£7,494,364	-16.08%
Wokingham Borough Council	EUU	£2,000,000	£2,375,000	£2,735,000	36.75%

Source: Kent County Council, Home to School Transport SFI, Background Briefing

2.8.10. Between September 2020 and September 2021, there were over 5,000 requests for new or adjusted transport for SEN students.¹³³

2.8.11. Kent normally provides hired transport for about 5,300 students over a school year. The adjustments and new contracts that were required in 2021 included:

- New applications: 3,874
- Changes of address: 559
- Changes of school: 311
- Other (such as change of pupil needs. For instance, wheelchair now required, passenger assistant approved, etc): 261.¹³⁴

2.8.12. Minibuses are used wherever possible but, unless they can collect a number of students from the same locality, they can be logistically difficult because of longer journey times. In such cases, KCC has to use taxis. Taxis/private hire/Multi-Purpose Vessels provide the bulk of vehicles for cross-boundary and cross-county travel, and for specialist timetables.¹³⁵

¹³³ Kent County Council, Home to School Transport SFI, Background Briefing

¹³⁴ Ibid

¹³⁵ Ibid

2.8.13. SEN transport may require an operator to provide one or two passenger assistants. Specialist restraining equipment may be needed for wheelchairs. Some taxi operators/staff are not able to provide this support because they have not had the necessary training. Others have developed into specialist companies serving the SEN market.¹³⁶

2.8.14. As well as KCC's main ways of providing organised SEN school transport, it also offers two discretionary schemes: Personal Transport Budgets (PTBs) and Independent Travel Training (ITT).¹³⁷

2.8.15. PTBs are funds for eligible SEN learners, where parents make their own arrangements to transport their child to school. While this scheme usually attracts around 450 families, the impact of Covid-19 has led to an increase to more than 700 users. The scheme produces annual savings of about £1.6 million, when compared to the cost of KCC providing dedicated transport.¹³⁸

2.8.16. With ITT, a dedicated KCC team provides training to post-16 SEN learners to help them to make safe use of public transport, instead of bespoke travel arrangements. All applicants are assessed for suitability for travel training before this option is considered. Training is provided to about 100 learners per year. The scheme had to be suspended while Covid-19 transport restrictions were in place, but it is now being reinstated.¹³⁹

¹³⁶ Kent County Council, Home to School Transport SFI, Background Briefing

¹³⁷ Ibid

¹³⁸ Kent County Council, Home to School Transport SFI, Background Briefing

¹³⁹ Ibid

3. Key Issues and Recommendations

3.1. School Transport and EHCPs

3.1.1. As indicated earlier, an analysis of the most recent Section 251 budget and outturn statements shows that, between 2014 and 2018, the total national spend on home to school transport for children with SEND increased by 13% for pre-16 children and by 68% for those who were post-16. This compares with a drop of 12% in spending on pre-16 mainstream transport and a drop of 27% in spending on post-16 mainstream transport over the same period.¹⁴⁰

3.1.2. In Kent, the number of SEND pupils receiving transport support is particularly high. In December 2019 it was over 6,000, while in comparable authorities, such as Birmingham City Council, it was 5,400. KCC's total expenditure on SEN school transport in 2019-20 was almost £34 million.¹⁴¹

3.1.3. The evidence suggests that the increasing number of children with an Education and Health Care Plan (EHCP) is a significant factor in explaining the growth of SEND school transport. Data from the Department for Education shows that, between 2014 and 2018, the number of children and young people with an EHCP or statement of SEND increased by 35% - from about 240,000 to almost 320,000.¹⁴² This compares with an increase of only 4% in the previous 5 years.¹⁴³

3.1.4. In Kent, the number of young people with EHCPs who are eligible for school transport assistance has increased substantially, from just over 4,500 in October 2018, to over 6,100 in October 2021.¹⁴⁴

3.1.5. KCC's SEND Improvement Board recently commissioned an investigation into the reasons for the relatively high number of EHCP requests in Kent. After an examination of about 700 requests, the causes identified included:

