

Brighton & Hove City Council

Children Young People and Skills Committee

Agenda Item 10

Subject: Progress Report: Home to School Transport for Pupils with Special Needs and Other Social Care Transport Contract

Date of meeting: 12 September 2022

Report of: Executive Director of Families, Children and Learning

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Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 To provide the Committee with an update and progress report on the Home to School Transport (HTST) Service.

2. Recommendations

2.1 That Committee notes this progress report on the Home to School Transport (HTST) Service.

3. Context and background information

Team update

3.1 A new, permanent Contract and Service Development Manager joined the team in May 2022. This part-time post is responsible for ensuring effective procurement of transport Services, the management of contractual compliance, assurance of best value Services and developing and managing projects and Service improvement themes across the Service.

3.2 A fixed-term SEND Officer (to provide backfill to the current SEND Officer who is Acting Up as Team Manager) joins the Service in August 2022. The post-holder, currently a SEND teacher at a local educational setting, is responsible for the assessment of Home-to-School Transport applications, making decisions on eligibility for travel assistance and ensuring that the special needs of children and young people are accurately recorded and that the required actions are in place to support children's safety and wellbeing on transport.

- 3.3 The Parent and Carers Council supported these appointments through their involvement in short-listing, question setting and interviewing.
- 3.4 A fixed-term Transport Officer post has also been recruited to, to provide maternity cover, and an Administrator has also been confirmed in role (as the current Administrator has been successful in gaining a temporary secondment).

Policies & Processes

- 4.1 The national guidance on home to school transport was last published in 2014 and updated in December 2016. COVID-19 has frustrated the pace but revised statutory guidance is expected this autumn. The Department for Education (DfE) have advised that revised guidance is not likely to change substantially, instead the intention is to provide further clarity on its existing contents, to reduce areas of ambiguity. The DfE are also planning to provide additional guidance for parents and carers alongside the release. Once the new guidance is released the Service, in collaboration with the Parents and Carers Council, will review the local Home to School Transport Policy. There will be a public consultation with parents carers and educational settings.
- 4.2 The DfE requires local authorities to make transport arrangements for eligible children with SEND (Special Educational Needs and Disabilities), and also to promote sustainable and environmentally-friendly travel and transport. The Service is responsible for around 780+ vehicle movements at peak times across the city. The Service's [Sustainable Modes of Travel Strategy 2021 to 2025](#) was published in May in collaboration with the Parent and Carers Council and following a public consultation. The strategy outlines how the Home to School Transport Service endorses sustainable travel and transport in line with Brighton & Hove City Council's mission to promote and encourage safer, healthier and more environmentally friendly modes of travel for children and young people to and from school and college.
- 4.3 The DfE requires Local Authorities to consult each year on their Post 16 Transport Policy Statements, regardless of any changes, to ensure the policy provides a full picture of the available transport and support. Legislation on free school transport only applies to children until the end of Year 11. Any arrangements for travel support for 16-18 are at the discretion of each Local Authority. Some local authorities make a parental charge for travel support post 16, BHCC operates a discretionary policy to support families on a low income and for some young people with a learning or a physical disability. The [Post 16 Transport Policy Statement](#) was published in May in collaboration with the Parent and Carers Council and following a public consultation.

Service satisfaction

- 5.1 In April 2022 the Service invited all educational settings (that the Service transports to) to participate in a satisfaction survey. 30 education settings responded.

Headlines

- 100% of schools/colleges are either very or fairly satisfied with their experience of the Home to School Transport team.
- 53% of respondents felt the drivers and vehicle passenger assistants understand, and are compassionate to, the needs of the children and young people they transport. Whilst this seems a low figure only one setting disagreed, the rest answering 'don't know'.
- 62% of respondents felt that drivers follow to their schools policies/arrangements for the safe boarding/unboarding of children and young people.

Key areas for improvement

Issue	Action
Some crews need training on use of language	Operators informed and bespoke webinar planned at the school in the autumn term.
Drivers get angry at staff if children are late out of class	Operators informed and an Social Emotional Mental Health (SEMH) training module is in development, produced hopefully in collaboration with the setting.
A small minority do not understand the needs of the pupils and can make inappropriate comments about them	Operators informed and issues confirmed as historic with no live issues.

- 5.2 A rolling satisfaction survey for parents carers and young people is sent out at the end of each term. 75 parents carers/children and young people completed the last survey. Examples of feedback can be read at Appendix B. The new SEND Officer will lead the development of a child friendly satisfaction survey for 2023/4.

