

KENT COUNTY COUNCIL – URGENT RECORD OF DECISION

DECISION TAKEN BY:

Shellina Prendergast

Cabinet Member for Education and Skills

DECISION NO:

22-00054

For Publication

Key decision: No

Proposed Adjustments to 2022-23 Mainstream Transport Assessment for Secondary Mainstream Pupils

As Cabinet Member for Education and Skills, I agree to:

alter the secondary school transport assessment process by removing the need for pupils transferring to secondary mainstream to apply for free school transport, and instead, proactively contact parents to inform them of their child's eligibility status; and

delegate authority to the Corporate Director CYPE to take relevant actions, including but not limited to entering into contracts or other legal agreements, as required to implement this decision.

Reason(s) for decision:

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.

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.

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, the proposed changes to the process need 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 measure to ensure that KCC 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.

Financial Implications:

The main deciding factor for transport entitlement in Secondary Transfer is a parent's expression of school preferences, therefore it is difficult to predict with certainty what financial impact will result in

an automatic confirmation of a child's transport eligibility. The main risk associated with automatic confirmation is the potential for parents who would otherwise fail to submit a transport application being made aware that free school transport is available. This could inflate the number of pupils accepting free transport, with an equivalent increase in mainstream transport budgets.

Data suggests that roughly 70% of eligible pupils claim the transport they are entitled to.

This academic year, 1417 pupils have been identified as being entitled to free school transport within the Secondary Transfer cohort, which leaves a potential for around additional 425 pupils (30% of 1417) to claim free school transport if all families accept the offer. The current average annual cost for transport for eligible pupils is £700, resulting in a potential increase of £297k (425X£700) although this total figure is unlikely to be realised as a number of parents will continue to make their own arrangements to transport their child to school.

The total spend on Mainstream under 16 travel has remained reasonably static since 2017-18, a reflection of the numbers travelling.

The MTFP did not include any allowance for potential higher number of applications resulting from changes in process and potentially increased awareness. Therefore, this is a funding risk and will need to be considered equivalent to a service investment or planned overspend. However, it should be noted that the wider planned procedural improvements to the School Admissions application process, which will highlight pupil entitlement to free school transport much earlier in the process, would have had the same effect and therefore this proposal would bring forward the financial impact of these changes.

Reason for Urgency:

The proposed 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 needs to be implemented as quickly as possible to ensure the benefits from the change can be realised.

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 needs to be taken urgently to ensure parents can be advised of the process within operational timeframes.

Member and other consultation:

The Cabinet Member for Education and Skills contacted all Opposition Spokespeople on 5th June 2022 to highlight the importance of this decision and the exceedingly tight deadlines surrounding the proposed changes. The changes have also been discussed with the Leader, cabinet colleagues and the chairmen of Scrutiny and CYPE Cabinet committees prior to the proposed decision being published.

No Cabinet Committee consultation possible due to urgency process.

The Chair of the Scrutiny Committee, in addition to agreeing that the decision could not be reasonably deferred, provided the following comments:

Mr Booth supported the decision.

The Group Spokespeople of the Scrutiny Committee provided the following comments:
No comments were received.

The Chair and Group Spokespeople of the CYPE Cabinet Committee provided the following comments:

No comments were received.

Any alternatives considered and rejected:

The proposed adaptation to this year's transport application process offers an opportunity to significantly increase the department's capacity to process SEN transport applications in a timely fashion. Given the potential financial implications of this change, however, it is necessary for the Cabinet Member for Education and Skills and Director of Education to be in agreement that it is a proportionate and necessary change.

In the event that processes and staffing levels remain unchanged, there remains increased risk that KCC will 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.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None



16-06-22

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signed

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date