

Children, Young People & Skills Committee

Date: **12 September 2022**

Time: **4.00pm**

Venue **Council Chamber, Brighton Town Hall**

Members: **Councillors:** Clare (Chair), John (Deputy Chair), O'Quinn (Opposition Spokesperson), Brown (Group Spokesperson), Grimshaw, Hamilton, Lloyd, McNair, Meadows and Nield

Co-optees

Trevor Cristin, Simon Parr and Diana Boyd

Non-Voting Co-optees

Adam Muirhead

Contact: **Lisa.johnson@brighton-hove.gov.uk**

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AGENDA

1 PROCEDURAL BUSINESS

(a) Declaration of Substitutes: Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

(b) Declarations of Interest:

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

(c) Exclusion of Press and Public: To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

Note:

Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.

2 MINUTES

7 - 14

To consider the minutes of the meeting held on 13 June 2022

3 CHAIR'S COMMUNICATIONS

4 CALL OVER

5 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** to receive any petitions received by due date of 10 working days ahead of the meeting 26 August 2022;
- (b) **Written Questions:** to receive any questions submitted by the due

date of 12 noon on the 6 September 2022;

- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 6 September 2022.

6 ITEMS REFERRED FROM COUNCIL

No items were referred from the last meeting of Council.

7 MEMBER INVOLVEMENT

To consider the following matters raised by Councillors:

- (a) **Petitions;**
- (b) **Written Questions;**
- (c) **Letters;**
- (d) **Notices of Motion.**

8 ETHNIC MINORITY ACHIEVEMENT SERVICE (EMAS) UPDATE

Presentation from EMAS Team Leader

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Report of the Executive Director Families Children & Learning

Contact Officer: Steve Dillow Tel: 01273 291019

10 HOME TO SCHOOL TRANSPORT SERVICE PROGRESS REPORT 23 - 68

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Contact Officer: Mia Bryden Tel: 01273 29584

11 PROPOSAL TO EXPAND HILL PARK SPECIAL SCHOOL BY ESTABLISHING A SATELLITE SITE AT THE CEDAR CENTRE 69 - 114

Report of the Executive Director Families Children & Learning

Contact Officer: Carolyn Bristow Tel: 01273 291288
Ward Affected: Hollingdean & Stanmer

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13 SCHOOL OFSTED PRESENTATION 133 - 138

14 ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 20 October 2022
Council meeting for information.

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FURTHER INFORMATION

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Date of Publication - Friday, 2 September 2022

Brighton & Hove City Council
Children, Young People & Skills Committee

4.00pm 13 June 2022

Council Chamber, Hove Town Hall

Minutes

Present: Councillor Clare (Chair) John (Deputy Chair), O'Quinn (Opposition Spokesperson), Brown (Group Spokesperson), Grimshaw, Hamilton, Lloyd, McNair, Meadows and Nield

Co-optees: Ms D Boyd, Mr T Cristin, Mr A Muirhead and Mr S Parr

Part One

78 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

78.1 There were none

(b) Declarations of Interest

78.2 There were none

(c) Exclusion of Press and Public

78.3 There were no Part Two Items and so the press and public were not excluded from the meeting.

79 MINUTES

79.1 **RESOLVED:** That the minutes of the meetings held on 31 January 2022 and 7 March 2022 be agreed as correct records.

80 CHAIR'S COMMUNICATIONS

80.1 The Chair gave the following communication:

I want to start by saying well done to Natasha Watson, who is our committee lawyer. She was recently awarded the significant contribution to Local Government Award at the National Local Government Lawyers award. The comments about Natasha were deservedly gushing and I would like to add in my gushing praise too. We are incredibly lucky to have Natasha supporting our committee and I can't think of anyone who should have received this award more.

Government reviews & consultations

There are a number of important topics on the agenda today including the schools white paper (which the government kindly published on my birthday in March). Officers have already been looking at the ramifications of this but we thought it was important that councillors had a chance to have a political discussion first today.

Officers are also reviewing the SEND Green Paper which was published in March also and the Social Care review published at the end of May. We will be intending to submit a consultation to the SEND green paper and we expect the social care review will mean some changes to us as a local authority – which makes the early help review on the agenda today ever more urgent.

We know already that we offer good services and I was delighted to visit Roundabout Children's Centre last week to see the brilliant work they do last week. I would encourage all councillors to try and visit our children's centres if they can just to see what is on offer.

Corporate Parenting Board

I am pleased following a decision at Policy & Resources committee in May that the Corporate Parenting Board will now report to this committee rather than P&R. I would encourage all councillors to attend these meetings whether they are on CYPS or not – they are not only expertly co-chaired by young people but they are also a real insight into the challenges that our children in care and care leavers face.

As my colleague Cllr Zoe John announced at the meeting last week, we are hoping to find a new name for the board – so please do let us know if you have any suggestions.

The next meeting will be held in September, which I sadly can't attend as I will be on my honeymoon. But I do hope to hear from those who have attended about what happened at the meeting.

Environmental Education

Councillors will remember that this committee has previously discussed the importance of environmental education. That's why I'm really pleased that more than 50 school leaders recently attended a sustainability event organised by Brighton & Hove environmental education (BHee).

The day-long 'Our City, Our World' conference was held at Varndean School and brought together headteachers, governors, and sustainability leads from local schools across Brighton & Hove.

Coming together gave us an important opportunity to discuss pressing topics for schools such as climate literacy and leadership for sustainability.

As ever, I'm really impressed by the work that goes on in education settings in the city on the climate crisis. I want to pay particular thanks to the 10 schools currently engaging in our pilot project which councillors will receive more information on at a future meeting of this committee.

Pupil admission numbers

I thought it was worth updating that there will be two meetings held in the coming weeks which councillors on the School Organisation Working Group are invited to. One for primary phase and one for secondary phase schools, to discuss the ongoing challenges we have with pupil admission numbers.

These events will give councillors the chance to hear from heads directly and I hope to see you there.

Power of Youth

Finally, last week we celebrated power of youth day and I just wanted to reiterate how much I value the contribution of young people in decision making. Since the last meeting, I was pleased to attend a 'Youth Manifesto' event at BYC, where I encouraged young people to get in touch with councillors of all colour rosettes to let them know what matters to them.

In a few weeks time, we will be hosting Youthwise at BMECP centre and I hope to see some councillors this event too to hear directly from our city's young people.

81 CALL OVER

81.1 All items were reserved for discussion.

82 PUBLIC INVOLVEMENT

82.1 There were no Petitions, Written Questions or Deputations.

83 MEMBER INVOLVEMENT

83.1 There were no Petitions, Written Questions or Letters but there were two Notices of Motion.

83.2 The first Notice of Motion was 'Make Your Mark' which had been referred from Council held on 7 April 2022.

83.3 **RESOLVED:** That the Committee agreed to undertake the actions as set out in that Notice of Motion.

83.4 The second Notice of Motion was 'White Paper and Academisation'. Councillor Nield proposed the Notice of Motion as set out in the agenda. Councillor John formally seconded.

83.5 Councillor Brown said that whilst the Conservative Group agreed with learning more about the intentions of the White Paper and the possibility of local authorities setting up their own academy trusts, it did not agree with the rhetoric in the Notice of Motion and would therefore abstain on the vote.

83.6 Councillor O'Quinn confirmed that the Labour Group would support the Notice of Motion.

83.7 **RESOLVED:** That the Committee agreed to undertake the actions as set out in the Notice of Motion.

84 PRESENTATION - YOUNG PEOPLE AT RISK OF EXPLOITATION

84.1 The Head of Service (Adolescents and YOS), Exploitation Coordinator and Team Manager, Adolescent Services who provided a presentation on Young People at Risk of Exploitation.

84.2 The presentation provided an overview of child exploitation in the city and the wider Sussex area.

84.3 Cllr Lloyd noted that work was being done with the police to ensure youths did not get criminal records and asked if there had been much success with that. Officers advised that it was a work in progress, but it was proving to be successful. The Council had a good relationship with the police which helped. It was important to look at what had triggered the behaviour and why it was felt that the young people were vulnerable.

84.4 Cllr Lloyd asked if using children as 'runners' was a recent thing. Officers said that children had been involved for many years, but there had been a change of language used, and it appeared that this activity was much more organised than it had been previously.

84.5 Cllr O'Quinn agreed that it was important not to criminalise young people, and asked what happened with those who were not identified as being vulnerable? Officers advised that they worked with all the children not just their families. Sometimes the young people get involved in the distribution of drugs thinking it was a good thing to do and they can make money, but staff were there to support them when they realised that what they were doing was wrong.

84.6 Cllr Grimshaw asked where parents should go if they felt that their children were being exploited. Officers advised that 'Front Door for Families', which was on the Council's website, should be the first point on contact and could be accessed via the following link: <https://www.brighton-hove.gov.uk/frontdoorforfamilies>. Cllr Grimshaw suggested that information be publicised, maybe on bus stops etc. Officers said that was something they would look into.

84.7 Ms Boyd asked how the officers were working with other teams to ensure that there was a solid understanding of those with neurodiversity, and those with speech and language issues, and what training were staff receiving and was there preventative work with schools around exclusions and keeping children in schools to keep them safe. Officers there was an Adolescent Service and they had education workers who worked alongside professional to put together the best package to support young people. Speech and language was important and some young people had undiagnosed issues, particularly those who had missed some of their education, and that could impact on their behaviour. There was funding available for speech and language therapists but there was currently a national shortage and the council had not been able to recruit to those posts. With regard to preventative steps, staff did link in with the Early Help Strategy and worked closely with colleagues in the voluntary sector and offered consultancy and guidance where appropriate.

84.8 **RESOLVED:** That the Committee noted the presentation.

85 PROPOSAL TO EXPAND HILL PARK SPECIAL SCHOOL BY ESTABLISHING A SATELLITE SITE AT THE CEDAR CENTRE

85.1 The Committee considered the report of the Executive Director Families Children & Learning regarding the review of Special Educations Needs and Disability in the city with focus on the proposal to expand Hill Park Special School and the establishment of a satellite site at the former Cedar Centre. The report was introduced by the Assistant Director, Health, SEN and Disabilities and Ms Burstow the Head Teacher of Hill Park School.

85.2 Cllr O'Quinn asked if there was a way of expanding the provision further if needed, what the previous intended project was and how that money was going to be spent. Officers advised that they had been looking carefully at possible future demand and said that the expansion was only part of what they were doing and there were also a number of places that officers were looking to develop for neurodiverse children in the city. The funding had been allocated when Homewood School was going to be relocated to the Cedar Centre, but as the school was now an academy a report had gone to Policy & Resources Committee about the change of funding.

85.3 Cllr Brown said that there had been a large increase in children diagnosed with Autism, and the Conservative Group fully supported the proposals.

85.4 Cllr Hamilton noted that there would be a Year 12 and asked if there would be a Year 13 to allow for full Sixth Form provision. Officers said that staff were currently focusing on Primary and Secondary provision but would be reviewing the need for post 16 and post 19 provision.

85.5 Cllr Nield noted that the Head Teacher of Hill Park School said that they were trying to make the setting unlike a school environment and asked in what way. Officers said it would have small informal areas, seating areas, café, allotment, corridors would be wider and there would be fewer children so it would be more informal than a mainstream school.

85.6 Cllr Nield noted that a Local Authority was required to demonstrate that the new provision was genuinely a change to an existing school and asked for more information on the integration of the two sites. Officers advised that there would be integration between the two sites and students at Hill Park students would use some of the facilities such as a hairdresser, café, pond, allotments etc

85.7 Cllr Grimshaw asked if the number of pupils attending would impact on home to school travel budget. Officers advised that was being discussed at the next governance board, and would depend on each child's needs and staff were currently piloting a scheme on individual travel.

85.8 Cllr Grimshaw asked if there would be the possibility of weekend provision. Officers advised that there would be a flat to learn life skills and it was possible that that could be used.

85.9 **RESOLVED:** That the Committee –

- (i) Noted the outcome of the recent consultation to expand Hill Park School by establishing a satellite site at the former Cedar Centre for autistic children and young people who have anxiety and mental health issues but not a learning disability attached at Appendix 1;
- (ii) Agreed that the Local Authority should now proceed to publish Statutory Notices to progress this proposal.

86 YOUTH INVESTMENT FUND UPDATE

86.1 The Committee considered the report of the Executive Director Families Children & Learning which provided an update of the Youth Investment Fund and the revised proposal to bid for funding in partnership with the Brighton Youth Centre and neighbourhood, commissioned youth providers in the east, west and north of the city. The report was introduced by the Integrated Team for Families Manager.

86.2 Cllr Brown was concerned that the Brighton Youth Centre (BYC) would have precedence for any funding, and asked for assurance that if only a proportion of the funding requested was available that some would still go the neighbourhood providers. Officers said that BYC did need a lot of financial support to get it into a reasonable state, and it was not known if the bid would just be for one building or an option to support other buildings. Discussions on this would be held shortly.

86.3 Ms Boyd said that it was important to include activities for disabled young people and asked if that would be done. Officers said that all providers needed to look at their inclusion policies and that would be monitored.

86.4 Cllr Hamilton said that it could take young people who lived in Portslade up to an hour by bus to get to the BYC and so asked officers to look at buildings the Council may have across the city which could also be used. Officers said that there was a potential New Homes for Neighbourhoods project in Portslade which would see the development of a new community space.

86.5 Cllr Grimshaw asked if it would be possible to look at providing respite provision at the BYC. Officers said it would depend on funding, and if we could get match funding from private donations it could be looked into.

86.6 **RESOLVED:** That the Committee –

- (i) Noted the imminent launch of the Department of Culture, Media, and Sports (DCMS) Phase 2 of the Youth Investment Fund;

- (ii) Agreed to the Council forming a partnership with BYC and neighbourhood, commissioned youth providers in the East, West, and North of the city, to consult and agree a submission to bid for Phase 2 YIF funding.

87 EARLY HELP TRANSFORMATION AND DEVELOPMENT OF 'A FAIRER BRIGHTON & HOVE', A FRAMEWORK TO SUPPORT THOSE AT RISK OF DISADVANTAGE

- 87.1 The Committee considered the report of the Executive Director Families Children & Learning which provided an update on the City's Early Help Review, provided a suggested model of delivery of Family Hubs for the City and launch of 'A Fairer Brighton & Hove', which was a framework to support those at risk of disadvantage. The report was introduced by the Head of Service Early Years & Early help Strategy and the Service Manager - Directorate Policy & Business Support.
- 87.2 Cllr O'Quinn asked if there were any councillors were on the Early Help Partnership Board. Officers confirmed that there weren't.
- 87.3 Cllr Nield referred to Tell Us Once and was concerned that people would only had one opportunity to provide the correct information. Officers said the information provided would be an evolving document and so could be changed.

87.4 RESOLVED: That the Committee –

- (i) Agreed the 'A Fairer Brighton & Hove' Framework proposed in Appendix 1;
- (ii) Agreed to the principles for Early Help transformation set out in this report, and that these principles should inform the further development of a Family Hub model

88 SACRE ANNUAL REPORT

- 88.1 The Committee considered the report of the Executive Director Families Children & Learning which which outlined the work of SACRE from September 2021 – March 2022.
- 88.2 Councillor McNair noted that there had been a low response rate from schools to the survey on collective workshop and asked what support SACRE could provide to increase that. The Senior Advisor - Education Partnerships said that the low response rate could be due to the pressure schools were currently under after the pandemic, but things were now improving and hoped that the response rates going forward would improve.
- 88.3 Councillor Grimshaw noted that only six school had responded to the survey and asked which ones had not. The Senior Advisor - Education Partnerships said they didn't have that information with them and would provide it after the meeting.
- 88.4 **RESOLVED:** That the Committee –
- (i) Noted the SACRE report;
 - (ii) Continued to support the profile of the teaching of RE in Brighton & Hove schools through cross party attendance at the meetings.