Headlines

- 93% are Very or Fairly satisfied with transport arrangements
- 87% are Very or Fairly satisfied that the Driver or Vehicle Passenger Assistant respond to their child's needs
- 84% are Very or Fairly satisfied with communications from the Home to School Transport team
- 80% Very or Fairly good customer satisfaction with HTST following application
- 77% found the process to apply Very or Fairly easy

Key areas for improvement

Issue	Action
Comments related to parent carers having to re-apply for travel every year& comments related to having to return pupil travel information forms each year	<p>NFA - Parents carers have not been asked to re-apply every year since 2019, they are contacted each year to ask if their child's needs have changed to ensure the travel arrangement remains suitable. Parents with children on bus passes do currently have to apply each year.</p> <p>HTST to explore a 'portal' to hold pupil information with an automated reminder to review information and update if required.</p>
Provide earlier notification once receipt of assistance has been approved	NFA - Service Standard is within 1 week of Panel decision and there have been no reported breaches.
Appeals Process seemed to discriminate against those less likely to contest a decision	NFA – Appeals Process revised in April 2022, co-produced with the Parent and Carers Council. Templated Appeal Decline Letters in place to ensure consistency of approach and with signposting to further support and Ombudsman.
References to changes of Transport Crew and little to no communication when this happens	Reminder issued to all Operators to ensure parents and carers are notified when there are any delays to pick up and collection, changes to vehicle (e.g including the color of the vehicle as this can be important for some CYP), and any changes to Transport Crew. Reminder issued to all Operators of contractual requirement for no more than 3 changes of Crew, per term and improved monitoring to ensure compliance.
Having appropriate transport in place before the start of term	<p>It is always the intention to have transport in place before the start of the term, however there are a number of unavoidable barriers to this, for e.g delays in SEND Team naming the setting/developing/updating the ECHP, delays in applications for transport, Operators not bidding on a route or handing back a route at late notice.</p> <p>HTST continues to explore all opportunities to streamline the application process and remove barriers to delayed transport starts.</p>

Monitoring Contractual Compliance

- 6.1 The Service holds termly contractor review meetings with Operators, where the contract's Key Performance Indicators (KPIs) are monitored and training compliance reviewed. There is also always an opportunity to reflect on incidents, complaints and concerns. A representative from the Parents and Carers Council attended the Spring Contract Review meetings. There was a focus on the intended 2023 pre-procurement timeline and feedback from the consultation with Operators in October 2021 (there is more information on this at 11.3). There were no reported contractual breaches.
- 6.2 All Summer contractor review meetings took place by July 2022. In these meetings officers sought assurance that Operators have completed DBS checks with their transport staff within the last 3 years, in line with our Home to School Transport Policy requirement.
- 6.3 The Service periodically makes unannounced spot checks to schools during drop off and pick up time. During these visits officers check the Transport Crew's ID, whether they are wearing their high visibility jackets, ask for confirmation that their CCTV and audio is functioning, if car seats, booster seats or harnesses are in good order, if the vehicle is clean and well ventilated, and check the timings of arrival and departure. It is an opportunity to observe the interactions between the crew and the children and young people.
- 6.4 Since March 2022 officers have undertaken eight compliance spot checks to the following schools: Carden Primary, Blatchington Mill, GB MET, The Drive Prep School, Hill Park Lower (accompanied by Licensing colleagues), BACA, Homewood, and Downs View Life Skills. The spot checks were largely positive, and officers observed crews showing an understanding and commitment to the needs of the children and young people on transport. Where minor issues did arise with Operators, those were fed back and resolved as a priority.
- 6.5 As a result of the last round of spot checks, officers have reminded Operators of the requirement to have a copy of the laminated Responsible Adult sheet on board and there will now be a check that the crew are able to recite the five step Emergency Procedure.
- 6.6 The Service has also introduced a system to notify all parents/ carers of children being transported of the outcome of the spot checks undertaken. This is to demonstrate transparency and the Council's commitment to monitoring and improving the quality and safety of the Service that we provide to children and young people.

Independent Travel Training (ITT)

- 7.1 The Members Policy Panel Final Report of November 2020 recommended that 'Supporting young people with independent travel training should be an essential consideration and resourced where appropriate'.

- 7.2 As reported to the March Committee, funding has been agreed for a one-year pilot to travel train pupils. A public consultation was carried out which ended in June 2022. Following a tendering process, local provider, Grace Eyre, has been awarded the contract. In the pilot year it is hoped up to ten pupils will be successfully travel trained. This is a voluntary initiative undertaken in consultation with parents carers. It is hoped that the training can start with the initial cohort of young people by September 2022, with referrals made throughout the pilot year.
- 7.3 Whilst the pilot year is unlikely to result in significant cost savings, as hired transport will need to continue whilst the children and young people are being travel trained (at the request of the Parent and Carers Council, supported by Members at the March Committee) and a bus pass purchased by the Service, it is hoped that the initiative will eventually become self-funding from the savings to the Service budget.
- 7.4 The Service is only able to provide travel training to children and young people who would be eligible for free home to school transport and who are assessed as being able to achieve independence whilst travelling. There is clearly a broader need to provide travel training and other forms of independent and active travel for children and young people with SEND, but this sits outside of the remit of the Service.