¹⁴⁰ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁴¹ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 10 November 2021

¹⁴² Statements of SEN and EHC Plans: England, 2018

¹⁴³ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁴⁴ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 8 November 2021

- Parental anxiety - parents seeking specialist therapies and provision for their child.
- Insufficient inclusion in mainstream education.
- The promotion of EHCPs as ‘the answer’ by partner organisations.
- Children’s anxiety when they move from one phase of education to another.
- Parental lack of confidence in the education system.¹⁴⁵

3.1.6. The increase in EHCPs is putting pressure on school transport provision system in the county, as nearest appropriate schools for pupils with EHCPs tend to involve longer journeys.¹⁴⁶

3.1.7. Although the guidance makes it clear that having an EHCP does not, in itself, give entitlement to transport assistance, many local authorities believe that the Children and Families Act (2014) has played a key role in raising parental expectations of what local authorities should provide. These raised expectations can often apply to transport as much as to the educational provision itself.¹⁴⁷

3.1.8. Working constructively with parents to determine the extent of parental and local authority responsibilities for transporting children with SEND remains a challenge.¹⁴⁸ A recent report by the Parliamentary Public Accounts Committee (PAC) (2020) warned that EHCPs have become a “golden ticket that parents fight for to secure access to adequate support for their children”.^{149 150}

3.1.9. In a recent report, the LGA echoed this concern and recommended that the Government should review the policy and funding drivers which were contributing to the rapid rise in the number of children with EHCPs nationally.¹⁵¹

¹⁴⁵ Kent County Council (2021) Home to School Transport Short Focused Inquiry, written evidence

¹⁴⁶ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 10 November 2021

¹⁴⁷ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁴⁸ Ibid

¹⁴⁹ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 15 November 2021

¹⁵⁰ Kent County Council (2021) Home to School Transport Short Focused Inquiry, written evidence

¹⁵¹ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

3.1.10. The Committee supports the LGA's view and recommends the following:

Recommendation 1

KCC's Cabinet Member for Highways and Transport should write to the Under Secretary of State for Children and Families and ask him to review the policy and funding drivers which are contributing to the rapid rise in the number of children with EHCPs nationally.

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3.2. School Transport and Special Schools

- 3.2.1. A related issue to EHCPs is that of transport to special schools, as many children with EHCPs attend them and, when local special schools become full, the 'nearest suitable school' is necessarily further away.¹⁵²
- 3.2.2. Special schools that are full present a particular challenge for rural counties, such as Kent, because the distance to the next nearest suitable provision may be considerable.^{153 154}
- 3.2.3. The use of taxis for transporting children and young people with SEND is much more frequent in rural areas than in urban areas. The average cost per child for taxi transport is considerably higher in rural areas than it is for other forms of transport.¹⁵⁵
- 3.2.4. In Kent, minibuses are used wherever possible. However, unless they can collect several pupils from the same locality, their provision can be difficult because of longer journey times. In these cases, KCC is required to use taxis for SEN school transport.¹⁵⁶
- 3.2.5. SEN transport may require an operator to provide one or two passenger assistants. Specialist restraining equipment may be needed for wheelchairs.¹⁵⁷
- 3.2.6. Kent has one of the largest numbers of SEN students receiving school transport assistance in England.¹⁵⁸ It is estimated that, in Kent, the number of SEN pupils receiving free school transport will soon exceed that of pupils in mainstream education receiving free school transport.¹⁵⁹
- 3.2.7. The annual cost per person for mainstream school transport in the county is about £1,250. For SEN transport the figure is about £5,500, while provision for those with complex needs can be as high as £40,000.¹⁶⁰

¹⁵² Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁵³ Ibid

¹⁵⁴ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 10 November 2021

¹⁵⁵ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁵⁶ Kent County Council, Home to School Transport SFI, Background Briefing