89 SCHOOL OFSTED PRESENTATION

89.1 The Head of Education Standards & Achievements and the Head of Service, Early Years provided an update on the latest Ofsted inspections for schools in the city.

89.2 Cllr Hamilton said that both Brackenbury Primary and St Peter's Community Primary were schools within his Ward. Both schools now only had one form of entry and both had spare places. This had reduced the school's income which may have impacted on the Ofsted ratings.

89.3 RESOLVED: That the Committee noted the report

90 ITEMS REFERRED FOR COUNCIL

90.1 No items were referred to the next meeting of Council.

The meeting concluded at 6.50pm

Signed

Chair

Dated this

day of

Brighton & Hove City Council

Children Young People & Skills Committee

Agenda Item 8

Subject: Foster Care Placements

Date of meeting: 12 September 2022

Report of: Executive Director Families, Children & Learning

Contact Officer: Name: Steve Dillow
Tel: 07395 282757
Email: steve.dillow@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 This report seeks approval for the procurement of a hybrid framework agreement (as defined in paragraph 3.9) and the award of the hybrid framework agreement and individual placement agreements, for foster care placements in the independent sector.

1.2 Children Young People & Skills Committee has the appropriate authority to agree to the recommendations. Further authorisation from Policy & Resources Committee is not required as the cost of the proposed services fall within the agreed directorate budgets.

2. Recommendations

2.1 That the Children Young People & Skills Committee grants delegated authority to the Executive Director of Families, Children & Learning to:

- (i) take all necessary steps to procure and award a hybrid framework agreement jointly with East Sussex County Council (ESCC), but led by ESCC, for the provision of foster care placements in the independent sector for an initial term of four (4) years commencing on 1 April 2023 with an option to extend for up to a further two (2) years and providing for the re-opening of the agreement to new applications on the second and fourth anniversary of the term commencement i.e. on 1 April 2025 and 1 April 2027, and
- (ii) procure and award call off contracts and individual placement agreements from the hybrid framework agreement outlined at 2.1(i) above.

3. Context and background information

Summary of the current service provision

- 3.1 Legislation requires local authorities to secure sufficient accommodation for Looked After Children (LAC), that meets their needs, and is within the local area wherever this is reasonably practicable. The Council acts as the corporate parent for LAC and has strong controls for safeguarding to manage the welfare of vulnerable children.
- 3.2 The current number of foster care placements in the independent sector and those directly controlled by the Council are shown below:

Figures at March 2022: (excluding children's disability placements)

Independent Sector Placements		Council Placements	
Independent Fostering Agencies	66	In-house Foster Care	155

- 3.3 There continues to be a need to make foster care placements in the independent sector and a compliant means of procuring these services is required.
- 3.4 The Council's budgets for 2022-23 for external foster care placements with Independent Fostering Agencies, including disability placements, total £3.217m.

Current procurement arrangements

- 3.5 The Council has a joint framework agreement with ESCC for the provision of independent foster care placements which commenced on 1 April 2017 and expires on 31 March 2023. This is a hybrid framework agreement and re-opened for new applications after two years in 2019 and then again after four years in 2021. The Council is not currently charged by ESCC for access to the framework (i.e. for procurement, legal support or contract management), but the Council does provide some resource from our Children's Placements Team to support the tender design and evaluation of providers.
- 3.6 The Council is also a named contracting authority on the West Sussex County Council (WSCC) Dynamic Purchasing System for social care placements and on the Southampton City Council framework for foster care placements. The latter is a consortium of 16 local authorities and the framework can only be accessed by signing a Partnership Agreement and paying appropriate access and contract management costs.

Department for Education (DfE) Innovation Programme

- 3.7 WSCC received project funding from the DfE Innovation Programme in 2015-16. The project, which the Council participated in, included developing a new Outcomes Framework for social care placements.

- 3.8 The Outcomes Framework was developed by the New Economic Foundation (NEF) and drafted through co-production with local authorities, providers, parent/carer representatives and Children in Care Council representatives. This Outcomes Framework sets out outcomes for children/young people in care and is now used by a number of local authorities across the country, including the Council.

Tender process for new hybrid framework agreement

- 3.9 In order to comply with the Public Contracts Regulations 2015 and the Council's internal Contract Standing Orders, a formal tendering process must take place to procure the new hybrid framework agreement. In this report 'hybrid framework agreement' is used to describe an agreement between one or more contracting authorities and one or more economic operators which has been procured under the Light Touch Regime of the Public Contracts Regulations 2015, the purpose of which is to establish the terms governing contracts to be awarded during a given period. This is similar to a framework agreement under the Public Contracts Regulations 2015 but would reopen for new applications on its second and fourth anniversary and have an optional extension period of two further years.
- 3.10 Using a hybrid framework agreement has a number of benefits as the Council has the ability to 'call-off' contracts at short notice without the need to undertake a time-consuming comprehensive contract award process, which therefore reduces administrative effort and costs. Using a hybrid framework also takes advantage of the Light Touch Regime under the Public Contracts Regulations 2015 so that the term length can be varied and that there can be multiple opening periods during the life of the hybrid framework. Hybrid frameworks are currently used successfully by the Council for foster care, residential child care and supported accommodation for young people placements.
- 3.11 In order to meet the deadline for contract commencement on the cessation of the current hybrid framework agreement, a procurement timetable has been drawn up. A comprehensive specification is being drafted to accompany the Invitation to Tender. This will be based on the National Contract, which is a set of default standard terms used by providers and local authorities, and varied according to local need, including using the NEF Outcomes Framework and adding requirements on sustainability and social value.

Risk

- 3.12 The Competition and Markets Authority (CMA) undertook a study into the Children's Social Care market in 2021 and outlined concerns in relation to placement availability and price and with provider profit and risk. There has been a consolidation of providers in the foster care market with private equity playing an increasingly significant role.

3.13 Inflation is high and is expected to remain high for some time to come. This, along with the control of pricing over the last six years of the current ESCC foster care framework, is likely to lead to pressures on pricing when the services are re-tendered.

4. National Care Review

4.1 The Independent Review of Children's Social Care by Josh MacAlister was published in May 2022. The review includes a recommendation to establish of up to 20 Regional Care Cooperatives, owned and managed by local authorities, which would be responsible for the commissioning and management of all children's placements.

4.2 It is not clear at this stage whether this recommendation will be taken forward, and if so, in what timescale. However, most local authorities are already part of joint commissioning arrangements for procuring children's social care placements but retain their own brokerage (placement finding) teams.

5. Analysis and consideration of alternative options

5.1 An alternative to a regional framework would be for the Council to procure these services on its own. Tendering as a sole local authority reduces the potential for sharing costs and exercising leverage and influence in the provider market.

5.2 The Institute of Public Care (IPC), Oxford Brookes University published a research report in July 2015 titled 'The efficacy and sustainability of consortia commissioning of looked after children's services'. This included a recommendation to promote continuing development and greater effectiveness of consortia commissioning.

5.3 Joining a local authority partnership outside of the Southeast region would not likely achieve the same level of benefits as the contract management and quality assurance function would not operate as efficiently. Many Independent Fostering Agencies are regionally based with different Ofsted registrations for different regions.

5.4 Managing demand for LAC placements has the greatest impact on value for money but this needs to be managed safely through care planning. Early Help interventions and planned step-down arrangements contribute to these plans.

5.5 Increasing the proportion of in-house foster care placements will lead to better value for money. Good progress has been made on this and strategies are in place to further increase the number of In-house foster carers.

6. Community engagement and consultation

- 6.1 The Outcomes Framework was developed through co-production as outlined in 3.8 above.

7. Conclusion

- 7.1 It is necessary to re-tender these services as the current hybrid framework agreement with ESCC for foster care placements will expire on 31 March 2023. In order to benefit from collaborative working with regional partners, and to build in sufficient time to carry out a fair and transparent procurement process, the process must commence as soon as possible.
- 7.2 Regional joint commissioning and procurement is considered to provide the best placement choice and value for money for these services. This is further supported by WSCC asking to be named as a contracting authority on the hybrid framework.

8. Financial implications

- 8.1 The award of a hybrid framework itself has no financial value. However the total current value of the contracts that would be called off by the Council under a hybrid framework is approximately £3.100 million per year.
- 8.2 It is important throughout the procurement process that the Council achieves value for money as well as having secure arrangements in place for those children requiring placements. A sound, robust purchasing and contract management system would enable the Council to pro-actively manage the market and ensure best value for money is achieved.

Name of finance officer consulted: David Ellis Date consulted: 26/7/22

9. Legal implications

- 9.1 The Council must comply with the Public Contracts Regulations 2015 in relation to the procurement and award of contracts above the relevant financial threshold. The services outlined in this report fall within Schedule 3 of the Public Contracts Regulations 2015 and exceed the relevant financial threshold for light touch regime services (£663,540 inclusive of VAT). The procurement process for the light touch regime is not unduly prescribed but must accord with the fundamental principles of transparency and equal treatment of economic operators.
- 9.2 The contract must comply with the Council's Social Care Services, Public Health Services and Other Light Touch Regime Services and in order to comply with Contract Standing Order 3.1, authority to enter into agreements in excess of £500,000 must be obtained from the relevant Committee.

Name of lawyer consulted: Sara Zadeh Date consulted: 5/8/22

10. Equalities implications

- 10.1 ESCC is conducting an Equality Impact Assessment on behalf of both Councils however there is no change to either policy or budget in relation to this commissioning.
- 10.2 The Council has a responsibility to promote access to appropriate educational provision for all in accordance with legislation including the Equality Act 2010.

11. Sustainability implications

- 11.1 Subject to placement availability, placements for Looked After Children will be made as closely to networks of family and friends and the child/young person's current school, where this is safe to do so, and in the child/young person's best interests.
- 11.2 A question on providers' sustainability policies and initiatives will be included in the Selection Questionnaire as part of the tender. A key performance indicator in the contract will monitor performance against providers' stated actions on an annual basis.

12. Other Implications

Social Value and procurement implications

- 12.1 The Public Services (Social Value) Act 2012 requires that public bodies tendering for services above the threshold to consider how what is proposed to be procured might improve the economic, social and environmental well-being of the relevant area. Social Value will form part of the tender evaluation process in accordance with council policy.
- 12.2 To reflect the importance of Social Value, on a proportionate and practicable basis, all providers will be required to submit a response to a Social Value Method Statement Question.
- 12.3 A key performance indicator in the contract will monitor performance against providers' stated actions on an annual basis. The Social Value Method Statement Question will be evaluated on a PASS / FAIL basis. Any bidder that obtains a FAIL for their response to the Social Value Method Statement Question will receive a FAIL for their tender and will not be approved for entry onto the Foster Care Placements hybrid framework (Approved List).

Crime & disorder implications:

- 12.4 The Outcomes Framework has a number of measures under basic needs (safety and health), functioning (control, relationships and achievement), personal resources (resilience, self-esteem and emotional intelligence) and preparation for adulthood (participation, independence, inclusion and wellbeing) that contribute to the prevention of crime and disorder.

Public health implications:

- 12.5 Improving health and wellbeing are two of the key objectives within the Outcomes Framework.

Supporting Documentation

1. Background documents

CMA) study into the Children's Social Care Market report. The final report published in March 2022 can be found at: [Children's social care market study final report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/111444/childrens-social-care-market-study-final-report-2022.pdf).

'The Independent Review of Children's Social Care' by Josh Macalister was published in May 2022 and can be found at: [Final Report - The Independent Review of Children's Social Care \(childrensocialcare.independent-review.uk\)](https://childrensocialcare.independent-review.uk/)

Institute of Public Care (IPC), Oxford Brookes University 'The efficacy and sustainability of consortia commissioning of looked after children's services' Research report July 2015. The published report can be found at: [The Efficacy and Sustainability of Consortia... | IPC Brookes](#).

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

Contact Officer: Mia Bryden

Mia.bryden@brighton-hove.gov.uk

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



PaCC Home to School Transport Progress Report for Children, Young People, Education & Skills Committee Meeting 29th September 2022

Date: 23rd August 2022

Please note the date of this Report, which is prior to the commencement of the September service. We will add a verbal update at the meeting, to highlight any specific aspects of the September service, should it be needed.

Team Update

We are pleased to see the team evolving, especially the addition of the Contract and Service Development manager, at this critical time of transition into the 2023 Procurement system. We thank the current Administrator for their dedication and wish them well in their new role. We look forward to working with new members of the team as they come on board and note that incoming staff have recent and extensive SEND skill sets, further adding to the team's existing collective strength. 'Lived Experience' will always be of value for this person-centred service.

Policies and Processes

While we await the statutory guidance update, we have supported the HTST team to introduce the Sustainable Modes of Travel Strategy. We recognise that our Service may, to the untrained eye, look 'vehicle heavy' however this service needs to run within key overarching children and young people wellbeing guidelines, including the 45/75 min max time on board principles (primary age/secondary age children).

A blend of vehicle types and sizes will continue to be needed, moving forward, in order to continue to meet the needs of the young people as they move toward adulthood, and in line with their own changing needs and our expanding numbers. There will continue to be young people who need to travel by themselves for reasons of safety and to ensure their school or

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college attendance and PaCC is pleased to see greater clarity around the decision making for these specific cases.

There may be conflict of interest between Policies, for example if the introduction of Personal Travel Budgets leads to more vehicles being on the road overall, this might not sit so well within the Sustainable Travel Strategy, however this could be offset overall against the introduction of the Independent Travel Training Policy - with the ambition of supporting some students to become independent travellers using public transport safely and confidently.

When assessing the Service overall, it is important to keep in mind the very individual needs of the children and young people and recognise that safety and wellbeing led decisions may not always offer the most sustainable option. At the same time, as PaCC, we represent children and young people whose health issues may be made worse by environmental pollution, so we recognise the importance of the new Policy and the broad direction of travel toward improved Sustainability.

Post 16 Transport

PaCC supports the current Post 16 Transport arrangements, following the public consultation, with the new addition of Independent Travel Training which is much anticipated by some of our community who recognise that their young people are 'ready' for this.

Post 19 Transport

There is confusion within the Parent Carer community about the mechanisms around Post 19 Transport provision. The Transport Guidance discriminates between students who are on courses which started before their 19th birthday (they fall within the 16-18 Sixth Form age and thus under the HTST Policy) and Adult Learners starting new courses after their 19th birthday - 'Post 19'. The decision making around eligibility and subsequent communications for this latter cohort (and in some instances, a daily charge for transport) is held *outside of the Home to School Transport Service* and from a students/families perspective is sitting awkwardly between the SEN Team and the Specialist Community Disability Service (SCDS), but it is Home to School Transport who organise and deliver the Transport.