Personal Travel Budgets (PTBs)

- 8.1 As per the Members Policy Panel recommendation, the Service has been exploring an offer to parents to pay them a Personal Travel Budget (PTB) in place of the standard service. This is undertaken successfully in many Local Authorities.
- 8.2 A PTB is a payment that will help parents carers to make their child's home to school travel arrangements in a way that suits their personal circumstances. It is a voluntary alternative to hired transport.
- 8.3 The Service already covers the cost of driving at 52p per mile, two return journeys a day over 190 school days. 49 families currently receive a mileage payment. The Service also purchases travel passes for children and young people to use public transport.
- 8.4 Each PTB will be tailored to the needs of each family. The contents of the PTB are under deliberation by the Home to School Transport Service Governance Board (attended by Parent and Carer Council and Special School Representatives) and the Service hopes to be as creative as possible to provide a truly flexible offer.
- 8.5 A public consultation on the voluntary initiative closed in June 2022. The Service hopes to be able to offer PTB's from September 2022.

Travel planning for September 2022

- 9.1 At the time of writing the Service has made travel arrangements for the next academic year, please see Appendix C for a detailed description of the route planning and tendering processes.
- 9.2 In August 2022 three operators returned routes impacting on the travel arrangements for children and young people for September 2022.

Operator	Number of routes	Number of Children impacted	Additional cost to the Service over academic year (190 days)	Number of routes returned and re-award resulted in change of Operator (& Crew)
A	6	17	£69,990	5
B	6	29	£39,112	0
C	3	8	£14,674	1
Totals	15	54	£123,776	6

- 9.3 Operators requested financial uplifts where there were no material changes to the routes (e.g change in mileage or passenger numbers). The Service had to re-tender these routes at short notice to ensure the impacted children had travel to school for the start of term. This cost an unbudgeted strain of £123,776 to the Service budget.
- 9.4 At the time of writing there has been an 8.5% increase (47 pupils) in demand for hired transport since this time last year.
- 9.5 There are currently 120 children traveling outside of Brighton & Hove to their education setting, a 13% increase on this time last year. Plans are being developed for 70 specialist ASC placements over the next financial year through resource base provision on mainstream school sites and 2 satellites of special schools. With hopefully an additional 30 special school ASC places the next financial year.
- 9.6 Approximately 600 bus passes are expected to be issued for September 2022 in addition to the hired transport.
- 9.7 The Service has carried out an exercise to compare how the cost of routes has changed between the 2021/2022 school year and quotes provided for similar routes in August 2022 for the 2022/2023 school year. On average, the routes are 46% more expensive this year.

10. Budgetary pressures

- 10.1 Budget pressures rise each year with increases in the number of children and young people on Education and Health Care plans and becoming eligible for transport. This is the case nationally as well as in the City. The number of EHCPs in Brighton & Hove are currently at 2146. This is an increase of 293 in the last two years and double the amount since 2016.
- 10.2 The number of children requiring the more costly travel alone and solo passenger status is increasing (16% increase on this time last year). The cost of these travel arrangements is currently circa £857,705.60 an academic year.
- 10.3 Due to several factors, including reported local driver, VPA and vehicle shortages and increased fuel costs the Service is receiving fewer and more costly bids on routes. As part of a financial recovery plan exercise undertaken in June the Service reported an increase of 81% on the daily cost (from £558.50 to £1,012.00) against seven historic comparable routes. Driver/VPA, vehicle shortages and increased fuel prices are not unique to Brighton & Hove, they are being seen across the country and a DfE led country-wide benchmarking exercise is underway to ascertain the scale of the situation.
- 10.4 As per the Home to School Transport Contract, annually by October of each year Operators are entitled to put in a request for an annual price increase. The timeframe was extended this year as a good will gesture. Three of the nine operators requested price uplifts. In the contract prior to the existing contract the uplift was capped at 2%. This year a 3% uplift was approved on 25 routes, costing an additional £18k budget pressure on the Service.

Uplifts were not awarded on contracts:

- a) where the Operator had already received an uplift since the Agreed Price (the initial price they bid for a route)
- b) where children had since left the Service (e.g. moved out of education, or moved out of area)
- c) where Service benchmarking highlighted the contract receives a higher price per mile against comparable contracts
- d) that had been in operation for less than six months at 1 April.

How Operators utilised the price uplift is for them to determine, but the expectation that this was shared with their crew's was set out.

- 10.5 In May 2022 the Service made a one-off fuel payment to all nine operators in recognition of the instability and increased fuel prices.

