

From: **Shellina Prendergast, Cabinet Member for Education and Skills**  
**Sarah Hammond, Interim Corporate Director for Children, Young People and Education**

To: **Children's and Young People's Cabinet Committee – 19 July 2022**

Subject: **DECISIONS TAKEN OUTSIDE OF THE CABINET COMMITTEE MEETING CYCLE**

Classification: **Unrestricted**

## **FOR INFORMATION ONLY**

**Summary:** The attached decision was taken between meetings as they could not reasonably be deferred to the next programmed meeting of the Children's, Young People and Education Cabinet Committee for the reason set out below.

**Recommendation(s):**

Cabinet Committee is asked to NOTE that the following decision has been taken in accordance with the process as set out in Part 2 paragraph 12.35 of the Constitution:

22/00054 - Adjustments to 2022-23 Secondary Mainstream Transport Assessment

### **1. Introduction**

- 1.1 Set in accordance with the Council's governance arrangements, all Significant or Key Decisions must be listed in the Forward Plan of Key Decisions and should be submitted to the relevant Cabinet Committee for endorsement or recommendation prior to the decision being taken by the Cabinet Member or Cabinet.
- 1.2 For the reason set out below it has not been possible for this decision to be discussed by the Cabinet Committee prior to being taken by the Cabinet Member or Cabinet. Therefore, in accordance with process as set out in Part 2 paragraph 12.35 of the Constitution, the following decision was taken and published to all Members of this Cabinet Committee and the Scrutiny Committee.
- 1.3 In addition, the Cabinet Member for Education and Skills sent an email directly to the Opposition Group Leaders, Chairman of Scrutiny Committee and the

Chairman of Children's, Young People and Education Cabinet Committee outlining why this non key decision needed to be taken in accordance with the process as set out in Part 2 paragraph 12.35 of the Constitution

## **2. Decision**

- 2.1 The Transport Eligibility Team has a duty to assess SEN and mainstream pupil applications for free school transport, based on KCC's transport eligibility criteria.
- 2.2 There are several key challenges facing the Service including rising fuel prices, driver availability, staff vacancies and the legacy of Covid-19. There has also been recent reputational damage following the well-publicised issues surrounding the SEN transport retendering exercise in February 2022. Parents and Members have an expectation that preparations for September 2022 will proceed without major issue to both alleviate current concerns and evidence that lessons have been learnt and processes have been strengthened.
- 2.3 To ensure KCC does not fail in its duty to identify pupils eligible for free school transport within reasonable timescales, with the resultant further reputational damage and erosion of parental faith when school transport is not available in September, changes to the process needed to be made. Following lessons learnt from the SEN Transport Procurement exercise which happened earlier this year the Council, by taking this decision, will be taking proactive measures to ensure that it does not fail in its duty to identify pupils eligible for free school transport within reasonable timescales, mitigating further reputational damage and erosion of parental faith when school transport is not available in September.
- 2.4 The decision highlighted that the adjustments to 2022-23 secondary Mainstream Transport Assessment needed to take place as quickly as possible. Following the publication of the FED, application numbers have increased substantially quicker than anticipated, which has meant that the proposed change needed to be implemented as quickly as possible to ensure the benefits from the change can be realised.
- 2.5 The Fair Access Team attempted to rework the proposed communication strategy to accommodate the delay, but unfortunately this has not been possible as the increased workload created by changing the policy meant that ICT would not be able to implement the changes in the necessary timescales. This has meant the decision needed to be taken urgently to ensure parents can be advised of the process within operational timeframes.

## **3. Recommendations:**

Cabinet Committee is asked to NOTE that the following decision has been taken in accordance with the process as set out in Part 2 paragraph 12.35 of the Constitution:

22/00054 - Adjustments to 2022-23 Secondary Mainstream Transport Assessment

#### 4. Background Documents

##### 4.1 22/00054 - Adjustments to 2022-23 Secondary Mainstream Transport Assessment

[Decision - 22/00054 - Adjustments to 2022-23 Secondary Mainstream Transport Assessment \(kent.gov.uk\)](https://www.kent.gov.uk/transport/22/00054-adjustments-to-2022-23-secondary-mainstream-transport-assessment)

#### 10. Contact details

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