

By: Jonathan Idle – Head of Internal Audit
To: Governance and Audit Committee – 23 November 2023
Subject: **INTERNAL AUDIT FOLLOW UP OF SEND
TRANSPORT LESSONS LEARNT REVIEW**
Classification: Unrestricted

Summary:

This report is the outcome of the recent SEND Home to School Transport (HTST) Lessons Learned Follow Up review.

Recommendations:

The Governance and Audit Committee:

- (i) **Note the outcomes from the SEND Home to School Transport Lessons Learned Follow Up review.**
- (ii) **Consider whether there should be subsequent Follow Up reviews to the SEND Transport Lessons Learnt Review of September 2022.**

FOR ASSURANCE

1. Introduction

- 1.1 The SEND Transport Lessons Learnt Review was completed and reported to the Governance and Audit Committee in September 2022.
- 1.2 The review was commissioned by the Corporate Statutory Officers (CSO's) - Chief Executive (Head of Paid Service when commissioned), General Counsel and the S.151 Officer - following significant and well publicised service failures in the redesign of Special Educational Needs and Disabilities (SEND) transport services and the adverse reputational impact upon and loss of confidence in Kent County Council.
- 1.3 The objectives of the original Review were:

“To independently review and assess the governance, consultation with parents, control, monitoring, oversight and decision-making arrangements in respect of the redesign of SEND Transport arrangements.

To ascertain the factors and underlying causes of “what went wrong” and to identify how Council services can better meet the transport needs of children with SEND, their parents and carers.

The review will form part of the Council's intention to identify the relevant factors that created the significant levels of distress and anxiety to SEND pupils and parents/carers so lessons can be learnt to ensure that a similar situation does not re-occur."

1.4 The original review, in conjunctions with the CSO's, focused its scope upon 11 principal areas:

- Impact upon Families and Children;
- Consultation Process with Parents, Carers and Kent PACT;
- Decision Making;
- Re-tendering and Contract Award Processes;
- Project Planning and Change Management Arrangements;
- Review of Risk Management and Assurances prior to Implementation;
- Communication Process with Parents, Carers and Kent PACT December 2021-March 2022;
- Review Effectiveness of Short-Term Remedial Actions from February 2022;
- Growth, Environment and Transport (GET) Directorate Governance Arrangements;
- Children Young Persons and Education (CYPE) Directorate Governance Arrangements; and
- Cross- Directorate Governance and Communication between GET Directorate and CYPE Directorate.

1.5 The original report included the following conclusions:

"This report in no way seeks to undermine the many hard working and committed officers who deliver services in challenging circumstances. This review has, however, highlighted serious flaws within the Council and if existing and longstanding governance arrangements contained both within the Council's Constitution and its agreed processes had been followed or complied with, then the service failure may not have occurred.

Specifically, if governance and processes relating to Key Decisions and associated Equality Impact Assessment, Project Management and the management of risk had been followed and raised with all appropriate parties and sections within the Council, then the impact upon children, parents and carers may not have occurred.

It is clear that the Council will continue to make significant financial decisions including the requirement for budget savings, however the precedence of good governance and the impact upon those who receive services must be at the forefront of all proposed decisions. Consequently, there now needs to be an increased emphasis upon a culture which ensures the consistent delivery of good governance at Kent County Council."

1.6 In meetings between the Head of Internal Audit and the Governance and Audit Committee during 2023, the importance of undertaking the Follow Up was emphasised by members.

- 1.7 The Follow Up of the review was, however, not actively encouraged by all senior management within the Council, in part due to significant other matters affecting Council service delivery needing to be addressed in 2023.
- 1.8 Nevertheless, it is absolutely a requirement of any organisation which aspires to good governance that a review of such magnitude should be followed up. Thus, for example, when Commissioners review Councils, it is highly probable that actions taken in relation to such a review would be requested.
- 1.9 It was decided that a “halfway house” would be for the Follow Up to not review all 11 areas from the original Review. Hence the Follow Up Review, as set out in Appendix A, focused only upon the following areas:
- Impact upon Families and Children (4 Lessons Learnt)
 - Project planning and Change Management arrangements (6 Lessons Learnt)
 - Cross-Directorate Governance and Communication between Childrens, Young Persons & Education (CYPE) and Growth, Environment & Transport (GET) (7 Lessons Learnt).

2. Summary of Findings

- 2.1 The review highlighted some improvements within the areas re-reviewed. The Follow Up has established that there are improved arrangements in relation to communication, collaborative working, reporting and oversight. This has enabled the SEND HTST service to return to business-as-usual, with good outcomes in terms of the provision of transport for September 2023.
- 2.2 The summary of implementation of Lessons Learnt is set out below:
- 5/17 (**29%**) management actions have been fully implemented.
 - 11/17 (**65%**) management actions are in-progress or further embedding / ongoing.
 - 1/17 (**6%**) lessons learnt is no longer considered relevant.
- 2.3 Additionally, further suggested improvements to further enhance delivery and oversight of the SEND HTST service were made.
- 2.4 Feedback to Internal Audit on the original review was that Management were not allowed the opportunity to respond to the findings. This was due to how the review was commissioned by the CSO's.
- 2.5 For the Follow Up Review, however, in addition to distribution to the CSO's, the draft report went to 7 senior managers within the two relevant Directorates with a request for one response.

2.6 At the submission deadline for this report to the Governance and Audit Committee, a partial response had been received but required additional information to cover gaps within it.

3. Recommendations

3.1 Members are requested to note the outcomes from the SEND Home to School Transport Lessons Learned Follow Up review.

3.2 Members to consider whether there should be subsequent Follow Up reviews to the SEND Transport lessons Learnt Review of September 2022.

4. Background Documents

Appendix A - SEND Home to School Transport Lessons Learned Follow Up report.

[SEND Transport Lessons Learnt Review Report to GAC SEP 2022 \(PDF\)](#)

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