The Jan 2019 Statutory Guidance for Local Authorities for 'Post 16 Transport and Travel Support to Education and Training' states that a 19-25 Transport Policy for Adult Learners with EHCPs should be published by Local Authorities as part of the overall Post-16 Policy and where Transport is

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assessed as *needed* in order for the Adult Learner (with an EHCP) to be able to get to their further education setting, should be provided *free of charge*.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772913/Post16_transport_guidance.pdf

There is currently no Post-19 Policy or information regarding eligibility, charging criteria or mechanism for Appeal, publicly available to families on the Council's website. Without a clear and transparent Policy, we are unclear whether the Post19 decisions being made are compliant within the specific guidance of 508F of the Transport Guidance.

PaCC have requested an urgent meeting with SEN & SCDS Representatives and asked them to meet with us (PaCC & HTST Co-Production) to examine the current Post-19 mechanisms in light of receiving queries and concerns from some families in the city. We would like to work together to create a transparent Policy and ideally a single point of contact for families to make the process clearer, easier and fairer. We expect to have a working group underway to address these concerns by the time the CYPE&S Committee convenes, and are looking for an effective resolution with a clear leadership, ownership and implementation of a published Post 19 Transport Policy.

Service Satisfaction

Schools/Colleges Feedback

30 settings responded out of a total 75 settings that are currently serviced by HTST.

We would like to see a greater return rate on this important survey, but recognise the unprecedented pressure on schools leaders, so our request for feedback would not have been top priority. This is an important exercise and one that not all HTST services would take the time to conduct. As such, some out of city settings may not be used to being canvassed. The objectives of building closer relationships across all settings is to ensure that arrangements are safe for all, the 'meet and greet/send off' experience for passengers is consistently positive, and the working relationship between crews and staff is of a good and courteous standard. This is especially important for the provisions that are beyond our city borders.

Parents & Carers Feedback

We are pleased overall with the maintained high standards, and will support the HTST Team to look at the process with the aim of raising the 77% 'very/fairly easy to apply for transport' result.

We would welcome an easy way to prompt families to update information periodically to reflect children & young people's development and support needs. This could also potentially be a capture mechanism for expression of interest in ITT so that the service can forward plan.

We are satisfied that the Appeals process is now clearer, more accessible and more equitable.

Students Feedback

We welcome the addition of a survey that children and young people can complete. Their views, together with Parents & Carers should always be front and centre.

Monitoring Contractual Compliance

We welcomed the opportunity to attend the Contract Reviews and introduce PaCC to Operators who may not be familiar with our role in the city and our co-production work. The communication to parents and carers following a spot check is indeed a good example of service standards and transparency in action.

Independent Travel Training (ITT)

We look forward to the launch of the pilot ITT programme, and have confidence in Grace Eyre, having seen their sterling work with young adults in our city, including familiar faces that we know personally. We hope it will be successful and the beginning of a bigger rolling ITT scheme. We are aware that there will be families who feel frustrated to be missing out on this pilot, or indeed the missed opportunity if their young people have just moved out of the service. And we acknowledge that there is a potentially broader Equalities issue for young people with SEND who aren't eligible for HTST/the ITT Pilot, but who are disadvantaged in terms of their independence and transition to adulthood, by not being able to access any ITT elsewhere. We would encourage the Committee to consider flagging and redirecting this to colleagues in ET&S, and the EDI Officers, as a missing part of the broader

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Active Travel initiatives and pipeline Accessible City Strategy, with respect to young people with SEND specifically.

Personal Travel Budgets (PTBs)

We are excited to see this addition to the HTST Service and that the mileage payments are pegged to the council's private mileage rate, especially with respect to rising fuel prices. Conversations to date have been open minded and pragmatic, and we hope the final Policy will offer families the freedom to create bespoke solutions that can work for their whole family needs. We will monitor the uptake/conversion rates and feedback from families, at our regular co-production and governance meetings.

Travel Planning for September 2022

The period from May to September is the most challenging time of the HTST year, when routing takes place, while waiting for inevitable 'late entries' due to finalised EHCPs, tribunals, and appeals, which can all have a knock on effect on the scheduling of what amounts to around 206 daily routes.

We are concerned about the potential impact on students and their families when an operator returns routes at this late stage. Students and their families can feel highly stressed if they don't know the detail of their travel arrangements, when trying to prepare themselves as well as manage sibling and work commitments. There is an agreed time for uplift applications (October), so that these financial discussions can be held in a way that is considered, and minimises disruption, so it is frustrating when uplift requests come in just at the time when changes would have the most detrimental impact on passengers as well as potentially having an impact on the Crews who are expecting to work on a particular route. This potentially exacerbates our VPA retainment which could destabilise the service standards.

At the same time, PaCC fully acknowledges that these are unprecedented times with rising pressures on households and businesses from the costs of fuel and utilities, which is also driving these requests for uplifts. This is a national issue.

Budgetary Pressures

PaCC does not hold budgetary responsibility as part of the co-production agreement. However, we are invited to comment from a community perspective, and were in strong support of the May fuel payment to all existing operators.

We monitor the national picture through our Parent Carer Forum associates regionally and nationally and note the detrimental impact of HTST service failure on children and young people and their families which has been evidenced in several local authorities. This is typically due to cost cutting initiatives drowning out the recognition of the very bespoke needs of the children and young people cared for by the HTST service.

It is imperative that the Financial Directorate in Brighton and Hove understand the vulnerabilities and the rights of the children and young people that this service transports and recognises that their entitlement to education (and arriving stress free) is protected by Law. The forecasts for 2023 and beyond, must recognise the triad of pressures arising from the increase in passenger numbers (related to an increase in the number of Education, Health and Care Plans in the city), the cost-of-living pressures facing our service delivery partners (the operators and their drivers and VPA Crews), and in particular the cohort of passengers with very bespoke needs who need 'travel alone' status &/or who go to educational settings outside of Brighton & Hove which necessitates more expensive/solo runs. The Budget must be able to embrace the diversity of requirements of this statutory service.

We have historically raised the notion of a contingency budget with Officers via Governance Meetings, as a potential means of ringfencing additional funds, to ensure that the service standards can be maintained through these volatile times but are reassured that this is a statutory service and as such will be funded, even if that means going over budget. However, PaCC would prefer to see the HTST being set at a realistic level that recognises the volatility and bespoke requirements of this Service, so that the Officers can work within a fit-for-purpose budget, rather than continually justifying 'overspend' against a lesser budget that cannot stretch. PaCC do not want to see any compromise on the service standards which the Service has worked so hard to raise, since 2019, and these must be maintained at their current good levels.

Re-procurement of the Service from August 2023

We thank the HTST Team and Comms Support for introducing the upcoming changes to service in an up front and transparent way. This communication will increase and become more salient once we are past the current September start, and inevitably there will be a heightened level of anxiety when the full retendering process starts. Many families will feel very worried at the prospect that their Crew and arrangements could be changed. We recognise that this will be an unavoidably challenging time for some, and we will offer our full support to families and to the HTST Team as we navigate through this initial changeover. We hope that once all routes are allocated for September 2023, a 'new normal' will then run for the 4 years, hopefully with only minimal and necessary changes (much as it is now).

Community Engagement

We suggested that HTST could begin a direct line of communication with Crews, and were pleased to see the end of term communication go out to thank them for their work over the year, and importantly, to keep them informed of the evolution of the Service, as they are the 'face' of our service to families and we know from experience that it is best when all parties are up to speed, with the same information. This will be important, moving forward.

As our ITT programme picks up, as well as our PTBs, there may be more young people with SEND travelling independently or with Travel Buddies on our city's public transport. It may be useful to consider some broad 'kindness & tolerance' messages as part of the City's ongoing Active Travel and public transport communications.

As this paper demonstrates, PaCC continues to work closely with BHCC officers and delivery partners on the co-production of the HTST service which is to be celebrated and recognised as a good practice example which other services could learn from. Also, parent carer representatives regularly attend and participate in HTST Panel meetings, ensuring there is a parent carer perspective in decision-making processes.

Financial Implications

No further comment

Parent Carers' Council (PaCC), Community Base, 113 Queens Road, Brighton BN1 3XG
• Tel: 01273 234 862 • email: admin@paccbrighton.org.uk • www.paccbrighton.org.uk

Equalities Implications

We suggest the broader access to ITT schemes for all students with SEND, is raised by this Committee with ET&S Colleagues and EDI Officers.

Sustainability Implications

As mentioned under the Policies and Procedures section, we support the application of Sustainability Principles but these must be secondary to the statutory entitlements of children and young people with SEND to receive safe and stress free HTST.

Social Value and Procurement Implications

We fully support the monitoring of Living Wage payments and as an organisation representing the voices of Parent Carers, Social Value is an essential quality that we agree should be a factor when evaluating bids.

Report Completed by Pippa Hodge PaCC Rep for HTST

18th August 2022

PaCC welcome any communication on any of the issues contained in this document. You can contact us by emailing Diana Boyd, PaCC Chair diana@paccbrighton.org.uk or calling **01273 234862**

The Parent Carers' Council (PaCC) is a parent-led forum which represents parent carers with children and young people with any kind of physical disability, learning disability, complex or long-term medical/health condition, mental health issue or special educational need. The group was formed to enable parent carers to work closely together to help improve services and support. It aims to help parents get more directly involved in the strategic delivery of services for disabled children in Brighton & Hove and now has over 525 signed up members.

Parent Carers' Council (PaCC), Community Base, 113 Queens Road, Brighton BN1 3XG
• Tel: 01273 234 862 • email: admin@paccbrighton.org.uk • www.paccbrighton.org.uk

Appendix B. Examples of feedback from parent and carers satisfaction survey

- *HTST are super reactive. They have the expertise, know our children & YP, know their needs/dislikes/likes and are very receptive to any requests made. This link is so important in creating and matching the transport service with our YP and is key to it being successful. I prefer to deal directly with HTST rather than the operators because they know my YP's needs, they know me & my family & we are understood when we make contact. Since the previous transport fiasco I don't want to deal with transport operators. I want continuity and understanding.*
- *I like my driver and VPA. I feel safe and happy knowing they will come when I expect them and they are kind. I like the way my VPA talks about things that interest me.*
- *My grandson loves his experience in the taxi, he gets on really well with the drivers. My grandson has grown with this experience, and it has learnt him to trust and go to school happy and to be a little bit more independent.*
- *My young man don't talk but is always smiling at everyone in the bus and gets excited when he hears it coming.*
- *We could not ask for a better team. They know him extremely well in a way where they can communicate with him effectively, manage any challenging behavior and help him when he is upset. They can understand the limited language he does have and ask me when he has a new word they don't understand. They are cheerful every day they arrive no matter what has happened and communicate with me to help the transport run smoothly*
- *Brilliant service, lovely drivers. My son goes to school very happy. His autism means that transitions are often difficult. The drivers always make a lot of effort to keep him calm. It helps the whole family, especially in the morning. The impact of this is my younger daughters have an easier time going to their local school. The impact of this kindness is a game changer for the whole family. I can't thank this service enough.*
- *Our taxi driver supports our daughter very well and she feels confident and safe going with her. She is only anxious if a different taxi driver is required for holiday cover etc.. but she does get used to it.*
- *From a driver: This was made for me today by X, a new school run that I have been doing. He said to his teachers that I'm the best Taxi driver he's ever had, and asked them if he could make me something for Easter as he is breaking up from school today and they said he could . I thought it was pretty awesome, and this is why I love taking children to school and just helping them to have a good start to the day.*



Appendix C: Home to School Transport Route Planning & Tendering Processes

1. Route planning processes

- 1.1 Any child or young person leaving a setting or moving out of the area are removed from existing routes and Home to School Transport Contracts.
- 1.2 All Solo¹ and Travel Alone² journeys are reviewed to ascertain if any children travelling singly could safely and logistically travel in a shared vehicle.
- 1.3 Existing routes are assessed on a case-by-case basis to ensure they continue to meet the needs of each child. Preserving continuity for the child and young person is a priority, where possible.
- 1.4 The Home to School Transport Team undertake Risk Assessments for all new children and young people joining the service.
- 1.5 The Team review Risk Assessments, Education, Health and Care Plans, Pupil Travel Information Forms, Application Forms, and any other supplementary documentation to review the most suitable travel arrangement for each child.
- 1.6 The Team use mapping to add pupils to routes, ensuring, in accordance with Department for Education guidelines, that all children attending schools within Brighton & Hove are able to reach their school within 45 minutes for primary age children or 75 minutes for secondary age children. We acknowledge that for children with SEND, a shorter time may be desirable.
- 1.7 There is liaison with key settings, predominately Hill Park Lower, Hill Park Upper, Downs View Woodingdean, Downs View Link College, Downs View Life Skills and the PRU on the safety and suitability of 'mix' of pupils in shared vehicles to their settings. Vehicle Risk Assessments are undertaken for some cohorts of children, they are prioritised by:
 - New routes of new CYP added
 - Solo passengers, to assess any change in needs
 - CYP using any equipment such as wheelchairs
 - CYP with high medical needs
 - CYP with complex needs
- 1.8 The Team work to the following route planning principles, co-produced with the Parent and Carers Council:

¹ Solo passenger journeys are given when there is no concern about the complexity of current need, but there are no other existing travel arrangements that a child or young person can fit into, e.g the passenger is the only child or young person travelling to the school or college at that time.

² Travel Alone Status means that we think children's current needs are so complex and/or challenging that their safety and wellbeing, or that of other children or transport staff, would be significantly compromised by travelling on a shared vehicle.

- Our top priority will always be the comfort, safety and wellbeing of children and young people - all children should be comfortable on transport and arrive at school stress-free and ready to learn – journey times must not be excessive
- We aim to ensure the safety and wellbeing of transport staff
- While transport must always meet needs, it must also provide best value for public funds and be fair and equitable across all children and young people
- Journeys will use shared transport where at all possible and will be based on our calculation of the most efficient routes
- Unless there are exceptional circumstances, primary and secondary children travel on separate routes
- Routes will only travel to one school or setting on any one journey – although exceptions were made this year for siblings after guidance from schools and in consultation with Operators.
- No child’s journey should exceed government guidance (45 mins for a primary child and 75 minutes for a secondary child in normal traffic conditions) unless placements are out of City and cannot be made in these timescales
- Solo passenger journeys are appropriate where:
 - No other pupils are making that journey to a school or setting
- Travel Alone passenger journeys are appropriate where:
 - The young person’s needs are so complex and challenging that their safety and wellbeing, or that of other children or transport staff, would be significantly compromised by travelling on a shared vehicle and no solutions can be found to this;
 - Alternatives to solo passenger journeys have been considered, notably whether:
 - an alternative vehicle or different seating arrangements could meet needs;
 - whether further training and expert support could enable transport staff to meet needs;
 - if an additional VPA on route could enable needs to be met;
 - if a personal allowance to family to arrange transport is appropriate.

2. Tendering processes

- 2.2 The process for Home to School Transport routes being awarded to Operators is twofold.
- 2.3 Firstly, any Operator that wishes to tender for routes must first be accepted onto our Dynamic Purchasing System (DPS) framework. A DPS is a fully electronic system used by public sector bodies to award works or services. It is a fair and transparent process for all Service Providers and ensures compliance with the

Public Contract Relations 2015 (as amended.) The framework is open year-round which allows additional Operators to be added at any point during the duration of the Contract.

