

Home to School Transport - Policy Panel

Date: **2 July 2020**
Time: **12.30pm**
Venue **Virtual Meeting - Skype**

Note: in response to current Government Regulations this meeting is being held as a virtual meeting for councillors and accessible via Skype. Public speaking and engagement opportunities will be made available.

The meeting will also be webcast live to the internet.

Members: **Councillors:** Clare (Chair), Grimshaw, Hills, Mears, O'Quinn and Wares

Contact: **Mark Wall**
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If you would like to make a written submission about current issues with Home To School Transport, please email a brief statement to carolyn.bristow@brighton-hove.gov.uk by **9.00am on the 1 July 2020**.

Your submission will be shared with the Councillors sitting on the Policy Panel ahead of the next Panel meeting and will be made available online to view prior to the meeting.

If you want to make a confidential submission, please indicate that it should **only be** circulated to Panel Members. Any submissions received after 1 July, may be considered at a later Panel meeting.

The Panel are inviting written submissions (of not more than one side of A4) on the areas of current issues as listed on the agenda.

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Action notes from the last meeting held on the 3 June 2020.

11 FOCUSED DISCUSSION 1: CURRENT SEPTEMBER PLANS / ACTION PLAN

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Current issues and possible recommendations.

12 FOCUSED DISCUSSION 2: WHAT WOULD AN IDEAL SERVICE LOOK LIKE?

PART TWO

13 PANEL DISCUSSION - EXEMPT CATEGORIES 1 & 3

The Panel will have a confidential discussion.

BACKGROUND PAPER

LGA review: <https://new.brighton-hove.gov.uk/independent-review-home-school-transport>

ACCESS NOTICE

In response to the current situation with Covid-19 and the easing of Regulations, this Committee meeting will be held virtually via Skype and web cast simultaneously.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

For those members of the public wishing to actively take part in the meeting a link will be emailed so that they can join the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact , (01273 291006, email mark.wall@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Date Not Specified

**DRAFT Action notes and panel recommendations from the HTST Member Policy Panel
03 June 2020**

Present:

Members: Cllrs Clare, Wares, O’Quinn, Mears, Hills, Wilkinson.

Officers: Georgina Clarke-Green, Jo Lyons, Regan Delf, Carolyn Bristow, Natasha Watson, Alix MacFarlane, Giles Rossington, Chris Pugh.

Guests:

Diana Boyd and Fiona England from PaCC
Rachel Burstow, Rob Arbury, Adrian Carver, and Louise Cook from special schools.

Operators:

Southern Taxis
Brighton Taxi 4U
Community Transport
Brighton and Hove Radio Cabs
Ace Travel
Streamline

Item	Discussion and agreed actions
Welcome and introductions	<p>Cllr Clare opened the meeting and attendees introduced themselves.</p> <p>Cllr Clare introduced a proposal to hold a part 2 discussion later in the meeting on procurement and contract compliance. Members expressed concern about the late sharing of a paper with them, making it hard to read and digest. However the panel agreed to the part 2 discussion later.</p> <p>Cllr Clare requested that papers for the panel are shared in good time in future.</p> <p>Action: Officers to ensure papers are shared in good time ahead of future meetings.</p>
Minutes of the last two meetings – 3 rd March and 20 th March.	<p>Both sets of minutes were agreed as an accurate record of the meeting.</p> <p>Action points have either happened or are picked up on the agenda today.</p> <p>Cllr Clare explained why the meeting of the 20th March became a public meeting at short notice, because of the administration’s publication of the LGA review report the night before.</p>

