

From: Rory Love, Cabinet Member for Education and Skills
Sarah Hammond, Corporate Director of Children, Young People and Education

To: Scrutiny Committee – 6 December 2023

Subject: Home to School Transport Short Focused Inquiry

Classification: Unrestricted

Summary: Following a Short Focused Inquiry on Home to School Transport held by the Scrutiny Committee in November 2021, the findings report was provided to the Cabinet Member for Education and Skills on 13 September 2023. The Report included seven recommendations which are responded to within this report

Recommendation(s):

The committee is asked to note the response to the Home to School Transport Short Focused Inquiry Report

1. Introduction

1.1 In November 2021, Members of the Scrutiny Committee requested a Short Focused Inquiry into Home to School Transport.

1.2 The scope of the inquiry was:

- To define and briefly set out the context of home to school transport in Kent
- To explore the process for determining pupils' eligibility for school transport assistance, and the implementation and operation of school transport arrangements in the county.
- To identify measures that KCC could take to enhance home to school transport in Kent.

1.3 The Inquiry was completed over several sessions, with Officers from CYPE and GET and relevant Cabinet Members interviewed and requested to provide detailed information on the legal requirements and operational practice that underpin KCC's statutory and discretionary responsibilities for all aspects of Home to School Transport.

1.4 In September 2023, Scrutiny Committee approved the findings of the Short Focused Inquiry, which included seven recommendations.

1.5 This report updates the Scrutiny Committee on changes in Home to School Transport teams since the SFI and responds to each recommendation.

2. Response to Short Focused Inquiry

2.1 In the period between the SFI and the resultant report, a number of the suggestions had already been actioned as a result of normal working practices between the CYPE and GET transport teams. A summary of this activity can be found below:

	<u>Activity Defined</u>	<u>Activity Delivered</u>	<u>Resolved</u>
1	KCC's Cabinet Member for Education and Skills 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.	The Cabinet Member for Education and Skills and Cabinet Member for Integrated Children's Services wrote to Rt Hon Nadhim Zahawi MP Secretary of State for Education on 29 September 2021 outlining the increasing demand in SEND and the serious deficits in the High Needs Block. The Secretary of State responded to the letter on 10 November 2021.	Yes
2	KCC's relevant Cabinet Members should accelerate the local authority's work to: <ul style="list-style-type: none"> 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. 	Since the scrutiny committee's Short Focused Inquiry in November 2021, a sub-committee has been implemented to review or scrutinise decisions made, or other actions taken in connection with KCC SEND Provision, and to make reports or recommendations to the Executive. This includes activity relating to inclusion in mainstream education. A summary of Kent's response to the Improvement Notice issued by the Department for Education can be found here . The CLS Team provide Teaching Assistant Level 3 Apprenticeships and TEP deliver and promote qualifications and training for Teaching Assistants.	Yes Yes
3	<ul style="list-style-type: none"> Encourage increased take-up of discretionary school transport schemes 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 	During the SFI, Members were advised that 436 pupils made use of the Personal Transport Budget scheme. As of October 2023, Transport Eligibility (TE) oversees a PTB cohort of 1089 pupils, an increase of 653 pupils or 150%. Members can therefore be assured that PTB has been an integral part of TE's processes and has been heavily promoted. All SEN families are advised of the availability of	Yes

	<p>for school transport assistance.</p>	<p>PTBs at the point of application and have to actively decline consideration for it before submission. Once an eligible child has been identified, parents are further provided an opportunity for PTB.</p> <p>Where a PTB request is made, but cannot be offered as it is not financially advantageous to the LA, records are kept to support annual reviews to identify pupils who could subsequently be offered to join the scheme.</p> <p>KCC's recent transport policy consultation included the provision of PTBs to eligible mainstream pupils. This policy adjustment was accepted and now forms a part of both pre and post 16 transport policies due for implementation in September 2024.</p>	
4	<ul style="list-style-type: none"> 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. 	<p>Home to school transport statutory guidance was updated in June 2023 following public consultation. KCC submitted a detailed response to the consultation and a number of changes to the final draft reflect issues that Kent highlighted.</p> <p>Home-to-school travel - GOV.UK (www.gov.uk)</p>	Yes
5	<ul style="list-style-type: none"> 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. 	<p>KCC do not cancel contracts at short notice. Operators are not paid when a service does not run ie the client does not travel or school closed or weather. It is in the terms and conditions of the contract when they sign up to our framework. So they understand the position when they bid and win work.</p> <p>We will not progress this recommendation as there would be a significant cost to KCC and given the current budgetary constraints, there is no scope to accommodate this proposal.</p>	Yes
6	<ul style="list-style-type: none"> KCC's Public Transport team should investigate the viability of extending the times of travel allowed by the Kent Travel Saver scheme. 	<p>Stagecoach already allow weekend/late evening travel for £1 with a KTS shown and Arriva to do the same. These are the main providers in Kent.</p> <p>To extend this to supported bus services and other commercials would come at a cost to KCC and given the current budgetary constraints, there is no scope to accommodate this proposal.</p>	Yes