- 2.4 A Selection Questionnaire sets out the Council's minimum criteria and expectations for Operators. There are a series of YES/NO questions which address Organisation Details, Business Conduct & History, Financial Information, Insurance, and Equalities & Diversity. These responses are evaluated by the Council's Procurement team.
- 2.5 In addition, each Operator applying to join the framework must complete a stringent set of responses relating to Technical Capability. In our current contract, these relate to Service Delivery, Data Management, Sustainability and Health & Safety. The responses are weighted and are scored independently by a panel made up of the HTST Team.
- 2.6 If the minimum score is achieved across the whole Selection Questionnaire, then the Operator will join the DPS and will then be able to bid on routes that are distributed out for tender.
- 2.7 When routes are put out to tender they include the child's name, their age, their address and any relevant information about their special educational needs and/or disabilities. This includes whether a wheelchair accessible vehicle is required, or a Vehicle Passenger Assistant or any other support a child or young person may require supporting safe and reasonably stress-free travel. We seek this information from parents and carers through completion of a Pupil Travel Information Form which details the specific needs of children and young people. This supports conscious and conscientious bidding by Operators.
- 2.8 Given that the Operator must have already complied with our strict criteria and satisfied our expectations across several aspects of delivering a quality service, when routes go out for tender, the award criteria is focussed on value for money. This approach complies with best procurement practice of not asking bidders the same question twice; the quality element is either satisfied or not at the time of applying to join the DPS.
- 2.9 This will continue to be the case for the 2023 procurement. However, we have recognised that the current Selection Questionnaire does not fully support our hopes and aspirations for the new Contract. We will have a greater focus on Safeguarding and Sustainability; and will ensure that Social Value is also considered as part of the Technical Capability scoring. We will also amend the format of tender responses to include a breakdown of total price to include a separate staffing cost (mainly applicable when a Vehicle Passenger Assistant is being employed directly by the Operator) to seek assurance that the Voluntary Living Wage is being paid to these invaluable members of our crews.

Appendix D: Script for Contract Review meetings with Operators March & April 2022

CLLrs have decided on the model of procurement from 2023. This will be a DPS without reverse auction bidding and for routes to be tendered on a route-by-route basis. This will be done via Intend, and by email (for ad hoc routes).

Timeline

- The intention is that in October 2022 there will be online open days to support you to apply to the DPS. There will also be PDF and Youtube guides for additional support.
- You will then be able to join the DPS which will be open for 30 days. You should know if you have been successful in your application to the DPS by January 2023 at the latest.
- If you are successful, in February 2023 there will be another opportunity for training to remind you how to bid on routes via Intend. This will not be done via reverse auction bidding. You will be asked to only bid on routes you know you can provide, over bidding will be discouraged.
- Routes will likely be out to bid on from May 2023 through to July 2023, awarding final routes by the end of the summer term 2023.
- You will be expected to arrange Introductions with families when you are awarded routes and all introductions must be made before the first date of the route starting. This has been requested by the Parent and Carers Council on behalf of families who rely on the service. The HTST will be monitoring and reporting on the % of introductions made, by operator, to September's Children, Young People and Skills Committee. The HTST team can provide support setting up Introductions via Teams, only where this is the preference of families.

Feedback from Consultation in October 2021

Following the consultation session in October 2021 the following are being considered by BHCC.

- Whether there will be a continuation of the current annual negotiation of the Agreed Price increase, or if there will be an automatic annual inflationary increase
- Whether sub-contracting (with agreed written consent) will continue, or if this will be on an emergency basis only.

The following are topics of discussion by a Procurement Board which includes key internal Council colleagues, including Procurement and Licensing and representation from the Parent and Carers Council and Special schools.

- Consideration of deterrents to prevent overbidding and handing back route at the start of the contract which could cause delays and disruption to school starts and trigger school refusal for CYP

- There will be questions in the SQ about how Operators will support families to access live location data, e.g. to track their child's journey to and from their educational setting
- There will likely be waiting time payments where there is prior written consent by the Service
- The Service will likely provide a £50 contribution to cleaning up CYP bodily fluids
- Where directly employed by the operator, it will be required that transport crew are paid the voluntary living wage, at a minimum
- All Transport Crew may be expected to sign up to the DBS update service. The cost of which will be borne by the operator
- First aid will not be administered by Transport Crew. They will be directed to call 999. There will likely be an amendment to the Blue Book in this regard
- All drivers working on a HTST contract, regardless of where they are licensed will be expected to have CCTV with (compulsory) audio in their cars, as is in the current contract. If they do not have this, they will not be permitted to work on a HTST contract. They must comply with the Brighton & Hove CCTV conditions.
- As is currently the case, all drivers, regardless of where they are licensed, will be expected to adhere to and comply with the BHCC Blue Book.
- All Transport crew must complete HTST mandatory training before taking up a route and undertake refresher training every 3 years
- If a Contractor terminates a contract within two years of the contract start, the Council may not accept any bid from the Contractor for any replacement contract the Council tenders within 6 months unless the Council gives prior approval.
- There will likely be an expectation that Transport Crew have a good command of the English language
- There will likely be a revised code of conduct for Transport Crew.

Appendix E: Communications with parents carers, Crews, Amaze and the Parent and Carers Council on Home to School Transport Service changes from September 2023

Letter 1: 2 March 2022

Dear Parent / Carer

This letter is the first in a series aimed at keeping you updated on the Home to School Transport (HTST) service.

What's happening and why?

As a local authority, Brighton & Hove City Council has a legal responsibility to renew its Home to School Transport contract every four years. The current contract started in 2019, so must be renewed by **August 2023**, with businesses bidding for the routes they want to operate.

We know there were a lot of difficulties at the start of the contract in 2019 which is why the council set up a Procurement Board last April to agree how to take forward the new contract in plenty of time before it starts in August 2023. This is also why we are updating you at this early stage to ensure families are kept informed

The board brings together a wide range of specialists who will ensure the system we put in place is the best it can be. It includes the council's Assistant Director of Education and Skills, the Head of Home to School Transport, a representative of the Parent Carers' Council (PaCC), a special school Headteacher and representation from the council's Legal, Procurement, and Licensing services.

From the work the board has carried out over the last 10 months, councillors will be presented with different models and options on how the contracts will be awarded in the future which will ensure a far more stable service going forward.

Councillors will discuss the options at meetings next month and we will inform you of the outcome. If you'd like to read the latest Home to School Transport Report which contains an update on the current service as well as explaining the proposed changes to the way that operators are matched to routes, you can read it here and also watch the webcast [Brighton & Hove City Council - Agenda for Children, Young People & Skills Committee on Monday, 7th March, 2022, 4.00pm \(brighton-hove.gov.uk\)](#)

Will there be changes?

We absolutely recognise that for many of your children and young people changes to their routine can be incredibly difficult for them and for you.

Legally the council must also put the routes out to tender at the start of the new contract. If a different operator to the one who provides your service currently is the successful bidder, it will mean your child would have a new driver and Vehicle Passenger Assistant (VPA) taking them to and from school.

We realise this may cause anxiety. Whilst we must comply with the law, we will work together with you, the PaCC, and the operators to ensure changes to routines are introduced as smoothly as possible ahead of the new term in **September 2023**.

Once the routes have been allocated they will become the baseline for the service and much like the current service, there should be some broad continuity year on year over the next four years, although the movement of students in/out of the service does mean that changes do happen.

Could we keep our existing driver and VPA?

It's also possible that the existing operators will win their bid for the routes they run now – in which case there may be little to no change.

The bids for routes will not be evaluated solely on cost – this is very much about the quality of the service to children and young people.

Will new drivers and VPAs have proper checks carried out?

Please note that an enhanced DBS (Disclosure and Barring Service) check is carried out on each driver and VPA to ensure they're suitable people to be working with children.

The service offers extensive training which, as well as safeguarding, includes modules on equalities, SEND, exploitation, autism, epilepsy, behaviours that challenge and language and communication.

All drivers and VPA's must have completed these training modules and hold an enhanced DBS before they transport your child. This helps us to ensure children and young people receive the same level of service regardless of their driver or VPA.

Route Planning for the next school year (September 2022)

Over the next few months, as usual, we will begin to make plans for this coming September. As always with start of new school year, a bit of re-routing is inevitable as children join and leave our service. We plan journeys for over 600 children and young people to 68 schools/colleges, but the aim is always to minimise changes wherever possible.

Your September 2022 arrangements will be confirmed before the end of the Summer Term. We know that last minute changes can generate stress all round and create a shaky start or even trigger emotion-based transport refusal. If there are any changes to existing arrangements, we will ask the Taxi Operators to arrange 'Meet & Greet' introductions and confirm timings before the end of August to ensure a smooth September.

Providing a HTST system is extremely complicated, but we've learnt important lessons from what happened in 2019.

Please be reassured the comfort, safety and wellbeing of children and young people are at the forefront of how the new contract will be awarded, operated and managed.

If you would like to talk further about any aspect of this letter, please contact me at HometoSchoolTransport@brighton-hove.gov.uk or on 01273 293501.

Letter 2: 14 April 2022

Dear Parent / Carer

This letter is to update you on some important home to school transport news.

The team is growing

We will soon be welcoming two new members to the Home to School Transport team. Abi Crowley, who has been working as a contract manager in the Home Office, managing a portfolio of contracts within the Immigration Enforcement Commercial Directorate will join us in May as our Contract and Service Development Manager. In August will also be joined by Laureen Casement, currently a SEN teacher at a local school, who will be our new SEND Officer. We are looking forward to welcoming Laureen and Abi to our team.

Annual Consultation on our Post 16 Policy Statement

We are seeking your views on our updated Post 16 Transport Policy Statement. The Department for Education requires Local Authorities to consult each year, 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.

What we did following last year's feedback

Last year you provided helpful feedback on how the policy could better support and promote independent travel. This year we have received funding to run a pilot from September 2022 for circa 10 trainees. This will be voluntary, and training will be adaptable and flexible to the needs of each pupil and their family circumstances. A local Independent Travel Training provider will be taking this forward with us.

No major policy changes to Policy for 2022

We are not proposing any substantial changes to the policy around the help that is available to young people.

You will see the following minor changes in this year's statement:

- The special deals for NUS card holders are no longer available, but special deals remain available for young people doing an apprenticeship
- The Sussex Student Card (rail season ticket) is no longer available, but the 16-17 Saver Card remains so

Further clarifying information about the following has also been included in the 2022-23 Policy:

- The type of help given
- Local SEND Offer
- Travel support from schools and colleges
- The 16-19 Bursary Fund
- Signposting for support for travel for pupils over 19 years old
- Care to Learn for young parents

You can participate in the consultation by clicking the link below. The consultation ends on 8 May 2022 and the new policy will be published by 31 May 2022. [Consultation on the Post 16 Policy Statement](#).

If you would like a word version of the consultation, please contact the team at hometoschooltransport@brighton-hove.gov.uk or on Tel:(01273) 293501.

Sustainability Strategy 2021-2025

The Government requires Local Authorities to make transport arrangements for eligible children, including those with SEND (Special Educational Needs and Disabilities), and also to promote sustainable and environmentally-friendly travel and transport.

We are therefore seeking your views on our Sustainability Strategy 2021-2025 to ensure we're meeting these requirements. 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.

Passenger safety and the need for all children and young people to be supported to safely access education is paramount.

You can participate in the consultation by clicking the link below. The consultation ends on 8 May 2022 and the new policy will be published by 31 May 2022 [Consultation on the Sustainability Strategy 2021-2025](#).

If you would like a word version of the consultation, please contact the team at hometoschooltransport@brighton-hove.gov.uk or on Tel:(01273) 293501.

Travel arrangements for 2022

Over the next few months, as usual, we will begin to make plans for this coming September. As always with start of new school year, a bit of re-routing is inevitable as children join and leave our service. We currently plan journeys for over 600 children and young people to over 70 schools/colleges, but the aim is always to minimise changes wherever possible.

Travel arrangements for 2023

As described in our last letter, legally the council must also put the routes out to tender at the start of a new contract – and a new contract will start in 2023. If a different operator to the one who provides your service currently is the successful bidder, it will mean your child would have a Transport Crew taking them to and from school.

We realise this may cause anxiety. Whilst we must comply with the law, we will work together with you, the Parent and Carers Council, and the operators to ensure changes to routines are introduced as smoothly as possible ahead of the new term in September 2023.

Once the routes have been allocated they will become the baseline for the service and much like the current service, there should be some broad continuity year on year over the next four years, although the movement of students in/out of the service does mean that changes do happen.

We are currently drafting a new Service Specification for the new contract. It will firmly put children and young people at the centre of the service, with a stronger emphasis on safety, communication and safeguarding. The Specification will be overseen by a Home to School Transport Procurement Board, which includes the council's Assistant Director of Education and Skills, the Head of Home to School Transport, a representative of the Parent Carers' Council, a special school Headteacher and representation from the council's Legal, Procurement, and Licensing services.

Spot Checks

We periodically make unannounced visits to schools during drop off and pick up time. We call these 'spot checks' We do these checks to monitor and improve the quality and safety of the service that we provide to you and your children and young people.

It's a great way for our team to meet with Transport Crew and with your children and young people, and to see and hear from them first-hand how the travel arrangements are going.

During these visits we check the Transport Crew's ID, whether they are wearing their high visibility jackets, we ask for confirmation that their CCTV is functioning, if car seats, booster seats or harnesses are in good order, if the vehicle is clean and well ventilated, (and during the pandemic we have asked to see the cleaning schedule), if the information about what to do in the case of an emergency is visible and we also check the timings of

arrival and departure. It is a great opportunity for us to be able to see the interactions between the Crew and the children and young people.

We have 12 spot checks arranged for the summer term and if your children and young people are on the vehicle during the check, we will be in contact to let you know how these go.

Passenger Charter

We are working with the Parent and Carers Council to co-produce a child friendly Passenger Charter. This will set out what children and young people can expect from their Transport Crew. The Charter may be in audio format as well as written, and we will share this once finalised.

If you would like to talk further about any aspect of this letter, please contact us at HometoSchoolTransport@brighton-hove.gov.uk or on 01273 293501.

Letter 3: 9 June 2022

Dear Parent / Carer

This letter is to update you on some important home to school transport news.

Increase in mileage allowance to 52p

We now pay 52p per mile, for 4x journeys a day, for 190 school days in the academic year. 46 parents carers receive a mileage allowance to cover the costs of transporting their child/young person to and from their educational setting. Some parents/carers find milage payments a more flexible and convenient alternative to hired transport.

Payments are made at the end of each term and are calculated on attendance data which you are asked to email us on the last day of term. This will ensure prompt payment to you by the following dates:

TERMLY PAYMENTS	
School / college dates	Payment Date by:
Autumn Term September-December	31st December
Spring Term January - April	31st April
Summer Term April - July	31st July

Two new initiatives

We're seeking your views on two new initiatives we're looking to launch within our service. They are Independent Travel Training and Personal Travel Budgets. Both initiatives support travel arrangements to school which promote independence and flexibility.

1. Independent Travel Training (ITT)

Independent Travel Training (ITT) supports young people in preparing for adulthood as part of independent living and skills for life.

Travel training provides tailored and practical help for children and young people with SEND (Special Educational Needs and Disabilities), to travel independently and without fear to school by public transport or on foot.

Aims of ITT

Research by the Department for Transport indicates travel training is most effective if it's delivered prior to a transition in the learner's life, for example, from primary to secondary school. The HTST Service aims to maximise independence for all its young people, and to enable that independence as early as possible.