<p>Focussed discussion 1: Current issues and possible MPP recommendations. To cover September arrangements / Covid-19 arrangements / Contract arrangements with operators.</p>	<p>Cllr Clare highlighted the following background papers as being of direct interest for this discussions:</p> <ul style="list-style-type: none"> - Planned arrangements - Draft guidance for operators - Communications with parents/carers <p>Regan gave an overview introduction – setting out two tracks of work. Firstly to ensure there wasn't a repeat of what happened last September but also to ensure there is an adequate response to the COVID19 pandemic.</p> <p>Regan explained that the operator contracts had been rolled over to provide greater consistency for them and for service users. However, robust contract review work is still undertaken to ensure compliance and value for money.</p> <p>In terms of planning for September, it is known there is typically 20% turnover of children (those ceasing to keep transport and those gaining eligibility). Despite that amount of change, and the completion of a few statutory assessments late into the summer term, work is underway to ensure as much notice is given as possible to families and operators. So the current work is looking at route allocations for then and fine tuning other considerations such as PPE needs.</p> <p>Another development is the current creation of a social story to use with the children to help explain what is going to be different when they get home to schools transport now – why people need to sit further apart, why some drivers and VPAs might need to change and why some people will wear face coverings.</p> <p>The other main policy change that has occurred is that parents no longer need to make the annual 'reapplication' for transport, they only need to do that now for phase transfer points eg a move from school to college.</p> <p>Members of the Policy Panel posed a number of questions.</p> <p>Jackie O'Quinn asked the special schools whether they had a good view yet as to how many children would be going back in to school – now and in September. Both Downs View and HillPark had surveyed parents and shared the results. Still a lot of caution from parents but a good number would like their children to return in September if possible. This presents schools with the challenge of organising space to enable social distancing where possible. Schools are likely to be looking at part time timetables for in-school provision and the use of rotas etc.</p> <p>Adrian Carver added that whilst he recognised the different types of provision, he would welcome seeing a rigorous approach to risk</p>
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	<p>assessment work by the operators, to enable a good safe transition at the start and end of the day</p> <p>Fiona England added here that it would be essential for good liaison needs to continue on these matters with the mainstream schools too, for children in receipt of HTST to those. She explained that PaCC were hearing from some parents of mainstream school children that they were still waiting to hear what the school offer was going to be for their children. PaCC are also hearing that some families are really starting to struggle now this is nearing the 3 month mark. Diana added that things were still very confusing for the SEND community, some mixed messages nationally about need to remain safe but the easing of restrictions. There was a concern in that community that they continued to be excluded whilst others 'return to normal'.</p> <p>Cllr Clare asked the operators what impact there was for them, especially on matters such as increased need to clean vehicles. Regan confirmed this was part of the discussions her team were having with operators Operators have been asked to provide information about their cleaning routines. They felt it was clear what was expected to be done in terms of cleaning. Operators have been able to access PPE supplies through the council if they are not able to source them elsewhere and this was especially important as some workers were returning to work who may still have some vulnerabilities.</p> <p>One operator wanted to particularly thank Regan, her team and the PPE team for their support – it was felt that everyone was working hard together.</p> <p>Cllr Hills asked Regan for an update on how various performance measures were being managed currently eg did everyone have a current DBS etc. Regan replied that information is collected and monitored at regular intervals and that all staff o transport have a current DBS . In terms of training, a lot of work is going in to that currently. An online training offer will be offered soon, to enable all operators to undertake online training in their own time ahead of September. This will be free to access. Some of the other checks, such as onsite inspections have had to pause but the team are looking at how these might be reinstated soon. There are also contract monitoring discussions still taking place in July.</p> <p>Action: it was agreed that Regan would share the online training offer with Members of this panel once it was ready for sharing.</p> <p>Another operator added that things were greatly improved from previous years, he is receiving a lot more timely and detailed communications. He had more confidence in the system now. He added that some key learning points from the past were around 1)</p>
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	<p>not waiting until August to agree the runs 2) hearing that eligibility is rolling on is good as that caused families a lot of worry previously and caused system delays 3) thanks for offers of help from the team with recruitment activities, that has been a challenge in the past. 4) Key officers need to be available in the LA in the last two weeks of August, that has been a real challenge in the past.</p> <p>Regan repeated that it was difficult to finalise the lists much earlier as some of the decision making around children was still being made elsewhere by other teams but her team is committed to getting as much confirmed as possible ahead of what had become the usual timescales.</p> <p>Action: It was agreed that Regan’s team would host a meeting including PaCC and the operators to look at what is known much earlier.</p> <p>The Panel discussed the potential need for extra vehicles in the system to allow for social distancing etc to be well managed. There was concern that if a large number of extra vehicles may be needed, we were running low on lead-in time to enable that to happen. Cllr Mears wanted to enable clarity for the operators about this – and the future contracting arrangements, so they had more certainty if they were being asked to invest in new vehicles.</p> <p>Regan explained she was currently in discussions with the operators and initial thoughts were there would be enough capacity between them to manage extra need, but clearly this needs more checking.</p> <p>Cllr Wares added that he was pleased to hear things were improved although he felt last year was a low base to compare with. He praised the administration for admitting where things had gone wrong and for putting staff and additional resources into this area. However, he was concerned that there was only 12 weeks until the start of the next academic year and this means work needs to happen now and at pace to be ready for then. Vehicle purchase and adaptation and staff recruitment all takes time. He asked PaCC a question, around whether they felt that a suitable coproduction agreement was now in place between them and the LA? Is PaCC being resourced properly to support this work?</p> <p>Georgina Clarke-Green explained that some additional ongoing funding was being given to PaCC for a range of coproduction work.</p> <p>Fiona England thanked officers for the significant uplift PaCC have seen in communications with them on HTST matters and appreciate where people have gone above and beyond to support tis eg evening meetings with steering group members. A working document is currently with the PaCC steering group for comment.</p>
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	<p>Fiona explained that she does still have some nervousness about September but can see a lot of work is underway and also appreciates the suggestion of a meeting with the team and with operators. This should flush out any issues at an earlier point. Her concerns are also around whether there will be sufficient vehicles and drivers/VPAs. She posed a question about whether a new look could be taken on the workforce, might VPAs work across routes more?</p> <p>ACTION: Regan agreed to take forward that considerations although there were some potential concerns around the need to not mix groups currently.</p> <p>Rachel Burstow added that she felt like the plans for September were coming together, but of course given we are in a global pandemic, things can change between now and then. She is seeing lots of joined up working currently though.</p> <p>Operators echoed the pleas to help with getting any new DBS checks needed done in good time for September. Also that the supplier relief helps but some operators may still be in difficulties.</p> <p>Cllr Wares added that he continued to feel there were some ‘red flags’ ahead of the September start of service – around running into timing issues for the recruitment of staff, availability of vehicles and pace at which routes can be fully allocated. Cllr Ware’s added that whilst there were some understandable factors around Covid 19 making the situation un predictable, he did feel there was a need for a more sustainable overall approach to HTST arrangements in the city. He would like this to be in place so that once the factors around COVID19 are lifted there was a sustainable plan in place to be implemented, he is not yet convinced this is in place.</p> <p>Regan confirmed that the team were looking to confirm routes as early as possible but there would remain the difficulty in making final route allocations when some of the data on eligible children doesn’t come through to them until the summer. Regan is also looking at how many additional vehicles may be needed and currently it is thought it can be managed with existing stock across operators.</p> <p>Action: It was agreed that Cllr Clare would flag these concerns at CYPS committee in June, on behalf of the panel.</p>
<p>Agreed recommendations from the panel from this discussion</p>	<ul style="list-style-type: none"> - That the panel will receive the online training package when available for review - That the panel supports the proposed meeting between HTST operators, PaCC and the HTST team prior to the end of the summer term to review September arrangements. - That the Chair should flag some ongoing concerns to CYPS