¹⁵⁷ Ibid

¹⁵⁸ Ibid

¹⁵⁹ Ibid

¹⁶⁰ Kent County Council, Home to School Transport SFI, Background Briefing

- 3.2.8. There are several reasons for encouraging the inclusion of pupils with special educational needs in mainstream educational establishments, rather than in special schools.
- 3.2.9. Ofsted maintains that academic excellence is only possible if schools are truly inclusive. This, amongst other things, means making mainstream schools a strong part of local areas' provision for children and young people who have SEN and/or disabilities.¹⁶¹
- 3.2.10. Local authorities with successful school transport systems agree that it is crucial to ensure that, as many children with SEND as possible, are educated in mainstream schools in a way that meets their needs and enables them to thrive. This helps to relieve pressure on maintained special schools and to create more opportunities for children to attend special schools closer to their homes. It also reduces reliance on more distant independent or non-maintained special schools, and helps the local authority to manage the cost of SEND transport more efficiently.^{162 163}
- 3.2.11. Pupils with an EHCP in Kent are less likely to be educated in a mainstream school than would be expected nationally. Most school-aged children and young people with SEND in the county attend a special school; in a significant proportion of cases these are "out of county" special schools.¹⁶⁴
- 3.2.12. The evidence also suggests that, in order to provide the most effective support to SEN pupils in mainstream education, more teaching assistants (TAs) are needed. In Kent, when the evidence was gathered, there were over 160 vacancies for TAs and 40 for specialist TAs.¹⁶⁵
- 3.2.13. One of the strategies that local schools are exploring in order to make them more attractive to TAs, is to provide them with a career progression route that would enable them to be promoted to higher level jobs dealing with small groups of children rather than one-to-one.¹⁶⁶

¹⁶¹ Gov.UK (2018) Ofsted: Schools, Early Years, Further Education and Skills, High Standards – and Highly Inclusive, online, <https://educationinspection.blog.gov.uk/2018/09/10/inspecting-special-educational-needs-and-disabilities-provision/>

¹⁶² Ibid

¹⁶³ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁶⁴ Kent County Council (2021) Kent's Strategy for Children and Young People with Special Educational Needs and Disabilities 2021-2024, online, https://www.kent.gov.uk/__data/assets/pdf_file/0012/13323/Strategy-for-children-with-special-educational-needs-and-disabilities.pdf

¹⁶⁵ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 15 November 2021

¹⁶⁶ Ibid

3.2.14. KCC accepts the importance of the inclusion of students with special educational needs, and is already working to expand SEN provision in mainstream settings. KCC's SEN Inclusion Statement seeks to promote partnership working between local schools and KCC in developing a child-centred approach to SEND across Kent, where all partners are equally and effectively inclusive.¹⁶⁷

3.2.15. Kent's Strategy for Children and Young People with Special Educational Needs and Disabilities 2021-2024, amongst other things, commits to the following:

- Launching a new County Approach to Inclusive Education, working with Kent's schools, settings and colleges to ensure mainstream provision is more inclusive to SEND children and young people.
- Improving inclusive practice in Kent's schools so that children and young people with SEND feel they belong, are respected and valued and are supported to make progress and achieve their ambitions and aspirations through high-quality teaching and a challenging, wide-ranging curriculum.
- Understanding the outcomes that are important to children, young people and their families, and ensuring the right support is available at the right time to help them achieve the things they want.
- Supporting children and young people with SEND in their local communities. By attending local schools and colleges, children and young people will build local links and social networks.
- Developing effective forward planning to provide the range of high-quality school places that are needed in Kent to meet children and young people's needs locally (Commissioning Plan for Education Provision in Kent 2020-24).^{168 169}

3.2.16. The Committee is mindful of the particularly challenging current financial climate both for KCC and nationally. Nonetheless, the Committee believes that two additional issues may need to be considered in the future.