Independent travel is a valuable life skill as well as an essential employability skill, and it provides greater opportunities for young people, not least by increasing confidence in their abilities and reducing their sense of reliance on family members.

There are more than 1,000 children and young people in Brighton & Hove who receive transport assistance from the council to get to their educational setting, of which 603 have SEND. The council is committed to supporting as many pupils as possible to be equipped with the skills and confidence to travel independently.

Our proposal

From September 2022 a local provider will be offering voluntary, structured and bespoke travel training to up to 10 local children and young people to support them to travel independently to their educational setting. This is a completely voluntary initiative and undertaken with the consent of parents and carers.

Each child will have their own personalised travel plan, which will cover the following three areas:

1. Learning the route – looking for safe points and landmarks
2. Crossing roads – using the “green cross code”
3. Safety on public transport – how to hail a bus, where to sit and how to get off safely, recognise stranger danger, peer danger and digital safety

The duration of the training course will depend completely on the child or young person's needs. It may take some children longer to travel independently, and some may start the course but not be able to continue.

We understand this, and therefore during the course children and young people will still be entitled to free travel from HTST, though they may not always get their usual crew.

Who would be eligible?

To be eligible for the voluntary travel training offer, the child or young person must:

1. Be aged between 11 and under the age of 19 on 31 August
2. Have SEND and be eligible for home to school transport service
3. Live in Brighton & Hove
4. Have a journey to school or other educational facility which it is possible to complete by public transport within 75 minutes
5. Be suitable candidates who are looking to learn their public transport journey safely
6. Have parent/carers who wish their child to learn the journey and are supportive of this

The following criteria may also be considered:

1. Existing level of independent travel skills
2. The frequency of the journeys required

Please be aware that the Independent Travel support staff do not undertake any support worker or care duties. This programme would not be suitable to any young person requiring 1 to 1 care support.

If you have any comments about this proposal for Independent Travel Training please feedback here – <https://consultations.brighton-hove.gov.uk/children-and-learning/htst>

If you would like to enquire about Independent Travel Training for your child or young person, please send an email to HometoSchoolTransport@brighton-hove.gov.uk or phone us on 01273 293 501.

2. Personal Travel Budgets (PTB)

A PTB is a payment to help you make your child's home to school travel arrangements in a way that suits your personal circumstances.

The payment allows parents or carers to make flexible arrangements and monitor the quality of your child's transport directly. It also allows you to work with other parents/carers to achieve the best possible travel arrangements for your children.

Benefits of a PTB

- It provides freedom and flexibility to choose the most appropriate travel arrangements for your child
- It provides choice and control over how funding is used to get your child to and from school on time in a way that suits you, your child and your family.
- It allows you to explore opportunities to share with other parents or carers.

Disadvantages of a PTB

- You are responsible for making your travel arrangements, including ensuring anyone accompanying your child has an enhanced DBS check
- If you are let down by the arrangements you put in place, it's your responsibility to make alternative arrangements
- It's not always easy to find your own personal assistant or childminder
- Shared arrangements can often work well but can also add strain to friendships if the arrangements fall through for any reason.

How much will my Personal Travel Budget be?

Each PTB will be tailored to the needs of each family. Below are the different scenarios that could occur.

1. Covering the cost of driving - the PTB is calculated based on the distance between home and school for the days that your child attends school. It is based on there being 190 school days in an academic year, 4x journeys a day, at a fixed rate of 52p per mile.

The distance is measured using the shortest route and is from home to school to home for each journey. It bears no relationship to the cost of a hired vehicle or the specific journey you may use when taking your child to school.

1. Purchasing a travel pass – you will be paid the amount of an annual train or bus ticket to accompany your child.
2. Paying for an assistant/family member, friend or someone you trust to take your child to school – we will pay an hourly rate at the voluntary living wage (currently £9.90 per hour).
3. Paying a child minder to look after other children to support you to take your child to school, or to take your child to school – we will pay an hourly rate, capped at £15 per hour.

Should your child be absent from school, a reduction will be made to reflect the absenteeism. If you chose to enter into a PTB, it should be noted that it is your legal responsibility to ensure your child's regular attendance at school.

Who can get a Personal Travel Budget?

If your child is eligible for transport to school, as set out in the council's HTST policy, you may be entitled to a PTB, but it must be cost effective for the council. Therefore, before granting a PTB, we will investigate whether there is any transport currently in place at a lower cost.

Additionally, you must also satisfy the council you have a suitable plan in place to get your child to/from school before a PTB can be allocated.

This includes looking at your child's school attendance record; getting your child to school on time, safely and ready to learn; and making sure the travel arrangements are reliable.

How do I get a Personal Travel Budget?

Once we are satisfied all the above is in place, we will ask you to sign an agreement and then make arrangements to transfer the PTB to your bank account. We will not pay money to anyone else.

You will then be free to arrange and manage your child's travel arrangements in a way that best suits you, your child and your family.

If your circumstances change, for example your family moves house or your child's school placement changes, the PTB may need to be re-calculated.

Any transport arrangements, until your child has been re-assessed, will be your responsibility. Where it is later established that there had been no notification of the change, payments made in error will be recovered by the Council.

Can I stop the Personal Travel Budget if it doesn't work out?

Yes, but we would encourage you to discuss the problems with us before deciding to leave the scheme.

If you still decide to leave the scheme we will need one month's notice to arrange alternative forms of travel assistance for you.

Will it have an impact on other benefits?

No. PTBs have no impact on any other benefits but it is your responsibility to check that this is the case in your personal circumstances. Payments are not taxed as they are made in relation to the child not the parents or guardians.

Will I regularly need to show the Council how I am spending the Personal Transport Budget?

Whilst the Council is responsible for ensuring that public funds are spent on the intended services, we want to keep the flexibility and control with you, and we will keep monitoring to a minimum. To receive the PTB, you need to keep records, e.g. receipts and invoices, and surrender them for monitoring purposes when requested.

Independent Travel Training and Personal Travel Budgets

The Council is fully committed to increasing independence among young people and to enable them to lead fuller lives. To this end, the council will periodically review PTBs and if appropriate, assess your child's readiness for Independent Travel Training.

If this situation arises, and you are in agreement, your PTB will continued to be paid until your child has been successfully travel trained and assessed as being able to travel safely and independently. At this point, your child will be given a bus pass and the PTB will end.

Your key responsibilities

You must ensure that your child gets to and from school each day in a way that ensures:

- They are kept safe on the journey
- They get to school on time
- Their journey is without such stress and strain that their ability to learn is affected
- They meet the average level of attendance for the school.

It is for you to decide what travel arrangements are right for your child. However, your PTB may be withdrawn if the Council feels that the arrangements you have made do not meet the above requirements. We will always discuss this with you first.

You are responsible for ensuring that anyone employed by you maintains an enhanced Disclosure and Barring Service clearance, the necessary insurance cover in respect of the provision of the service(s) agreed and also for ensuring the suitability and safety of the services they provide e.g. a valid MOT (if applicable), road tax, a valid policy of motor insurance, and a valid driving licence for that type of vehicle.

If you have any comments about this proposal for Personal Travel Budgets, please feedback here – <https://consultations.brighton-hove.gov.uk/children-and-learning/htst>

If you would like to enquire about a Personal Travel Budget for your child or young person, please send an email to HometoSchoolTransport@brighton-hove.gov.uk or phone us on 01273 293 501.

Travel arrangements for 2022

Over the next month, as usual, we will begin to make plans for this coming September. As always with start of new school year, a bit of re-routing is inevitable as children join and leave our service. We currently plan journeys for over 600 children and young people to over 70 schools/colleges, but the aim is always to minimise changes wherever possible.

Travel arrangements for 2023

As described in our last letter, legally the council must put the routes out to tender at the start of a new contract – and a new contract will start in 2023. If a different operator to the one who provides your service currently is the successful bidder, it will mean your child would have a different Transport Crew taking them to and from school.

We realise this may cause anxiety. Whilst we must comply with the law, we will work together with you, the Parent and Carers Council, and the operators to ensure changes to routines are introduced as smoothly as possible ahead of the new term in September 2023.

Once the routes have been allocated, they will become the baseline for the service and much like the current service, there should be some broad continuity year on year over the next four years, although the movement of students in/out of the service does mean that changes do happen.

We are currently drafting a new Service Specification for the new contract. It will firmly put children and young people at the centre of the service, with a stronger emphasis on safety, communication, and safeguarding. The Specification will be overseen by a Home to School Transport Procurement Board, which includes the council's Assistant Director of Education and Skills, the Head of Home to School Transport, a representative of the Parent Carers' Council, a special school Headteacher and representation from the council's Legal, Procurement, and Licensing services.

If you would like to discuss any aspect of this letter, please contact the team at HometoSchoolTransport@brighton-hove.gov.uk or phone us on 01273 293 501.

Letter 4: July 2022

Briefing for the Parent and Carers Council (PaCC) on Home to School Transport (HTST) route planning, September 2023

This briefing is to update you on home to school transport route planning for September 2023 when the service is re-procured.

What's happening and why?

As a local authority, the council has a legal responsibility to renew its HTST contract every four years. The current contract started in 2019, so must be renewed by August 2023, with businesses bidding for the routes they want to operate.

The service is currently supporting 560 children with special educational needs and disabilities to travel to and from their educational setting on 207 journeys. We also support and additional 600 pupils by providing a free bus pass and 48 families by providing a mileage allowance.

We know there were a lot of difficulties at the start of the contract in 2019 which is why the council set up a Procurement Board last April to agree how to take forward the new contract in plenty of time before it starts next August.

The board brings together a wide range of specialists who will ensure the system we put in place is the best it can be. It includes the council's Assistant Director of Education and Skills, the Head of Home to School Transport, a PaCC representative, a special school Headteacher and representation from the council's Legal, Procurement and Licensing services.

Will there be changes?

We absolutely recognise that for many children and young people changes to their routine can be incredibly difficult for them and their parents/carers.

Legally the council must put the routes out to tender at the start of the new contract. If a different operator to the one who provides your service currently is the successful bidder, it will mean the child would have a new driver and Vehicle Passenger Assistant (VPA) taking them to and from school.

We realise this may cause anxiety. We've communicated directly with existing parents/carers about these changes through a series of briefings and have committed to working with them, the operators, PaCC and Amaze to ensure changes to routines are introduced as smoothly as possible ahead of September 2023.

As things develop, we'll continue with briefings and will be offering a drop-in session early in 2023 to talk with parents and carers about any specific concerns.

It's important to stress any changes to a procurement of this size will result in some disruption, but we're working closely to try and mitigate this as much as possible.

The principles of route planning

The HTST service has a statutory duty to provide free travel arrangements for eligible children and young people. It's our responsibility, and a priority, to ensure these arrangements are suitable, safe and without unreasonable levels of stress for the children and young people SEND.

Once the routes have been allocated, they will become the baseline for the service and much like the current service, there should be some broad continuity year on year over the next four years, although the movement of students in/out of the service does mean that changes do happen.

The route planning process

Local Authorities must issue Education, Health and Care Plans (EHCP), naming a school/college for the child or young person to attend by the statutory deadlines of 15 February for children under 16 years old, and 31 March for children over 16 years old. Local needs assessments are conducted in good time.

Home to school route planning starts as soon as all phase transfers and new starter information is shared with the service. Locally we set a deadline of 30 April for under 16s applications, and 31 May for over 16s.

However, meeting this deadline is a challenge as there are a number of factors that drive later applications, for example, if parents/carers are appealing a placement, awaiting an out of area placement or, in the case of post 16, waiting on exam results.

In 2021, 93 parents/carers applied between May and August, with a further 25 applying for transport after school starts in September. This makes it extremely difficult to route plan effectively and efficiently.

While we can advise that transport will not be guaranteed if parents/carers miss the prescribed deadlines, the travel arrangements for other children and young people will be disrupted by the delayed applications coming in throughout the summer.

We want to avoid setting up travel and introductions with Transport Crew and then having to change arrangements after a few months to incorporate late applicants.

Once the lists of children and young people, and where they are going, are received, the HTST team contact every parent/carer to support them to apply for their child's transport to try and mitigate delays to effective and efficient route planning.

It is crucial that applications come in as quickly possible so we can set up the travel arrangements before schools break up for summer.

As part of ensuring the travel arrangements are suitable, safe and reasonably stress free, we risk assess each child and undertake shared vehicle risk assessments – we aim to do this in consultation with schools, which is why it's important applications come in before schools break up.

To try and streamline the application process further, in 2023 information from the Pupil Travel Information Forms will be added to the Online Application Form. This means parents/carers will only need to complete one form.

This does mean parent/carers providing more information and then may not be found eligible for free travel. However, in 2021 around 10% of applications were declined.

This will also support the service to meet PaCC's request that information passed to Operators fully specifies *'vehicle size, configuration requirements and passengers' needs, including VPA & any special training/skills requirements to ensure 'conscious and conscientious bidding' and to minimise hand backs'*.

When will the 2023 routes be awarded and confirmed?

It is important to stress that overbidding and 'handing back' routes is inevitable and unavoidable regardless of when the routes are put out to tender. This is because all operators will want to maximise profitability. The Procurement Board is currently exploring how we can deter operators from this established practice.

The Procurement Board is also exploring 'direct award criteria' with legal and procurement colleagues. If, and where we are legally able to direct award contracts on medical grounds, we will do so, and these will be confirmed well in advance of the end of the summer term.

Similarly, all known solo and travel alone contracts will also be awarded in advance. This will only equate to a small number (circa 11%) of the total contract.

The Procurement Board has recently considered the two options below in terms of the timeframe to put routes out to bid on. The board has discussed at length the pros and cons and have favoured the latter approach.

Therefore, it is intended all route competitions, including for post 16 (where the setting has been named), will be concluded by the end of July 2023, with Downs View and Hill Park, the two largest settings out to tender at the start of June.

Option A

Routes are 'drip fed and drip awarded' between April and July 2023, (rather than at the 'end' of the process).

Pros	Cons
More time to arrange introductions with parents/carers	HTST will have little control over how many routes are awarded to each operator and will be less able to assess how much capacity the operator has to provide the routes.
Less time for parents/carers to wait to know what the travel arrangements may be	Increased risk of hand backs in August/September if operators have over committed themselves or 'cherry pick' the more lucrative/'easier' routes

Option B

The majority of routes are awarded throughout June and July in batches of vehicle size and by setting, with known solo, travel alone and direct awards awarded much earlier.

Pros	Cons
Less likelihood of changes to the travel arrangements or crew as there is more time to receive all applications, route plan and award. Routes may be less likely to be handed back at this stage.	Operators may choose to bid for work in neighbouring LA's who would be putting their routes out at a similar time
HTST is better able to assess operator capacity to provide the number and nature of routes they have bid on	Less time to arrange introductions, due to crew and parent carers holidays in August
Routes are more equitably distributed across all operators – reducing over reliance on any one operator	Operators may struggle to retain VPAs

When will introductions to new crew's take place?

The expectation is that operators arrange introductions with parents/carers before the end of August. The HTST will support with setting these up where the parent/carers preference is for these to be online.

Whilst operators are asked to name the transport crew when bidding, they don't always know which crew will be delivering the service, as evidenced in September 2019 and every year since. Crews often go on leave during the summer (as they are not able to during term time), operators may also have lost staff between award and contracts starting (hampered further by local and national staff shortages).

