

Management Action Report – Home to School Transport Audit Report – May 2023

Introduction and Background

During the meeting of the 16 March 2023, the Governance and Audit Committee requested that a more narrative style report be provided to update Members on the progress of management actions following the Internal Audit review report into SEND transport failures in February 2022. It was acknowledged that there was considerable overlap between key actions and so this report groups them into themes to allow for a more focussed update.

Transport teams across both CYPE and GET continue to express sincere apologies to the families affected by these failures and have invested considerable efforts to improve the resiliency and quality of the services they offer. There remains significant focus on ensuring that avoidable issues do not occur again.

Members and families can take additional assurance from the fact that the failures identified in Internal Audit's report released on 29 September 2022 referred specifically to a one off, large scale project to retender the entire Kent SEN transport network in one phase. Regrettably the range of "business-as-usual" practices that occur regularly between Transport Eligibility in CYPE and Client Transport in GET were not able, at the time, to mitigate against the issues. However, this ongoing working relationship is best evidenced in two ways:

1. By 1 September 2022, one month before the delivery of Internal Audit's review report, the collective efforts of both teams ensured that 98.93% of the 1,954 on-time SEN applications and other adjustments for the new academic year's school transport were delivered within published deadlines. Of the remaining 21 pupils, delays resulting from the absence of the relevant data from SEN departments impacted on the deadlines rather than activity undertaken by either of the transport teams. Appropriate transport was provided to each of these children, which complied with the requirements detailed in statutory guidance. This workload encompassed direct activity with 34.01% of the 5745 eligible pupils in September 2022 who required transport within KCC provided vehicles.
2. Appendix A shows the volume and quality of work that has been delivered during the remainder of this current 22/23 academic year. This also helps evidence the strong grasp that both teams have on providing the most cost effective transport currently available to the very large numbers of pupils across the county. KCC now provides direct transport to over 6000 pupils with SEN, with approximately a further 1000 pupils in school-led transport pilots and through Personal Transport Budgets. Of note is the activity of the Members of KCC's Transport Regulation Committee Appeals Panel who hear around 100-150 appeals each year. This indicates the relatively low levels of dissatisfaction across the system, at around 2%.

The impact and outcomes of the work could not have been achieved so quickly after February 2022 and before the delivery of Internal Audit's findings, had pre-existing processes and management been of an unacceptably low standard. This, in addition to the examples of further improvements below, help show how both teams have worked collectively to fulfil their duties, with a clear understanding of their individual remits and responsibilities to the SEN children of Kent. It is fully accepted that Governance matters relating to the strategic relationship between CYPE as the budget holders and GET as the delivery agent of SEND transport did not function as they should have done in regard to the re-tendering process, and the development of a memorandum of understanding between the two directorates is underway which will set out this relationship out clearly.

Appendix B which was provided to Mr Webb following his request at the 16 March 2023 G&A Committee into the impact of lost learning on the affected group of pupils through an analysis of pupil attendance data. We trust that Members will find this information helpful to fully understand the scope and number of pupils affected, alongside a clearer timeline of how long it took for issues to be resolved.

In the same G&A Committee meeting, Mr Simon Jones provided members with verbal assurance that a single re-tendering of the entire SEN transport network will not be attempted again. This is the single most direct action possible to ensure the February 2022 failures are not repeated. February 2022 was the first time such a large scale project was attempted and it is fully recognised that this work exceeded the working capacity of a team which was already implementing and managing live transport for the entire county, and that it should not have been undertaken as Business as Usual activity but rather as a new project with the associated governance and risk management around it.

Members should note that given the volume of journeys now being delivered daily, it will not be possible to maintain an effective and efficient transport network without additional assistance including a digital journey planning tool. GET and CYPE will be taking proposals to 18 May 2023 Strategic Reset Programme Board for the funding of additional IT solutions to support smaller scale, more targeted efficiency projects.

While the work detailed above shows how both teams make child-centred decisions when providing transport support, consideration must also be given to the size and requirements of the collective cohort. KCC has a duty to balance the needs of the individual with our ability to ensure all 7039 pupils can get to school in a safe way, ready to learn. This must be achieved in a sustainable way that can continue to grow as necessary to fulfil demand.

Impact and Management Action response

As outlined above, individual Actions from the Management Response plan have been combined into themes to allow for a more holistic update on progress within the teams. Action reference numbers have been included to allow easy reference back to the plan.