¹⁶⁷ Kent County Council (2021) SEN Inclusion Statement, online, https://www.kelsi.org.uk/__data/assets/pdf_file/0003/117174/SEN-Inclusion-Statement.pdf

¹⁶⁸ Kent County Council (2021) Kent's Strategy for Children and Young People with Special Educational Needs and Disabilities 2021-2024, online, https://www.kent.gov.uk/__data/assets/pdf_file/0012/13323/Strategy-for-children-with-special-educational-needs-and-disabilities.pdf

¹⁶⁹ Kent County Council (2021) Commissioning Plan for Education Provision in Kent 2021-2025, online, https://www.kent.gov.uk/__data/assets/pdf_file/0005/104675/Commissioning-Plan-for-Education-Provision-in-Kent-2021-to-2025.pdf

- 3.2.17. While it is crucial that as many children with SEND as possible are taught successfully in mainstream schools, building additional special provision may sometimes be necessary. If mainstream schools are full, even though wishing to be fully inclusive, they may not have the resources to provide the quality education that these children deserve.¹⁷⁰
¹⁷¹ Some children with complex educational needs can only be supported adequately in a special establishment.¹⁷²
- 3.2.18. Some areas of the county, such as the Isle of Sheppey, currently have no special provision. A special education establishment in areas such as Sheppey would significantly reduce the amount of travel and disruption for many local pupils. It would also reduce the congestion caused by transporting pupils to other areas of the county.¹⁷³
- 3.2.19. The second issue concerns transport assistance to children from low-income families who attend Grammar schools. KCC's policy states that they are entitled to transport assistance to their nearest Grammar school if they have been offered a place, and the school is between 2 and 15 miles from their home. If a child has been assessed as suitable for a specific Grammar school but it is not the nearest Grammar school to their home, they will only be eligible for free school transport if they have also taken the Kent Test, received a "High School Assessment", and their specific Grammar school is between 2 - 15 miles away.¹⁷⁴
- 3.2.20. There is evidence of cases where children from low-income families were refused school transport assistance because their parents did not appreciate that the support was not available to travel to the Grammar school of their choice. KCC is currently developing an online system that will provide real-time information on whether transport assistance is available to any chosen school and, if not, the reasons for it.¹⁷⁵

¹⁷⁰ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 15 November 2021

¹⁷¹ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 29 November 2021

¹⁷² Kent County Council (2021) Home to School Transport Short Focused Inquiry, 10 November 2021

¹⁷³ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 10 November 2021

¹⁷⁴ Kent County Council (2021) Home to School Transport Guidance 2021-22

¹⁷⁵ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 29 November 2021

3.2.21. The Committee commends KCC's current and planned work to promote the inclusion of pupils with SEND in mainstream settings, and the provision of appropriate, high-quality education for them. In order to maximise KCC's commitment, the Committee recommends the following:

Recommendation 2

KCC's relevant Cabinet Members should accelerate the local authority's work to:

- **Encourage, where appropriate, the inclusion of pupils with SEND in local, mainstream education establishments.**
- **Promote the recruitment and retention of teaching assistants in Kent by providing them with attractive career progression routes.**

3.3. Travel Assistance Options

- 3.3.1. As mentioned earlier, in addition to its main channels of SEN school transport provision, KCC offers two discretionary schemes: Personal Transport Budgets (PTBs) and Independent Travel Training (ITT).¹⁷⁶
- 3.3.2. PTBs are funds for children with an EHCP who have been assessed as eligible to receive home to school transport assistance. They are granted entirely at KCC's discretion, and are only offered when they are the most cost effective option for the Authority to meet its statutory duties.^{177 178}
- 3.3.3. PTBs are designed to help parents to make their own school transport arrangements, and can be used in any way to facilitate their child's journey to school. They are paid over 11 months directly into a parent's bank account, and are based on the distance between the pupil's home and the school. Where a child receives a PTB part-way through the school year, or attends school on a part-time basis, the PTB is offered on a pro-rata basis.¹⁷⁹
- 3.3.4. Where parents use a PTB to make their own transport arrangements, they often find that their child is more relaxed and ready to learn, compared to when they use transport organised by KCC.¹⁸⁰
- 3.3.5. While this scheme usually attracts around 450 families, the impact of Covid-19 has led to a recent increase to more than 700 users. The scheme produces annual savings of about £1.6 million, when compared to the cost of KCC providing dedicated transport.¹⁸¹
- 3.3.6. Discretionary arrangements such as PTBs tend to achieve greater take-up among parents, and deliver greater cost-savings to the Authority, when there is sufficient scope and creativity for parents to decide how they want to use them, and when there are clearly defined parameters for the upper budget limit that might apply.¹⁸²
- 3.3.7. With ITT, training is provided to post-16 SEN learners to help them to make safe use of public transport, instead of bespoke travel arrangements. All applicants are assessed for suitability before this option is considered.¹⁸³