If parents/carers are on holiday in the last two weeks of August 2023 they may unfortunately miss out on the opportunity to meet their child's new crew. At the very least

they will receive an email with names and photos of their child's crew, and a short video introduction may be able to be arranged, crew willing, at their request.

Providing a HTST system is extremely complicated, but we've learnt important lessons from what happened in 2019.

I hope this briefing provides you with assurance that the comfort, safety and wellbeing of children and young people are at the forefront of how the new contract will be awarded, operated and managed.

If you would like to talk further about any aspect of this briefing, please contact me at mia.bryden@brighton-hove.gov.uk or on 01273 293501.

Letter 5: July 2022

Dear Transport Crew

We'd like to take this opportunity to thank you for your co-operation and hard work in providing transport to more than 500 children and young people with special educational needs and disabilities (SEND) to more than 60 schools/colleges.

We're very aware of the importance of your role and the real complexity of the work you undertake, and we sincerely thank you for all that you do.

As you know, the needs of the pupils travelling in your care includes physical, emotional, communication and learning disabilities and, in some cases, behaviour that challenges. Some of the children you transport have medical conditions and are prone to seizures during their time in the vehicle.

By providing safe and friendly transport you make a real difference. The Parent and Carers Council (PACC) often refers to home to school transport as crucial 'bookends' to the school day. The quality of the transportation is an essential factor in ensuring children:

- arrive at school in a calm state, ready to learn and on time
- have a positive experience of the journey
- have a safe journey

We've met some of you at our routine spot checks over the year and have been impressed by the respect, empathy and understanding you show the children and young people.

PACC also sends its appreciation on behalf of children, young people and their families.

Route Planning for the next school year (September 2022)

At this time of year the Home to School Transport Team will begin planning for this September. As always with the start of new school year, a bit of re-routing is inevitable as children join and leave our service, but the aim is to minimise changes wherever possible to provide continuity to the families and you as their crew.

September 2022 arrangements will be confirmed with parents and carers before the end of the Summer Term.

We know last minute changes can generate stress, create a shaky start or even trigger transport refusal by some children. If you do transport new children and young people, your operator will ask you to arrange a 'Meet & Greet' with families before the end of August to ensure a smooth September.

If you're on holiday during this time, you may be asked to send your photo and a short description of yourself for parents and carers to share with their children. You may even like to record a short introductory video.

Re-procurement of the Service in 2023 - What's happening and why?

As a local authority, the council has a legal responsibility to renew its Home to School Transport contract every four years. The current contract started in 2019, so must be renewed by **August 2023**, with businesses bidding for the routes they want to operate.

We know there were difficulties in 2019 which is why we set up a Procurement Board in April to agree how to take forward the new contract in plenty of time before August 2023. This is also why we're keeping all our key stakeholders updated. The board includes a range of specialists who will ensure the system we put in place is the best it can be.

Will there be changes?

Legally the council must put the routes out to tender at the start of the new contract. This means you may not be taking the same children and young people to school / college that you've been regularly transporting.

Once routes have been allocated, there should be broad continuity year on year over the next four years, although changes can still happen.

It's also possible of course that the existing operators will win their bid for the routes they run now – in which case there may be little to no change.

The comfort, safety and wellbeing of children and young people are at the forefront of how the new contract will be awarded, operated and managed. If you would like to talk further about any aspect of this letter, please contact HometoSchoolTransport@brighton-hove.gov.uk or call 01273 293501.

Yours sincerely,

Mia Bryden

Head of Service - Home to School Transport

Brighton & Hove City Council

Brighton & Hove City Council

Children, Young People & Skills Committee

Agenda Item 11

Subject: Proposal to expand Hill Park Special School by establishing a satellite site at the Cedar Centre

Date of meeting: 12th September 2022

Report of: Executive Director Families, Children & Learning

Contact Officer: Name: Georgina Clarke-Green
Tel: 07827 880742
Email: Georgina.Clarke-Green@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 It is proposed to expand Hill Park School by establishing a satellite site at the former Cedar Centre. The satellite site will provide a 30-place provision for autistic children and young people who have anxiety and mental health issues, but who do not have a learning disability.
- 1.2 The purpose of this report is to provide feedback from the recent formal representation period following the issue of Statutory Notices in respect of the proposal to expand Hill Park and to seek the final decision of the committee on the proposal.

2. Recommendations

- 2.1 That Committee agrees to confirm the proposal contained in the Statutory Notice that Hill Park School should expand by establishing a satellite site at the former Cedar Centre with effect from September 2023.

3. Context and background information

- 3.1 The full background to this proposal was contained in the report to this Committee on 13th June 2022 attached as Appendix 1 to this report.
- 3.2 At its meeting on 13th June, the Children, Young People and Skills Committee agreed to publish the Statutory Notice to progress the proposal for Hill Park to establish a satellite site at the Cedar Centre.
- 3.3 Following that Meeting, the Statutory Notice was published on 24th June 2022. The subsequent representation of four weeks was the final opportunity for interested people and organisations to express their views on the proposals.

3.4 During this four-week period, the Headteacher of Hill Park and the Head of SEN Statutory Service held two virtual information events for parents/carers which was well attended by PaCC and Amaze representatives as well as parents/carers in the city. The presentation and Q&As that arose from these events are attached at Appendix 2 and Appendix 3 to this report.

4. Analysis and consideration of alternative options

4.1 The alternative option would be for Hill Park not to expand on to the Cedar Centre site, which would mean that the pressures in Brighton & Hove to increase Secondary provision for students who do not have a learning disability, but are on the autistic spectrum would continue and this cohort of children and young people would have to continue to receive their education in out of area independent provisions.

5. Community engagement and consultation

5.1 Consultation on the proposals followed the processes set out in DfE Statutory Guidance “Making significant changes (‘prescribed alterations’) to maintained Schools – October 2018.

5.2 Consultation with staff, governors, parents and the wider community on the proposal was undertaken from 4th April 2022 until 29th May 2022 and the outcome of the consultation was reported to the Committee on 13th June 2022.

5.3 At this Meeting, the Children, Young People and Skills Committee authorized the Executive Director of Families, Children and Learning to proceed to publish the required Statutory Notice. The subsequent representation period of four weeks was the final opportunity for interested people and organization to express their views on the proposals.

5.4 Statutory Notices were published on the Brighton & Hove Website. In addition, notices were displayed at the Hill Park School sites and the Cedar Centre School site.

5.5 The Statutory Notice formed part of the full proposal. Copies of the full proposal were sent to the Governing Body of Hill Park School, Local Ward Councillors, Members of the Children, Young People and Skills Committee, the Members of Parliament for the City of Brighton & Hove and the Department for Education (DfE).

5.6 Copies of the full proposal have to be made available to anyone who requested a copy during the publication period.

5.7 The closing date for representations/objections to the Statutory Notice was 22nd July 2022.

5.8 During the notice period there were no requests for a copy of the full proposal information.

5.9 During the notice period no representations/objections were received to the proposal

5.10 The required statutory notice period, including the provision of full proposal information has now been completed.

6. Conclusion

6.1 In light of the fact that no representations or objections were received during the statutory notice period it is recommended that the proposal to expand Hill Park School by establishing a satellite site at the former Cedar Centre - with effect from September 2023 be approved.

7. Financial implications

7.1 As set out in the June committee report there are both capital and revenue financial implications linked to this proposal.

7.2 The capital costs of the proposal are estimated to be £4.2M, which is an increase on the original estimate of £4M. The additional £0.2M will be met from existing education capital grant which is already set aside within the Education Capital Budget in the Council's Capital Investment Programme.

7.3 The introduction of a 30-place satellite provision managed by Hill Park will also have revenue funding implications. As part of the SEN sufficiency strategy, work has already been carried out to identify new local provision required to meet needs of children and young people with SEND. The estimated full-year cost effect of establishing an additional 30 places is £0.6M. The Department for Education has provided additional funding to local authorities through high needs block allocations with the Dedicated Schools Grant. Funding has been earmarked within this budget to fund the planned new provision. The proposed new local provision will provide a more cost-effective option than out of area, independent non-maintained school provision.

Name of finance officer consulted: Steve Williams

Date consulted: 19/07/2022

8. Legal implications

8.1 In order to achieve any reorganisation of provision the Local Authority must comply with School Organisation legislation – the Education and Inspections Act 2006 (EIA), associated regulations, and statutory guidance published by the Department for Education. Both the legislation and guidance set out the steps which the Local Authority must take before making any final decisions on proposals to reorganize school provision.

8.2 The EIA 2006 provides that the Local Authority is the decision maker on any proposals to make prescribed changes to schools. The Children, Young People and Skills Committee will act as the decision maker for the Local Authority on these proposals. The decision needs to have been made within

two months of the end of the representation period i.e., by 22nd September 2022. The exact process by which the decision maker carries out their decision-making process is not prescribed; however, it must have regard to the DfE statutory guidance – “Making significant changes (‘prescribed alterations’) to maintained schools – October 2018.

- 8.3 The Guidance states that the decision maker will need to be satisfied that an appropriate fair and open consultation and representation period have been carried out and that the proposer has given full consideration to the responses received. The decision maker should consider the views of those affected by a proposal or who have an interest in it and should not simply take account of the number of people expressing a particular view. The greatest weight should be given to responses from those stakeholders likely to be most affected by a proposal, especially parents or children at an affected school.
- 8.4 When issuing a decision, the decision-maker can:
- Reject the proposal
 - Approve the proposal without modification
 - Approve the proposal with modifications, having consulted the LA
 - Approve the proposal - with or without modification – subject to certain prescribed conditions being met.

Name of lawyer consulted: Serena Kynaston
Date consulted 19.07.2022

9. Equalities implications

- 9.1 There are no equalities implications arising from this proposal.

10. Sustainability implications

- 10.1 There are no sustainability implications arising from this proposal.

11. Other Implications

- 11.1 There are no other implications arising from this proposal.

Supporting Documentation

- Appendix 1 – Children, Young People and Skills Committee Report submitted on 13th June 2022
- Appendix 2 - Presentation for Parent/Carer Virtual Consultation Event on 6th July 2022
- Appendix 3 - Q&A Outputs from Parent/Carer Virtual Consultation event on 6th July 2022.

Brighton & Hove City Council

Children, Young People & Skills Committee

Agenda Item: 85

Subject: Proposal to expand Hill Park Special School by establishing a satellite site at the Cedar Centre

Date of meeting: 13th June 2022

Report of: Executive Director Families Children & Learning

Contact Officer: Name: Georgina Clarke-Green
Tel: 07827 880742
Email: Georgina.Clarke-Green@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The purpose of the report is to acknowledge that there is currently a review of special educational needs and disability (SEND) educational provision in the city. This is in response to the SEND Sufficiency work under Priority 6 in the SEND Strategy. The first phase of this work is to consider the additional provision required to meet the needs of children and young people in the city who are on the autistic spectrum.
- 1.2 This report focuses on the first of the formal consultations that will be carried out, and the proposal to expand Hill Park School to establish a satellite site at the former Cedar Centre. The satellite will provide a 30-place provision for autistic children and young people who have anxiety and mental health issues, but who do not have a learning disability.
- 1.3 To inform the Committee of the arrangements in respect of the capital funding for the setting up of a satellite site at the former Cedar Centre

2. Recommendations

- 2.1 To note the outcome of the recent consultation to expand Hill Park School by establishing a satellite site at the former Cedar Centre for autistic children and young people who have anxiety and mental health issues but not a learning disability attached at Appendix 1.
- 2.2 To agree that the Local Authority should now proceed to publish Statutory Notices to progress this proposal.

3. Context and background information

- 3.1 The Local Authority published a SEND Strategy 2021-2026 which had 6 key priority areas:
1. Inclusion
 2. Early identification and intervention
 3. SEND Pathways
 4. Achievement and Outcomes
 5. Transitions and preparing for the future
 6. Sufficiency of SEND Services and Provision
- 3.2 As part of the SEND Sufficiency priority number 6, our vision is to ensure that the right provision is available at the right time for all children and young people with SEND.
- 3.3 We have worked in co-production with parent/carers and have carefully looked at the data on children and young people's needs in the city. This has identified gaps in provision for autistic children and young people who have anxiety and mental health issues without a learning disability. To improve the range of provision and better meet the needs of this group, we are planning to expand the number of places at Hill Park School.
- 3.4 A significant number of these students are not currently accessing education or are placed in independent non maintain special schools. By developing this provision, we will be increasing the attendance at school of vulnerable learners and be supporting them to attend school locally and within their own community.
- 3.5 We are proposing to expand Hill Park School by 30 places onto a satellite site at the Cedar Centre. This will be for 30 secondary age students (aged 11 to 16 years of age, school years 7 to 11), these students will be on the roll of Hill Park School. Although the needs of the additional students will not be the same as the current Hill Park cohort, they are covered by the current registration so there is no need to change either the school's designation or categories of SEN provision.

4. Analysis and consideration of alternative options

- 4.1 Hill Park is a complex needs school for pupils aged 3-19. There is pressure in Brighton & Hove to increase our Secondary provision for students who do not have a learning disability but who are on the autistic spectrum. These students do not currently have an opportunity to access a local special school that meets their needs and are therefore receiving their education in out of area independent provision. The rise in independent non maintained placements for this profile of need has sharply risen in the last 12 months from 27fte to 44fte with an increase in spend from £0.89m to £1.44m today. This is not in the best interests of the students or financially sustainable in the long term.
- 4.2 Hill Park also has a cohort of Secondary students with Autistic Spectrum Condition (ASC) and a Moderate Learning Disability (MLD) who would have enjoyed a more mainstream curriculum offer, but for whom a mainstream school was too large and busy. Since the merger of Hillside (PMLD/SLD), and Downs Park (MLD) in 2018 to create Hill Park, the population of the Secondary site is becoming more SLD and PMLD. An extension of the school to a third site with

an ASC population, who are working at age related expectations, would meet existing needs and provide some further opportunities for sharing resources across sites that can be accessed by some of the current Hill Park students.

- 4.3 Expanding the school onto a separate satellite site would also provide Hill Park with the potential to create a one-year Y12 Sixth Form, should the city need this in the future. There is not sufficient space on the current site to provide a Sixth Form, and the new site would offer a wider offer for Post 16 provision and enable this parity across the city with the East Learning Disability Hub.
- 4.4 It is not possible to increase the number of classrooms on the Hill Park site as the school are already struggling to identify enough classroom space to accommodate the number of pupils who are currently attending. Continuing to increase classes on site is not considered an option since it not only reduces the quality of provision but also puts too great a pressure on shared resources such as the Hall, Playground, Sensory Room, Individual Learning and Specialist Rooms, and space for Home to School Transport to operate safely.
- 4.5 There is limited space for pupils to withdraw from their peer group when experiencing sensory overload or dysregulation, and this can increase the incidents of challenging behaviour, and thereby reduce a student's access to learning.
- 4.6 The Cedar Centre building is mainly on one level, giving good access. A scheme has been designed for the Cedar Centre building which includes complete refurbishment and re-modelling of the building which will enable the building to meet the needs of pupils with ASC as their primary need. If this proposal goes forward, the building works involve internal refurbishment together with a small extension at the front of the building creating a small first floor level. Planning consent for the building work was obtained when it was proposed to use the site for a different special school provision (**planning Consent number BH2021/03029**).
- 4.7 If this proposal is agreed and taken forward, the building work will commence in January 2023 with pupils being admitted into the school in September 2023.
- 4.8 The funding for these works is available within the existing capital resources available to the LA. Capital funding of £4million had been allocated to the previous intended project at the Cedar Centre from the Basic Needs funding granted to the LA by the Department for Education.