7	<ul style="list-style-type: none"> KCC should develop a single, easily identifiable channel of communication that provides timely information on, and a reporting mechanism for, school transport-related issues. 	<p>In January 2021, a cross-directorate Home to School Transport Board was implemented by the Cabinet Member for Education, with inclusion for the Cabinet Member for Transport, to ensure all transport related activity was managed via a single channel.</p> <p>The Board meets monthly.</p>	Yes
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2.2 A number of reviews external to the transport teams have also taken place in the intervening period which provides Members of the Scrutiny Committee with summary of the main transport activity since the Short Focused Inquiry.

2.3 Internal Audit's review of Home to School transport can be found here ([Review into the changes to SEND transport - Kent County Council](#)).

2.4 A follow up review has recently been completed by Internal Audit, which will be discussed at Audit and Governance Committee on 23 November 2023.

3. Financial Implications

3.1 In 2021-22 total final spend on school transport (excluding Kent Travel Saver pre & post 16) was £49m, of which £6.5m related to mainstream eligible learners and £42.8m related to the transport of children & young people with Special Educational Needs. The latest financial monitoring position for 2023-24 reported to Cabinet on 30 November forecast the cost of mainstream transport was expecting to increase by £4.4m to £10.9m, and SEN transport had increased by £26.1m to £68.9m. The table and graphs below summarise changes in spend and total activity since 2020-21 to the forecast for 2023-24.

Total Spend on Transport	2021-22	2022-23	2023-24	2-year Increase
	£'ms	£'ms	£'ms	£'ms (%)
Mainstream Transport	6.5	8.8	10.9	4.4 (68%)
SEN School Transport	36.8	48.5	59.7	22.9 (62%)
SEN College Transport	4.2	5.9	6.5	2.3 (55%)
Personal Transport Budgets	1.6	2.3	2.6	1.0 (63%)
Independent Travel Trainers	0.1	0.1	0.1	0.0
Subtotal SEN Transport	42.8	56.8	68.9	26.1 (61%)
Total Spend	49.3	65.6	79.7	30.4

Total Number Travelling as at July each year	July 2021	July 2022	July 2023	2-year Increase
	No	No	No	No (%)
Mainstream Transport	5,428	5,732	5,888	460 (8%)
SEN School Transport	5,179	5,713	6,150	971 (19%)
SEN College Transport	606	742	742	136 (22%)
Personal Transport Budgets	618	848	977	359 (60%)
Independent Travel Trainers	N/A	N/A	N/A	0.0
Subtotal SEN Transport	6,403	7,303	7,869	1,466 (23%)
Total Numbers Travelling	11,831	13,035	13,757	1,926 (16%)

- 3.2 During the Summer, the council's analytics team completed further analysis to identify the key cost drivers for the increase in costs for both SEN transport and mainstream transport. These highlighted that over the last year (between July 2022 and July 2023), increase in the number of children travelling accounted for between 20% and 33% of the increase in cost whilst between 67% and 80% was attributed to an overall average increase in the cost. Increases in costs are linked to various factors including: inflation, number of children travelling per vehicle, distance travelled, travel assistance required. It was found the number of children travelling in each vehicle as a key factor to higher costs per child travelling.
- 3.3 As outlined in section 2.1, the Post 16 transport policy for September 2024 will include a number of changes to the offer, including introduction of Post 16 charging, limiting the Post 19 offer to young people on progressive course only and ceasing lunchtime pick-ups. The total estimated savings is approximately £1.6m to be delivered over the next 3 years.
- 3.4 PTBs have also continued to be promoted and the number has increased by 60% from 618 to 977 between July 2021 to July 2023 (and has continued to climb to over 1,000 by October 2023).

4. Legal implications

- 4.1 The legal requirements of Home to School transport are detailed in Appendix A, Home to School Transport Short Focused Inquiry Report.
- 4.2 Since November 2021, the Department for Education has provided an updated Statutory Guidance ([Home-to-school travel - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/home-to-school-travel)). This guidance provides a clearer explanation of Council's statutory duties, but does not reflect any changes in underlying legislation.

5. Recommendation(s)

Recommendation(s):

The committee is asked to note the response to the Home to School Transport Short Focused Inquiry Report

10. Background Documents

None

11. Contact details

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