

KENT COUNTY COUNCIL

SCRUTINY COMMITTEE

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

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

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

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

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

UNRESTRICTED ITEMS

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

No declarations were received.

32. SEND Transport *(Item C1)*

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

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

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

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

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

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