Following the tender process, it has become apparent that the cost of undertaking the work in accordance with the planning consent is slightly above that estimated pre-tender. It is now recommended that the capital allocation for the work is increased from £4million to £4.2million for the project to create the satellite site of Hill Park School on the site of the Cedar Centre.

5. Community engagement and consultation

- 5.1 At the CYPS Meeting on 7th March, Members were informed of the launch of a formal public consultation on the proposal to expand Hill Park by establishing a satellite site at the Cedar Centre.

- 5.2 The formal consultation process began on 4th April 2022 and ran for a period of 8 weeks until 29th May 2022. This consisted of key questions to consider (further details on these questions and the consultation responses can be found at Appendix 1).
- 5.3 The consultation was promoted through:
- The Council's consultation website
 - Amaze and Parent Carers' Council communications with parents
 - SEND Partnership Board Members and their networks
 - BHISS networks
 - SENCO Forums and School's links
 - Letter to residents in the Cedar Centre area
 - Letter from Hill Park Senior Leadership Team/Governors to Hill Park community
- 5.4 Feedback was invited:
- Via the Council's consultation portal
 - By email
 - Via a face-to-face resident event that was organised on 5th May at The Central Hub, Lynchet Close and offered an opportunity for residents to talk through the proposals with representatives from Families, Children & Learning Directorate and Hill Park Senior Leadership Team/Governors.
 - The Assistant Director (Health, SEN and Disability) attended a Full Governing Body Meeting on 28th March, where the Headteacher and Full Governing Body at Hill Park were consulted and were fully supportive of the proposal.
- 5.5 A more detailed analysis of the consultation can be found at Appendix 1.

6. Conclusion

- 6.1 The purpose of proposals is to respond to the increased need in the city for this particular cohort and offer an enhanced curriculum with fully integrated education health and care support and improved support for families.
- 6.2 The results of the consultation concluded that 97% of respondents strongly/tended to agree to develop additional places for children, young people with SEND without a learning disability who have a diagnosis of Autism, anxiety and mental health needs in the city. Of this 87% strongly agreed/tended to agree to Hill Park Special School expanding its provision, and 79% strongly agreed/tended to agree to Hill Park opening a provision for 30 pupils at the Cedar Centre.
- 6.3 There is strong support for this proposal, and we will continue to co-produce these proposals with families and professionals to ensure that there is a strong consultative basis which will meet the identified needs.

7. Financial implications

- 7.1 The capital costs of the proposal have increased from an original estimate of £4m to a revised figure of £4.2m. The additional £0.2m will be met from existing education capital grant which is already set aside within the Education Capital Budget in the Council's Capital Investment Programme.

- 7.2 The introduction of a 30-place satellite provision managed by Hill Park will also have revenue funding implications. As part of the SEN sufficiency strategy, work has already been carried out to identify new local provision required to meet needs of children and young people with SEND. The estimated full-year cost effect of establishing an additional 30 places is £0.6m. The Department for Education has provided additional funding to local authorities through high needs block allocations with the Dedicated Schools Grant. Funding has been earmarked within this budget to fund the planned new provision. The proposed new local provision will provide a more cost- effective option than out of area, independent non-maintained school provision.

Name of finance officer consulted: Steve Williams

Date consulted: 28th April 2022

8. Legal implications

- 8.1 As indicated in the body of the report capital funding of £4million had been allocated to a previous intended project at the Cedar Centre which will not now proceed, and so is available for investment in this project, if so required.
- 8.2 The Local Authority is required to comply with relevant school organisation legislation- the Education and Inspections Act 2006, the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and statutory guidance published by the Department for Education- in seeking to expand Hill Park School. Both the legislation and guidance set out the steps which the LA must take before making any final decisions on the proposals.
- 8.3 As the proposed expansion is on to a satellite site rather than on the existing school premises the LA is required to demonstrate that the new provision is genuinely a change to an existing school and not in reality the establishment of a new school. DfE Statutory Guidance “Making significant changes (‘prescribed alterations’) to maintained schools” (October 2018) sets out a list of factors which LAs should consider to determine the level of integration between the two sites, namely the reasons for expansion, admission and curriculum arrangements, governance and administration and the physical characteristics of the school. The more integrated the two sites will be the more likely the change will be considered to be an expansion.
- 8.4 A formal consultation has now been carried out with all interested parties. If the decision is taken to proceed with the expansion proposals following this consultation, statutory notices must be published. This is followed by a period of 4 weeks within which any person may comment or object to the proposals. At the end of this representation period a final decision on the proposals will need to be taken by the Children Young People and Skills committee within two months. It is anticipated that this will be at the committee meeting in September 2022.

Name of lawyer consulted: Serena Kynaston

Date consulted: 10th May 2022

9. Equalities implications

- 9.1 The proposals are based on a vision for improving the provision and outcomes

for children and young people requiring specialist provision and their families. Improving outcomes for all in the City with SEND is a key priority for all partners.

- 9.2 The Equalities Impact is continuing to be monitored as the strategy is implemented by the SEND Partnership Board. Actions identified from this will be incorporated into the priority action plans, where appropriate. This will ensure that those actions will be part of the regular monitoring of progress and scrutiny of data.

10. Sustainability implications

- 10.1 Brighton & Hove City Council is committed to taking responsibility for its own impact on the environment. Sustainability considerations and benefits will form part of the evaluation of bids for the contract in line with the Council's Sustainable Procurement Policy and Climate Change Strategy.
- 10.2 Contractors have demonstrated how they will achieve best practice, value for money, and innovations. This includes minimising non – recyclable waste and promoting recycling.
- 10.3 The SEND Strategy and SEND sufficiency work is establishing the infrastructure needed to support SEND in the future considers the location of where the provisions are going to be developed, to make sure that families, children and young people do not have to travel far and are able to remain part of their local community.

SUPPORTING DOCUMENTATION

Appendices:

1. Analysis of the consultation feedback to expand Hill Park School by establishing a satellite site at the Cedar Centre.
2. Full Statutory Proposal and Statutory Notice for the expansion of Hill Park School on to a satellite site
3. Glossary of Terms

Appendix 1:

Feedback on the formal consultation phase on a proposal to expand Hill Park Special School by establishing a satellite site at the Cedar Centre

1. Introduction

As part of the SEND Sufficiency Priority Number 6, there is a commitment and vision to ensure that the right provision is available at the right time for all children and young people with SEND.

The Local Authority, working in co-production with parent/carers and carefully looking at data on children and young people's needs in the city, identified that there are gaps for autistic children and young people who have anxiety and mental health issues without a learning disability. To provide a better range of provision in the city for this group of children and young people, a formal consultation was conducted on the proposal to expand the number of places at Hill Park School to accommodate these needs. proposing to open a 30-place provision for Secondary aged students (aged 11 -16 years of age, Years 7-11) based at the Cedar Centre. The site will form part of Hill Park School, and the students will be on their roll, but their needs will not be the same as the current Hill Park cohort.

2. Consultation Process

The formal consultation process began on 4th April 2022 and ran for a period of 8 weeks until 29th May 2022.

The consultation was promoted through:

- The Council's consultation website
- Amaze and Parent Carers' Council communications with parents
- SEND Partnership Board Members and their networks
- BHISS networks
- SENCO Forums and School's links
- Letter to residents in the Cedar Centre area
- Letter from Hill Park Senior Leadership Team/Governors to Hill Park community

Feedback was invited:

- Via the Council's consultation portal
- By email
- Via a face-to-face resident event that was organised on 5th May at The Central Hub, Lynchet Close and offered an opportunity for residents to talk through the proposals with representatives from Families, Children & Learning Directorate and Hill Park Senior Leadership Team/Governors

Respondents were asked 6 questions and were offered the opportunity to add any specific comments at the end of each question. Throughout the consultation period the number and range of responses were reviewed to make sure that all groups were

represented in the responses and to identify any further promotion required with stakeholders to ensure that they were aware of the consultation process.

3. Process for analysing responses

The responses were collated and reviewed looking at key themes and recording significant issues for further consideration. The information provided as part of this report is both statistical and from comments made by participants in the engagement period.

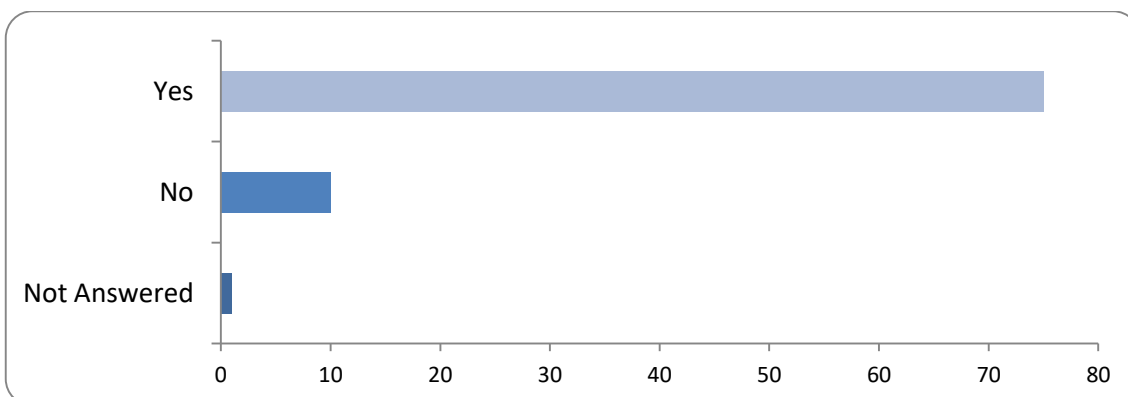
Respondents were encouraged to participate via the Council's online consultation portal but were also able to respond via a specific email account that was created for the consultation.

86 responses were submitted via the online consultation portal, and the quantitative data in this report reflects these responses. Of the 86 respondents, 75 identified as being a Brighton & Hove resident and 11 identified as not being in this group (or not responding to this question). No respondents identified as representing an organisation or group, whilst 40 responded as a parent/carer directly affected by the proposals. All respondents used the online consultation portal to give their views. No additional responses were received by email, the email correspondence was around the building proposals/plans and issues associated with the current state of the grounds.

Collated responses to the consultation are detailed below.

Q1: Are you a resident in Brighton and Hove?

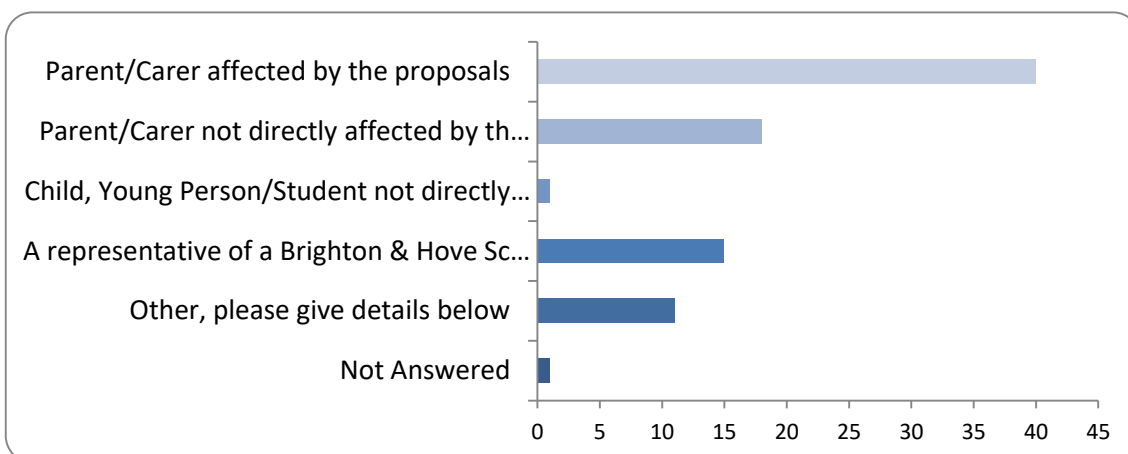
Option	Total	Percent
Yes	75	87.21%
No	10	11.63%
Not Answered	1	1.16%



Q2: How are you responding to these proposals?

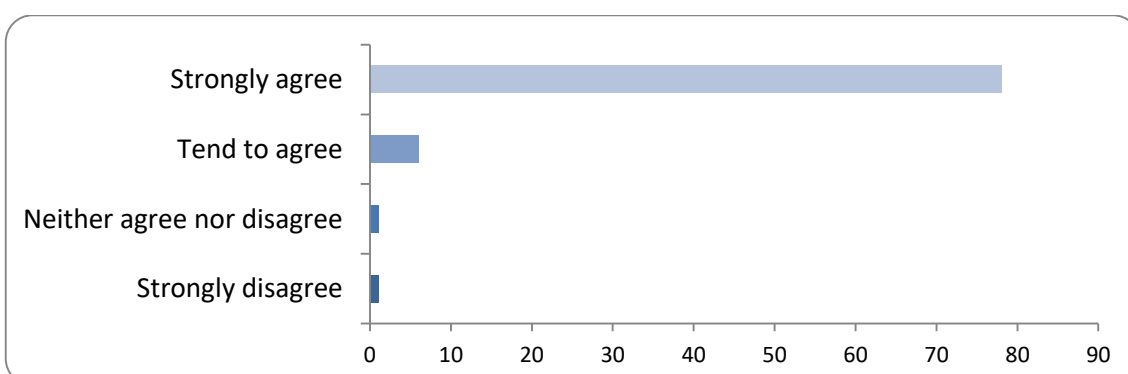
Option	Total	Percent
Parent/Carer affected by the proposals	40	46.51%
Parent/Carer not directly affected by the proposals	18	20.93%
Child, Young Person/Student affected by the proposals	0	0.00%

Child, Young Person/Student not directly affected by the proposals	1	1.16%
A representative of a Brighton & Hove School	15	17.44%
A representative of a local community or voluntary organisation	0	0.00%
Other, please give details below	11	12.79%
Not Answered	1	1.16%



Q3: Do you agree or disagree that we need to develop additional places for children, young people with SEND without a learning disability (LD) who have a diagnosis of Autism, anxiety, and mental health needs in the city?