The following methodology was applied:

- The total cost of routes for the period September 2021 to March 2022
- From the information supplied for the Covid supplier relief exercise, the average proportion of route costs relating to fuel (11.1%)
- Average fuel price at pump and taken the percentage increase from September to April (20.1%)
- And the Service applied a 50% contribution to this

This was an additional £26,193.54 cost pressure to the Service. Again, the expectation was for this to be shared with home to school transport drivers.

- 10.6 The Finance Team and Team Manager have been working on an estimate of the likely funding required in 2023/24. A High, Medium and Low estimate has been requested ranging from an overspend of £642k to £961k.
- 10.7 At a recent meeting with the DfE in attendance the DfE advised they have declared that nationally home to school transport is at significant risk of failure due to increasing demand and costs.

Re-procurement of the Service from August 2023

- 11.1 As discussed at March Committee the current Dynamic Purchasing System (DPS) comes to an end in August 2023 and the Policy & Resources Committee have approved the procurement of a DPS, (without reverse auction bidding), with routes tendered on a route-by-route basis, and for crews, where employed by the Operator, to be paid at the living wage.
- 11.2 The intention is that in October 2022 there will be a series of online open days to support Operators to apply for a place on the new DPS. Operators will be notified if they have been successful by January 2023, with routes ready to bid on from May 2023 through to July 2023.
- 11.3 In April all existing Operators were provided with an update on the intended procurement timelines and feedback on comments and suggestions solicited through consultation activities last year.
- 11.4 There has been a series of communications with all parents and carers and crews about the potential changes next year and more are planned at various points between now and August 2023. All communications have been co-produced with the Parent and Carers Council and can be read at Appendix D.

12. Community engagement and consultation

- 12.1 See Appendix A for the Parent and Carers Council's report on progress within the Home to School Transport Service.

13. Financial implications

- 14.1 The report updates on the Home to School Transport (HTST) Service which has a current budget in 2022/23 of £3.9 million.
- 14.2 In addition, one-off funding of £0.040m has been allocated to progress the Independent Travel training scheme.
- 14.3 It is important as this is a critical budget that for all developments the financial position is reviewed monthly in line with the Targeted Budget Management Timetable (TBM).

- 14.4 The reported figures at month 2 for 2022/23 show a reported overspend of £0.411m however a recovery plan of £0.099m, encouraging use of parental transport and review of single occupancy routes is being developed.

Finance officer consulted: Dave Ellis

Date consulted 26.07.22

14. Legal implications

The DPS and the routes will be procured in accordance with the Public Contracts Regulations 2015.

Name of lawyer consulted: Alice Rowland Date consulted (dd/mm/yy):
16/8/22

15. Equalities implications

- 16.1 The statutory duty on the council to provide free Home to School Transport for children and young people with complex special educational needs and disabilities (SEND) is aimed at ensuring their access to schooling is assured, especially given mobility issues and the fact that the nearest suitable school may be further than for children without SEND. In arranging transport, the council must comply with the Equalities Act of 2010 which requires that children and young people with SEND are not treated 'less favorably' than their peers and that there is no indirect discrimination against their parents and carers by requiring of them more than would reasonably be required of other parents. An Equalities Impact Assessment is available in the options appraisal.

16. Sustainability implications

- 17.1 The Education Act 2006 (as amended) places a general duty on the Council to promote the use of sustainable travel and transport. The duty applies to children and young people of compulsory school age and sixth-form age who travel to receive education or training in the Council's area.
- 17.2 The addition of up to 200 vehicles travelling twice a day at peak times across the City adds to pollution and in that context, it is important that transport providers invest in newer more environmentally sustainable vehicles, where available.
- 17.3 The Service has recently published a [Sustainable Modes of Travel Strategy 2021 to 2025](#) sustainability plan, outlining its part in helping to meet the council's target of zero carbon emissions by 2030.
- 17.4 It is also important that the best and most efficient route planning minimises the numbers of vehicles needed by using the most suitable vehicles for each shared journey.

17. Social Value and procurement implications

- 18.1 The Home to School Transport Service provides significant funding to the local economy through its contracts to the taxi and private hire trade and public Service vehicle companies.
- 18.2 The 2023 contract will require employers delivering Services on the council's behalf to pay their employees the Living Wage, and this will be monitored through the contract management process.
- 18.3 The 2023 procurement process will ask suppliers how they intend to deliver social value to support the objectives in the City Plan, and social value will form circa 10% of the tender evaluation process.

Supporting Documentation

1. Appendices

- A: Parent and Carers Council Addendum .
- B: Examples of feedback from satisfaction surveys
- C: Home to School Transport Route Planning & Tendering Processes
- D: Script for Contract Review Meetings with Operators
- E: Communications to date