	<p>Committee in June 2015.</p>
<p>Focussed Discussion 2 (45 mins)</p> <p>Matters covered by the Independent Review that the MPP have identified to discuss further and possible MPP recommendations. To cover insurance / Corporate Risk status / Service Capacity and Budget.</p>	<p>Cllr Clare highlighted the following background paper as being of direct interest for these discussions:</p> <ul style="list-style-type: none"> - Report that went to P&R on service capacity and budget. <p>At the previous meeting the panel said they'd like to cover the following matters:</p> <ul style="list-style-type: none"> - Insurance - Corporate Risk - Service Capacity and budget <p>Cllr Clare referred to the discussion at Policy & Resources Committee last week and how there were still some outstanding questions, including asking for a budget breakdown, future procurement option and how do we compare to statistical neighbours.</p> <p>Cllr Mears confirmed she had some concerns about what had happened historically, with no accountability taken for the overspend that has occurred nor for the main decisions made by officers.</p> <p>Cllr Wares questioned some of the process, that P&R received a report but were referred here for answers, and then that CYPS committee wasn't being formally presented with the LGA report. The ongoing confusion can be it difficult for Member's to offer a considered view on how this should be managed going forward.</p> <p>He continued that this Panel had asked previously for a breakdown of the budget, showing how the overspend had occurred. There are still outstanding questions on the insurance matter. There were still concerns about how the LGA report may have been amended prior to publication. He was pleased to hear that the situation was now on the corporate risk register however was frustrated it took so long to be actioned. He is left with the feeling that the advice and guidance from elected members is not being listened to.</p> <p>Natasha confirmed that operators were covered for up to £10Million for public liability. Regan added that compliance checks were underway with operators that they were checking the right insurance was in place for them including the supported transfer of children from vehicle to school and back. Six of the eight operators had double checked so far with their insurers and confirmed that all duties were covered in their public liability insurance – two were pending. Natasha further explained that subcontracting was covered but broadly COVID19 itself could not be insured against, it's more a matter of having good and reasonable risk assessments</p>