¹⁷⁶ Kent County Council, Home to School Transport SFI, Background Briefing

¹⁷⁷ Kent County Council (2021) Home to School Transport Guidance 2021/22

¹⁷⁸ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 8 November 2021

¹⁷⁹ Ibid

¹⁸⁰ Kent County Council (2021) Personal Transport Budgets: An Information Guide for Parents

¹⁸¹ Kent County Council, Home to School Transport SFI, Background Briefing

¹⁸² Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁸³ Kent County Council, Home to School Transport SFI, Background Briefing

- 3.3.8. The training is delivered by a professional team on a 1:1 basis, and is tailored and delivered at a pace that suits the young person. It is available for all age-groups who meet the eligibility criteria for transport assistance and who have an EHCP.¹⁸⁴
- 3.3.9. ITT is given until the pupil is confident and competent on the journey from home to the learning provider and back. After passing an assessment, the student is given a bus pass (or train pass if this is the appropriate route) for the remainder of the academic year.¹⁸⁵
- 3.3.10. Training is provided to about 100 learners per year. The scheme had to be suspended while Covid-19 transport restrictions were in place, but it is now being reinstated.¹⁸⁶
- 3.3.11. ITT is likely to be more effective when the decision is made in partnership with both families and schools, and where the emphasis is on promoting independence and developing life opportunities.¹⁸⁷
- 3.3.12. The Committee believes that the adoption of these schemes – and PTBs in particular – should be encouraged and expanded. They provide freedom and flexibility for families to choose the travel arrangements that best fit their personal circumstances. They promote children’s independence and personal responsibility.
- 3.3.13. They also allow families to explore opportunities for their children to share transport with other students. This should be encouraged because it can bring about several, wider benefits, including:
- Environmental benefits, as collective school travel reduces carbon emissions and creates cleaner air.
 - Less traffic on the roads and reduced congestion.
 - More accessible parking, as a result of reduced traffic.
 - Social benefits, as vehicle-sharing promotes social interaction.¹⁸⁸

¹⁸⁴ Kent County Council (2021) Home to School Transport Guidance 2021/22

¹⁸⁵ Ibid

¹⁸⁶ Kent County Council, Home to School Transport SFI, Background Briefing

¹⁸⁷ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁸⁸ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 29 November 2021

3.3.14. Any discussion of the benefits of KCC's school transport arrangements needs to acknowledge its Travel Saver scheme. In addition to its well-known financial benefits – the pass can save families up to 50% of the cost of school transport – evidence submitted to the inquiry indicates that the scheme brings about benefits to the wider community. The success of the pass has led to increased bus service provision to meet growing student demand; some commercial bus services are available to all Kent residents only because their use for school transport makes them economically viable.¹⁸⁹

3.3.15. Following an exploration of PTBs and ITT, and their benefits, the Committee makes the following recommendation.

Recommendation 3

KCC should:

- **Encourage increased take-up of discretionary school transport schemes – such as Personal Transport Budgets and Independent Travel Training - that promote SEN learners' independence and develop their life opportunities.**
- **Explore the feasibility of extending the PTB offer to all Kent pupils who are eligible for school transport assistance.**

¹⁸⁹ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 18 November 2021

3.4. Guidance on Eligibility for Transport Assistance

3.4.1. There is an unresolved tension at the heart of home to school transport policy between parents' responsibility for getting their children to school, and their expectations of the level and type of transport assistance that local authorities can provide. There are ambiguities in eligibility guidance, and discrepancies between the statutory requirements for SEND and for transport, that can make disputes difficult to resolve.^{190 191}