Monitoring and quality assurance

Action Reference:

All: 17,31,44

Joint CYPE/GET: 1,16,25,33,38,39,42,43

CYPE Lead: 15,34,37

GET Lead: 35,36

To mitigate risk identified prior to February 2022, a Home to School Transport Board had been established which first met in January 2022 to ensure all elements of the cross-directorate transport portfolio are monitored and managed. Regular membership includes Transport Eligibility Head of Service, Public Transport Head of Service, Director of Education and SEN, CYPE Finance Partner, Cabinet Member and Deputy Cabinet Member - Education & SEN and Cabinet Member - Highways & Transport. Meetings are held monthly and chaired by the Cabinet Member for Education and SEN. All monitoring and quality assurance activity now feeds into this board, including pre-existing regular inter-team and project meeting structures. The Board has a Terms of Reference to ensure expectations are understood by all participants.

Fortnightly "Sit Reps" (see Appendix A) are completed by the Client Transport Team and circulated to all levels of CYPE and GET management structures and relevant Cabinet members. These updates include both quantitative and qualitative information on delivered transport and identifies immediate risks and corresponding plans for mitigation.

Existing Risk Registers for both directorates have been fully reviewed with key business partners following issues in February 2022 and were strengthened where necessary. Risk Registers and Management Performance packs continue to be reviewed regularly through existing Directorate DMTs and DivMTs. In addition, oversight of the entire risk profile forms a regular agenda item at the Home to School Transport Board.

Both Transport Eligibility (CYPE) and Client Transport (GET) completed full reviews of staff training and procedural documentation to ensure key areas of responsibility and transition are understood. However, as highlighted above "business-as-usual" activity had already benefited from extensive development in recent years. Some examples of recent improvements in this area, developed in conjunction with Kent PACT include:

- Improvements to SEN processes to ensure communication around Final EHCPs includes new advice on transport application process.
- Children at "all-through" schools are now pre-assessed via KCC/school data exchanges. Those that retained eligibility were told their transport entitlement will remain with no need to apply. Those whose entitlement likely to change were directly contacted to ensure they understood the need to apply.
- All other pupils proactively contacted and reminded to apply.

- Ongoing project work driven by Transport Eligibility has increased SEN completion for the Transport Information Form used to assess eligibility from 34% in 2020 to 95% in 2022/23.
- A full redesign of mainstream assessment processes in 2022/23 which significantly reduced the workload associated with this cohort. This provided staff with more time to prioritise the inherently more complex applications for SEN pupils. These processes have been further refined for the 2023/24 transition.
- The development of a SEN “Pupil Passport” (Appendix C) that promotes and supports good, regular communication between parents and transport providers. This provides a framework to ensure that the individual needs of each child are clearly understood and will be piloted during the preparations for forthcoming academic year.
- A schedule of cross-team, in-person working arrangements has been implemented to provide staff from both GET and CYPE with a better understanding of each team’s responsibilities and to promote clearer communication at all levels. Staff from both directorates now work directly together on a regular basis.
- Reminder to all relevant staff of Data Protection Impact Assessment responsibilities, including revision of available training.
- A revised code of conduct has produced and is now available online with specific information for families and pupils regarding services.
- The Client Team has seen an injection of 4 new members of staff to assist in the day to day delivery of the service.
- Further capacity has been created in the Client Transport Team to focus on responding to parents via generic mailboxes as well supporting overall team administration functions. This is designed to reduce the level of repeat contact and lower the level of complaints from service users.
- Market capacity remains at a premium as highlighted within Sitreps to senior officers, however tenders to the commercial market and engagement with suppliers will see further capacity created to meet the unprecedented demand for transport.
- Work is in progress to develop more information for families from Client Transport to explain how the service is delivered and “what you can expect”. This workstream is being developed in conjunction with Kent PACT to ensure it is child centred.
- Process mapping is being developed with continuous improvement team and Kent PACT to again improve the understanding of how applications are managed by the Council for Transport across both CYPE and GET.
- Contracts cancelled by transport operators plays a significant part of the Client Transport Team daily operations. Processes have been changed to ensure such cancellations are reviewed within 48 hours of receiving such requests to ensure service continuation. This in turn means service users receive notification earlier of who their new transport operator will be.

- A range of other activities are underway as part our wider improvement development plan that can be seen within Appendix D, SEN Transport Development progress logs.

CYPE initiated a dedicated project team in November 2022 to develop an SEN place planning sufficiency process which mirrors the pre-existing mainstream Kent Commissioning Plan (KCP). It is due for consultation at the end of Summer. This will include consideration of ways to increase SEN capacity in local areas, to reduce the need for lengthy travel for pupils wherever possible.