	<p>/ mitigations in place.</p> <p>Cllr Mears was concerned to hear that the insurance matter wasn't fully resolved yet and asked that it is done so as soon as possible.</p> <p>Cllr Wares also raised a query about the current procurement arrangements. He recommended that officers check the current arrangements against what the current agreed process should be.</p> <p>Adrian Carver asked people to consider that when it came to escorting children in and out of schools, there is a cost for whoever does it – but his preference is that it remains as a role for operators.</p> <p>PaCC referred to their submission to the Panel for today. Fiona said that she was pleased there was now a recognition that the budget needs to be larger but this does raise a question about whether this now means we are in line with stat neighbours and has this meant the service has been under funded for some time and recognising the impact this has had on families in the city? PaCC's hope is that this additional resource will enable the creation of a sustainable service. This budget must be fit for purpose, not least to allow key stakeholders to put much needed attention to other parts of the SEND system, this has been all encompassing.</p> <p>Diana Boyd added that PaCC had been flagging for several years now that the HTST budget was not sufficient and echoed Fiona's point that this has had an impact on the ability to make progress in other areas.</p> <p>Cllr Clare asked a question about what the current view was around how we compare to statistical neighbours. Why was the council looking to make savings in this area if it was already under resourced. Regan confirmed that when she started in post she did look into this and found that in the autumn of 2019 identified that 4/5 HTST budgets in the country were overspent. This was partly due to the SEND reforms, which resulted in an increased number of children with SEND across a wider age range – while SEND funding via the High Needs Block has been increased nationally to reflect pressures, there hasn't been a commensurate increase in the HTST budgets. . We are still below the stat neighbour average spend, about £0.4Million below. It was felt that could be managed well if efficiencies were handled well.</p> <p>Several Members expressed frustration about the ability to conduct their role as a policy panel when some information was still not available to them.</p> <p>Georgina Clark-Green clarified that the LGA have confirmed that factual accuracy amendments were made to the final report.</p>
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Item 10

Agreed recommendations from the panel from this discussion	<ul style="list-style-type: none">- Panel would like to review the cost of routes- Panel would like more information about how comparator council budgets' break down- Panel would like a breakdown of overspend in last financial year to understand how this can be prevented in future- Panel would like to recommend corporate risk more swiftly recognised in future when raised by councillors- Panel would like final confirmation of insurance situation once all operators have returned information- Panel would like clarity on use of DPS this September- Panel would like to request administrations view on H2ST policy- Panel would like to see further detail on the changes made with the LGA to the Independent review report.
Part 2 discussions	The full meeting ended at this point and only Member's of the Policy Panel and some supporting officers remained in the meeting for a confidential discussion.
AOB	None
Agenda and date of next meeting	Data of next meeting TBC

Independent Review Report
High Level Action Plan
Co-produced by PACC and Brighton and Hove City Council

Recommendations from the Independent Review into HTST

1. Clear, consistent and urgent communication to all stakeholders (parents, carers, schools and settings etc) about stability in the Home to School Transport (HTST) arrangements from this point onwards. September 2020 must not be a repeat of 2019. The council should acknowledge the pressure on the base budget and that significant savings are unrealistic in the near future.
2. Rebuild trust with schools and settings, parents/carers, VCS, members and officers from other departments. The council should consider having a SEND charter and agreed co-production policy (which includes HTST), between parents/ carers and the Council, setting out clear roles, responsibilities and expectations.
3. The HTST policy (2015) needs to be updated with an emphasis on planning and training for independent travel, including an associated budget and sustainable strategy. It should also include a personal travel budget policy developed with parent/ carers. This should be a consistent independent travel training offer across the local authority. The team found there were some examples of good practice in children's social care. The updated policy needs to integrate with the Special Educational Needs and Disabilities strand and should be used to re-engage and seek best practice.
4. Review the HTST processes and streamline them. After initial agreement that travel arrangements are required, the council should remove the requirement for parents to complete transport requests for each year and consider introduction of a system as part of the ECHCP annual review to discuss and review travel. The annual review paperwork should be revised to ensure there is clear discussion about travel requirements, supporting the planning and training needed for independence and preparation for adulthood. The pupil information sheets, risk information, annual review and eligibility documents could be combined into single travel plan to save duplication and aid clarity.