3.4.2. Although an EHCP does not, by itself, provide an entitlement to assistance with school transport, evidence from a number of local authorities suggests that the Children and Families Act (2014) has played a key role in raising parental expectations of the transport assistance that local authorities should provide for children with SEND. For instance, although there is no legal obligation to provide free transport to children below statutory school age, some local authorities have come under very strong pressure from parents to provide transport assistance to nursery schools named on a child's EHCP, if these were beyond the statutory walking distance. There have been a number of high-profile judicial reviews which have been found in favour of parents, when local authorities have tried to restrict transport entitlements.^{192 193}

3.4.3. While the provision of home to school transport for school-age pupils is based on age, special educational needs, distance, and additional extended rights based on free school meals and working tax credits, that for post-16 transport is less clear and more open to local authority discretion.¹⁹⁴

3.4.4. Post-16 national guidance refers to two main groups – young adults and adult learners – who are linked to age-groups 16-19 and 19-25, with and without an EHCP. Within these age-groups, a distinction is made between those who are continuing a course that was started before their 19th birthday, and those who started a course after their 19th birthday. The guidance is split between an explanation of the eligibility criteria for these groups, and the ability of a local authority to charge individuals for the use of transport.¹⁹⁵

¹⁹⁰ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 15 November 2021

¹⁹¹ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁹² Kent County Council (2021) Home to School Transport Short Focused Inquiry, 15 November 2021

¹⁹³ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁹⁴ Ibid

¹⁹⁵ Ibid

- 3.4.5. Evidence from the LGA, and oral evidence submitted to the Committee, suggests that the post-16 transport guidance is complex and unclear, and that it needs to be simplified.^{196 197}
- 3.4.6. The Committee endorses the LGA's concerns about the ambiguities in the national guidance on EHCPs and post-16 school transport, and recommends the following:

Recommendation 4

KCC's relevant Cabinet Members should write to the Secretary of State for Education suggesting that the guidance on transport responsibilities for children below statutory school age with a named provision on their EHCP, and for post-16 provision, should be made clearer and more consistent.

¹⁹⁶ Local Government Association (2019) Understanding the Drivers for Rising Demand and Associated Costs for Home-to-School Transport, London

¹⁹⁷ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 15 November 2021

3.5. School Transport Logistics and Safety

- 3.5.1. When gathering evidence from both school transport providers and users, the Committee identified a number of logistical and safety issues that deserve attention and intervention.
- 3.5.2. Taxi operators reported that, when parents cancelled school transport at short notice, they were not paid in full for the run. Cancellations led to a loss of income to the drivers, as well as to the passenger assistants.¹⁹⁸
¹⁹⁹ The Committee believes that this is unfair, and that KCC's policies and school transport contractual arrangements should ensure that taxi operators are fully refunded.
- 3.5.3. Young people explained the financial benefits of the Kent Travel Saver scheme, and the positive impact that a flexible pass had on their social lives and independence. However, they pointed out that the pass did not cover all rural routes, and that they sometimes they had to buy separate bus cards.²⁰⁰
- 3.5.4. They also pointed out that transport provision with the pass is generally restricted. The scheme provides free at the point of use bus travel on Mondays to Fridays between 6am and 7pm all year round, excluding August. Only some bus operators accept the pass at other times, including evenings and weekends.^{201 202}
- 3.5.5. Young people and transport operators reported a number of other issues that could be addressed through the development of a single, clear channel of communication.
- 3.5.6. Students mentioned instances of overcrowded buses when travelling to and from school. They expressed concerns over their safety. They suggested that it would be helpful if KCC established a clear mechanism that would enable them to report overcrowding and other safety hazards on buses.²⁰³
- 3.5.7. Safety concerns resulting from overcrowding were echoed by BUSK. They pointed out that, where students were over the age of 14 years, no authority or transport operator was allowed to use the "three for two" seating arrangement rule on buses – since that rule only applied to those aged 14 and under. BUSK warned that, if KCC did not ensure that the