In the event future projects are required by either CYPE or GET, internal PMO support will be consulted with before alternatives are considered. All relevant work to include engagement with the Strategic Reset Programme, including the implementation of software supported implementation improvements detailed above.

Parental Engagement

Action Reference:

Joint CYPE/GET/GLD: 2,3

CYPE Lead: 7

GET Lead: N/A

Kent PACT representatives met with Cabinet Member for Education and SEN and Director of Education to review working relationships. This led to agreement that CYPE would work with PACT to implement a Transport Stakeholders Group to provide a more diverse voice to support transport developments. The group is to include parental, school, LA and provider voices. Internal personnel changes within Kent PACT have resulted in a temporary pause in the development of this working group, with discussions to be reimplemented now that new PACT leads are in post.

CYPE are undertaking a full review and have delivered a public consultation of transport policies, including eligibility criteria and a proposed framework for all future retendering requirements to ensure proper inclusion of parent/carer/child voice. The consultation closed on 25 March 2023, with consideration of the findings by CYPE Cabinet Committee scheduled for July 2023.

CYPE initiated a soft launch of the SEN Enquiry Hub in April 2023, which forms a part of the wider SEN Transformation Project and will provide SEN families with more timely information on a range of SEN processes.

Following the transition of the SEN Phase Transfer processes to Fair Access in January 2023, development work for next year's process now includes improvements in the availability of transport related information at the point parents select their child's school preference. Officers are investigating how they can best advise parents of their child's nearest school for transport purposes at the start of the application process, alongside additional transport related advice, to ensure parents are fully supported when making decisions and can understand the extent of their

legal entitlement to free transport. Historically, transport discussions were not initiated until school placements were finalised.

Both CYPE and GET now routinely work with Resident Experience key partners and Kent PACT to ensure parental communications are clear, timely and helpful.

Governance

Action Reference:

Joint GLD/CYPE/GET: 10

Joint CYPE/GET:1,13,25,39,43

GLD Lead: 4,5,6,8,9,11,12,18,19,20,21,22,23,26,27,28,29,30,32,40,41

CYPE Lead: N/A

GET Lead: N/A

GET and CYPE are working in conjunction with partners in Commissioning to review officer governance, accountabilities and delivery of cross directorate working. While initial consideration was given to the implementation of a Service Level Agreement, the need to include input from SEN and Finance has led to Commissioning suggesting that a Memorandum of Understanding is a more appropriate way to define these areas across multiple Services and Directorates. The review action can be considered complete as a clear pathway has been identified.

Due to the complexity of the interactions between these four services, in addition to inviting GLD's input, it is expected that delivery of a finalised MOU will take between 6 to 9 months. However, key learning will be implemented as areas of improvement are identified, ensuring that weaknesses continue to be reduced throughout that timeframe.

CYPE produced a detailed response to Internal Audit's findings which can form the basis of further review when work in this area begins. Jonathan Idle advised on 16 March 2023 that a summary of Internal Audit's further work in this area will be reported in either May or July 2023 G&A Committee.

Finance

Action Reference:

Joint CYPE/GET/GLD: 44

Joint CYPE/GET: 14,24

Finance partners attend monthly School Transport Board meetings to ensure strategic oversight of annual costs.

An additional formalised meeting programme to discuss costs, issues and other elements has been in place since early 2021 and informs agenda items for the School Transport Board. These meetings involve the Public Transport business

team, Transport Eligibility, CYPE finance business partner and finance support team. Monthly meetings include a detailed analysis of key cost drivers and forecasts for the annual year.

Finance has been identified as a key service in the forthcoming Memorandum of Understanding between CYPE and GET to ensure that realistic budgets can be set, taking into account evidence based analysis of cost drivers including EHCP demand and inflationary pressures. This will confirm the way in which the operations will be managed, with work being done to identify accountabilities and responsibilities relating to the cross-directorate environment as well as within directorate teams working in this space.

While the remit of the Internal Audit report did not include management of pressures to school transport budgets, Members have separately been advised of project work related to the formalisation and acceleration of school led transport initiatives and the implementation of software supported implementation processes. CYPE and GET are working in conjunction with GLD to ensure these projects are implemented in line with formal governance procedures and established project management methodologies. These initiatives will be discussed in greater detail at relevant Cabinet Committee meetings.

Appendices

Appendix A – Example of latest fortnightly SEN Transport Sit Rep

Appendix B – Analysis of impact of lost learning for pupils affected in February 2022

Appendix C – SEN Travel Passport

Appendix D – SEN development log