5. The SEND team and HTST team must work together to share more information, reducing the burden on parents to repeatedly provide the same information. Operational managers across departments need to work collaboratively to strengthen relationships between HTST and SEND. The newly strengthened Directorate Team need to work together more closely to encourage and facilitate this.
6. The Council should ensure there is standardised and consistent training and performance expectations of drivers and VPAs with monitoring. Drivers and VPAs should complete comprehensive training to ensure that they meet the needs of each child or young person for whom they are responsible. Training should include at least basic first aid and disability awareness. In addition, identification badges and high visibility jackets need to be worn consistently by drivers and vehicle passenger assistants.
7. Review governance arrangements for projects and programmes so that all significant change projects go to the Modernisation Board. The reviews should include simplifying governance arrangements, ensuring clear lines of accountability and decision-making with a clear audit trail.
8. Programme management needs to be strengthened to ensure that any significant changes to Council services are based on a full business case, that there are realistic timelines and clear lines of accountability. The Council needs to allow adequate time to undertake transformational change in a service. Business cases should be used for significant change and savings, as well as spending proposals.
9. More support and oversight are needed from senior managers when significant changes are being made to council services. Senior managers should also place more value on the professional advice of specialists within the Council, such as procurement, legal, communications and health and safety.
10. The council should consider strengthening contract management going forward and ensuring all contracts with suppliers of HTST are signed and returned before a service starts. The council cannot continue to rely on implied terms and conditions for the remaining contractors who have not signed contracts.

Success Criteria for the Action Plan

By 31 October 2020:

1. Parent/carer satisfaction via survey shows at least 80% trust and confidence in the service
2. New 'tell it once' online form for parent/carers in use, combining application, pupil information and risk assessment
3. Service response times to communications with and from parent/carers are met at least 90% of the time
4. 100% of new transport staff have undertaken training as appropriate in relation to safeguarding and SEND awareness
5. 100% of all Transport Panels have a trained Amaze parent/carer worker present to represent parents' viewpoint
6. 100% of all interviews for staff in HTST are conducted with a representative of PACC on the interview panel
7. 95% of all spot checks and compliance monitoring passed and any breaches corrected within 24 hours
8. Long term leadership and capacity of HTST team established.

By 31 March 2021

9. A quality independent travel training option is available to all families for whom independent travel is an option
10. A fully revised and updated HTST policy is published, following co-production between the council and PACC and Amaze.
11. 100% of existing transport staff have booked onto refresher training and extended training as appropriate.
12. Further survey of parental satisfaction indicates 85%+ trust and confidence in the service.
13. All recommendations from independent review have been completed.

Review and evaluation arrangements

Green* = very good progress **Green** = good progress **Amber** = need to accelerate **Red** = progress weak

- This plan to be reviewed at each monthly meeting of the HTST Governance Board and by Members' Policy Panel as required
- Progress and evaluation reports to CYPS Committee in June 2020, November 2020 and a final report on March 2021

No.	Recommendation	Actions	Completion date	RAG
		to feedback on proposed changes and specific issues	2021 and then annually	
3., 4 and 5	<p>Update and improve HTST policy</p> <p>Review all HTS transport processes and streamline in conjunction with SEND team and families</p>	<p>1. Establish a team of stakeholders across PACC/Amaze, schools, and the SEND and HTST teams to co-produce a revised HTST policy</p> <p>2. Create/ review policies/ protocols on:</p> <ul style="list-style-type: none"> a. Independent travel training b. Personal payments to families who wish for them c. Reassurance for families on contractual compliance d. Application process e. Pupil information transfer and risk assessment f. Ratios of VPAs g. Response to medical needs h. Final agreement on transfer of pupils from vehicles in and out of school, including resolution of insurance issues <p>Ensure strong links between HTST and SEND teams and link HTST eligibility and needs assessment to the EHC plan annual review process</p>	<p>October 2020</p> <p>March 2021</p> <p>October 2020</p>	
6. and 10.	Enforce performance expectations of transport providers and staff, including with training	<p>Establish and resource:</p> <ul style="list-style-type: none"> • Termly contract reviews • Monthly compliance checks at operators' offices • Weekly 'spot checks' on school sites • Specific checks on completion of training by drivers and VPAs 	Oct 2020	

No.	Recommendation	Actions	Completion date	RAG
		<ul style="list-style-type: none"> • Robust protocols for any contractual breaches 		
7.	Ensure robust governance arrangements	<ol style="list-style-type: none"> 1. Establish the governance structure 2. Ensure links between the various key groups – CYPS Committee, Members’ Policy Panel and HTST Governance Board are secure 3. Establish a Governance Board with agreed terms of reference 	April 2020	
8. and 9.	Strengthen programme management processes and oversight	<ol style="list-style-type: none"> 1. ensure HTST is registered as a corporate risk with key actions and mitigations, as well as regular reviews 2. establish links to the corporate modernisation board in terms of any costs associated with the development of the service and review of resources needed to secure improvements 3. ensure adequate support from key central services 	April 2020	