¹⁹⁸ Kent County Council (2021) Home to School Transport Short Focused Inquiry, written evidence

¹⁹⁹ Kent County Council (2021) Home to School Transport Short Focused Inquiry, written evidence

²⁰⁰ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 16 November 2021

²⁰¹ Ibid

²⁰² Kent County Council (2021) Home to School Transport Guidance 2021/22

²⁰³ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 16 November 2021

“three for two” rule was a condition for its school transport, it could be acting illegally, along with the transport operator.²⁰⁴

3.5.8. As well as acting as a reporting mechanism, the channel should also provide timely information when, for example, there are sudden and unexpected school transport delays.

3.5.9. Bus operators report that they are sometimes told about local roadworks at very short notice. This can cause school transport delays as well as additional costs to KCC, as more buses may be needed to serve both ends of road closures.²⁰⁵

3.5.10. Students point out that they are sometimes marked as “late” in the attendance record because buses are delayed. In some cases, they arrive late at school because of traffic congestion caused by unplanned protests and other events. The Committee believes that this issue should be drawn to the attention of the Kent Police and Crime Commissioner, in order to ensure that school transport is prioritised when managing large gatherings.²⁰⁶

Recommendation 5

KCC’s Public Transport team should review its school transport policy and contractual arrangements to ensure that taxi operators are fully compensated when their school transport service is cancelled at short notice.

Recommendation 6

KCC’s Public Transport team should investigate the viability of extending the times of travel allowed by the Kent Travel Saver scheme.

Recommendation 7

KCC should develop a single, easily identifiable channel of communication that provides timely information on, and a reporting mechanism for, school transport-related issues.

²⁰⁴ Kent County Council (2021) Home to School Transport Short Focused Inquiry, written evidence

²⁰⁵ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 16 November 2021

²⁰⁶ Kent County Council (2021) Home to School Transport Short Focused Inquiry, 16 November 2021

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By: Anna Taylor, Scrutiny Research Officer
To: Scrutiny Committee, 13 September 2023
Subject: Work Programme

Summary: This report gives details of the proposed work programme for the Scrutiny Committee.

1. Introduction

- a) Any Member of the Council is entitled to give notice that they wish an item relevant to the functions of the Committee (which is not an excluded matter) to be included on the agenda for the next available meeting.
- b) The definition of an excluded matter referenced above is:
 - a. Any matter relating to a planning or licensing decision,
 - b. Any matter relating to a person in respect of which that person has a right of recourse to a review of right of appeal conferred by or under any enactment,
 - c. Any matter which is vexatious, discriminatory or not reasonable to be included in the agenda or discussion at a meeting of the Scrutiny Committee.
- c) The Scrutiny Committee has the ability to 'call-in' decisions made by the Cabinet or individual Cabinet Members. Any two Members from more than one Political Group may give notice within five clear working days from the publication of a decision taken of their wish to call-in the decision.

2. Recommendation

The Scrutiny Committee is asked to consider and note the report.

Background Documents

None

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Work Programme - Scrutiny Committee September 2023

Potential items identified for upcoming meetings

- Safety Valve Monitoring – delegated to SEND Sub-Committee
- Homeless Connect – further report to Committee – TBC
- Further update on Budget Monitoring – TBC

1 November 2023	
Item	Item background
Thanet Parkway Railway Station Project	Member request – review progress of project.
Framing Kent's Future	Member request
Impact on ASC Budget from high EHCP numbers and related transition arrangements	Member request
Kent Flood Risk Management Committee	As required in the Constitution

6 December 2023	
Item	Item background
Draft Revenue and Capital Budget 2024/25 and MTFP	
Budget Monitoring Report	Twice yearly budget monitoring

March 2024 – Review of SEND Sub-Committee – Annual Report

June 2024 – Budget monitoring year end

June 2024 – Scrutiny Committee meeting as Crime and Disorder Committee

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