Option	Total	Percent
Strongly agree	78	90.70%
Tend to agree	6	6.98%
Neither agree nor disagree	1	1.16%
Tend to disagree	0	0.00%
Strongly disagree	1	1.16%
Don't know / not sure	0	0.00%
Not Answered	0	0.00%



Q3a Please provide a short explanation of your answer to the above question if you are happy to:

Key Themes from Comments Received:

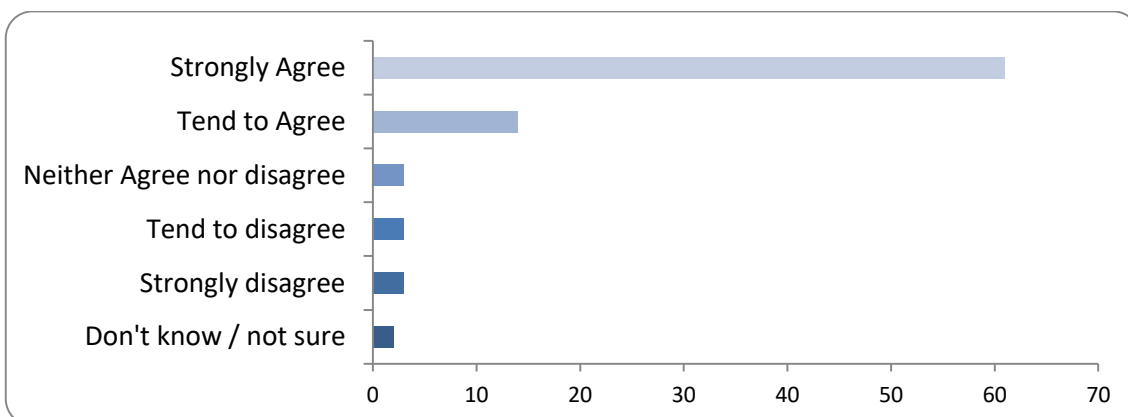
- This provision will meet the needs of young people where Mainstream Secondary

Schools are too big to meet this cohort’s needs. These smaller specialist environments will bridge the big gap in provision and give them the opportunity to access a placement where they feel that they “fit in”

- There is a high demand for specialist school places, and it is becoming increasingly difficult to place children and young people who require this provision.
- Although this is a good start, there will be a need to increase the number of places in specialist provision.
- It was raised in the feedback by a number of respondents that previous specialist provision had been closed in the city and that this had been cause of concern for families. It was felt that no suitable alternative was provided at the time, and this had caused families and young people some distress.

Q4: Do you agree or disagree with Hill Park Special School expanding its provision to cater for children and young people with Autism, anxiety, and mental health?

Option	Total	Percent
Strongly Agree	61	70.93%
Tend to Agree	14	16.28%
Neither Agree nor disagree	3	3.49%
Tend to disagree	3	3.49%
Strongly disagree	3	3.49%
Don't know / not sure	2	2.33%
Not Answered	0	0.00%



Q4a Please provide a short explanation of your answer to the above question if you were happy to:

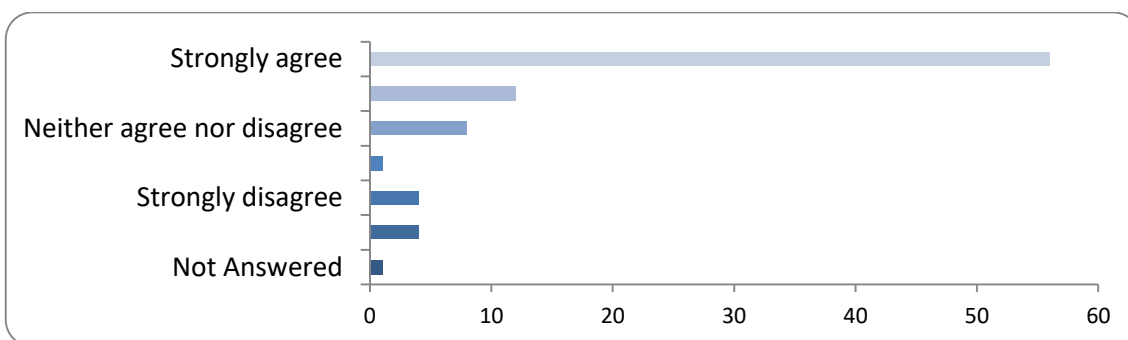
Key Themes from Comments Received:

- It is important that this provision is adequately funded.
- Hill Park is an outstanding provision, and the staff provide excellent teaching and learning.
- A small number of respondents raised a concern as to whether Hill Park would be able to meet the needs of young people with ASC who do not have a learning disability. This is because the young people who are going to attend have a different profile of need, this is a new area of expertise that they would need to develop.
- There would need to be assurance that the provision will have experienced staffing with expertise in this particular profile of need.

- Mainstream is not a good fit for all ASC children and young people as sensory overload and self-identity make it difficult for these children not to “stand out” which can have a negative impact on them. This provision has the potential to provide an environment that is inclusive in all aspects and is what they need.
- Provision needs to be trauma informed, offer a flexible approach to learning, provide lots of nurture and support and access opportunities to become part of a community
- A small number of comments suggested that this provision should be attached to a mainstream school to enable young people to be supported to access mainstream clubs and provision.
- There was a concern that demand for these places will be high, and that without providing more specialist provision there will still be a reliance on out of city placements.

Q5: Do you agree or disagree with Hill Park School opening a department based at the Cedar Centre for 30 children and young people with Autism, anxiety, and mental health needs?

Option	Total	Percent
Strongly agree	56	65.12%
Tend to agree	12	13.95%
Neither agree nor disagree	8	9.30%
Tend to disagree	1	1.16%
Strongly disagree	4	4.65%
Don't know / not sure	4	4.65%
Not Answered	1	1.16%

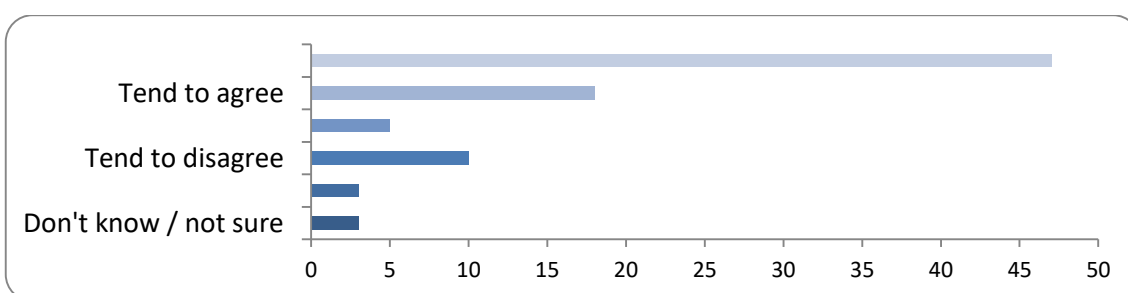


Key Themes from Comments Received:

- There was strong support for the provision as it is recognised that it is needed in the city. However, there was concern that 30 places will not be sufficient for the numbers of children and young people that will need to access this type of provision.
- There was a view expressed that all Schools should be accessible and SEND friendly. There was a concern that when placing children and young people with similar issues together on one site, this will not encourage the wider inclusion agenda across all schools.
- Management structures will be key in ensuring that this provision is successful.
- This will offer a smaller setting that is peaceful and specifically geared towards the needs of this cohort. Any provision and site renovations need to consider Autism Specialist Input as well as being demand avoidance and trauma informed.

Q6: Do you agree or disagree for the provision to be for children and young people aged 11 to 16 (Year 7 – Year 11)?

Option	Total	Percent
Strongly agree	47	54.65%
Tend to agree	18	20.93%
Neither agree nor disagree	5	5.81%
Tend to disagree	10	11.63%
Strongly disagree	3	3.49%
Don't know / not sure	3	3.49%
Not Answered	0	0.00%



Q6a Please provide a short explanation of your answer to the above question if you were happy to:

Key Themes from Comments Received:

- There would be benefits in extending the age range to incorporate KS1, KS2 and a provision to 18, as Primary, Secondary and Mainstream Colleges do not meet all of this cohort's needs.
- More details needed around the facilities the provision will have, the qualifications that will be offered and the timetables that will be put into place, as well as information on the staffing need to be provided as things progress.

Appendix 2:

Full Statutory Proposal information on a proposal to expand Hill Park Special School by establishing a satellite site at the Cedar Centre

In accordance with section 19(1) of the Education and Inspections Act 2006 Brighton and Hove City Council proposes to expand Hill Park Special School by establishing a satellite site at the Cedar Centre with effect from 1st September 2023.

Local Authority Details:

Brighton & Hove City Council
Hove Town Hall
Norton Road
Hove, BN3 3BQ

School Details:

Hill Park School
Foredown Road
Portslade by Sea
BN41 2FU

Hill Park School is a registered community special school for pupils which makes day provision for pupils aged 2-19 who have severe learning difficulties, profound and multiple learning difficulties, or autistic spectrum disorders. The Category of Need to meet the admission criteria is a Learning Disability together with an additional special educational need such as a physical disability, autism. There are currently 198 pupils on roll.

Description of the proposed alteration

To expand Hill Park by establishing a satellite site on the Cedar Centre site. The full address of the Cedar Centre is The Cedar Centre, Lynchet Close, Hollingdean, BN7 7FP. The Cedar Centre is approximately 4miles (6.5Km) as the crow flies from the upper site of Hill Park School on Foredown Road Portslade, BN41 2FU. The shortest route by road is just over 5.5 miles. The satellite provision at the Cedar Centre site, will offer an additional 30 places for Secondary aged students (aged 11 – 16, Years 7-11) for autistic children and young people who have anxiety and mental health issues but not a learning disability.

Reason for the proposed change

Brighton & Hove City Council has a statutory obligation to provide enough school places for all young people in Brighton & Hove, including those with special educational needs and disabilities (SEND). The council has identified a gap for children and young people who have Autism, but not a learning disability. To address this gap, it is proposed to expand Hill Park Special School by opening a satellite provision at the Cedar Centre site, which will offer an additional 30 places for Secondary aged students (aged 11 – 16, Years 7-11). The site will form part of Hill Park School and the students will be on their roll. It is proposed that this site will offer provision for 30 students with effect from 1st September 2023.

Hill Park has increased in commissioned numbers by 25% in the last 5 years and the demand has continued to grow, particularly for pupils with ASC. The capacity of the school is 198. The number of classes across both sites has increased by 2 classes from 10 - 12 in the last 3 years. This is without any additional classroom capacity being built on either site. The increase of pupils on the primary site has an impact on secondary numbers, and this combined with pupils coming in from mainstream at Y7 has increased pupil numbers. There is already a need for a 13th classroom which there is no room to provide.

Building works undertaken between 2019 and 2020 increased the accommodation available at the school. The building works included remodelling but did not increase the number of classrooms and does not have enough classroom space to meet a wider range of student needs. Continuing to increase classes is not considered an option since it not only reduces the quality of provision but also puts too great a pressure on shared resources such as the Hall, Playground, Sensory Room, Individual Learning and Specialist Rooms, and space for Home to School Transport to operate safely. There is limited space for pupils to withdraw from their peer group when experiencing sensory overload or dysregulation, and this increases challenging behaviours and reduces learning. Hill Park, therefore, needs to reconfigure and expand its provision to a new site, thus enabling the correct pedagogy and learning environments, for 1-1 and small group spaces.

Hill Park is a generic needs school for pupils aged 3-19, and there is pressure in Brighton & Hove for an increase of our Secondary provision for students without a learning disability and Autism that cannot access a traditional school environment, which needs to be reflected in the provision of their EHC plans. These students do not currently have provision that meets their needs, so are having to access this in expensive, out of area, independent provision because the integrated education, health, and care provision they need is not provided locally. This is not sustainable in the long term and is not generally in the best interests of the students.

Hill Park also has a cohort of Secondary students with ASC and a Moderate Learning Disability who would have enjoyed a more mainstream curriculum offer, but for whom a mainstream school was too large and busy. Since the merger of Hillside (PMLD/SLD), and Downs Park (MLD) in 2018 to create Hill Park, the population of the Secondary site is becoming more SLD and PMLD. An extension of the school to a third site with an ASC population, who are working at age related expectations, would meet existing needs and increase the number of children and young people that are presenting with these needs in the city.

Expanding the school onto a separate satellite site would also provide Hill Park with the potential to create a one-year Y12 Sixth Form, should the city need this in the future. There is not sufficient space on the current site to provide a Sixth Form, and the new site would offer a wider offer for Post 16 provision and enable this parity across the city with the East Learning Disability Hub.

The effect of other educational institutions within the area

It is not intended that the proposal would impact adversely on other schools and academies or the educational provision in the wider area. The proposal would provide additional places for children with special educational need across Brighton & Hove.

Consultation

The public consultation, which ran from 4th April 2022 to 29th May 2022 was posted on

the consultation portal on the council's website, and publicized on social media, through AMAZE and PaCC links, as well as being circulated to a wide range of professionals via SENCO forums and School's representative groups.

There were 86 respondents to the consultation, and 56 supported the proposal. A more detailed breakdown of the consultation feedback is attached as Appendix 1. The outcome of the consultation was presented to the 13th June 2022 meeting of the Children, Young People and Skills (CYPS) Committee.

Where and when the Statutory Notice and Full Proposal information will be available

Brighton & Hove City Council will publish the Statutory Notice for this proposal from 24th June 2022. The Notice will remain in force for a period of 4 weeks, i.e., until 22nd July 2022. Copies of the notice will be placed:

- **At the entrance to the school**
- **At the entrance to the Cedar Centre**
- **In other places in the Community**

On 24th June 2022 the full proposal information (this document plus appendices) will be sent to the following recipients:

- The Governing Body of Hill Park School
- The parents of every registered pupil at the school
- Any Local Authority which has commissioned a place at the school
- The Secretary of State for Education
- Members of the Children, Young People and Skills Committee
- Local Ward Councillors
- The Members of Parliament for Brighton & Hove

It will also be published on the Council's website at the following address:

www.brighton-hove.gov.uk/school-statutory-notice.

Any person may request a copy of the full proposal information either by writing to Michelle Hunt at Brighton & Hove City Council, 2nd Floor, Hove Town Hall, Norton Road, Hove, BN3 3BQ or by contacting them via email at cedarcentreconsultation@brighton-hove.gov.uk

How to make representations or comment on the proposal

Any person may object or make a representation or comment on the proposal. This can be done by writing to Georgina Clarke-Green, Assistant Director Health, SEN and Disability, Brighton & Hove City Council, 2nd Floor, Hove Town Hall, Norton Road, Hove, BN3 3BQ before the closing date of 22nd July 2022 or via email at cedarcentreconsultation@brighton-hove.gov.uk

Following the closing date for representations, comments and objections, a report will be prepared for the Children and Young People's Committee to decide the proposal within 2 months, i.e., no later than 13th August 2022. At the present time, it is anticipated that the report will be considered at their meeting scheduled in September 2022.

Brighton & Hove City Council
Statutory Notice: Proposal to expand Hill Park Special School by establishing a satellite site at the Cedar Centre site

Notice is given in accordance with Section 19(1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that Brighton & Hove City Council, Hove Town Hall, Norton Road, Hove, East Sussex BN3 3BQ is proposing to permanently expand Hill Park School, Foredown Road, Portslade, Brighton BN41 2FU onto a satellite site at the former Cedar Centre Community Special School site, Lynchet Close, Hollingdean, BN7 7FP from September 2023.

Hill Park school is currently registered for 197 pupils between the ages of 2 and 19 years old. There are two sites, one for Primary and one for Secondary aged students, each with 12 classes on each site. It is proposed to increase the capacity by a further 30 pupils aged 11 to 16 (Years 7 to 11) with Autistic Spectrum Condition. The increase in capacity will be achieved by expansion onto a satellite site at the premises of the former Cedar Centre Community Special School.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Michelle Hunt at Brighton & Hove City Council, 1st Floor Hove Town Hall Norton Road, Hove BN3 3BQ or by contacting them via email at cedarcentreconsultation@brighton-hove.gov.uk. The Full Proposal is also on the Local Authority's website and can be found at <https://www.brighton-hove.gov.uk/schools-and-learning/school-statutory-notices>.

Within four weeks from the date of publication of this proposal (i.e. by 22nd July 2022), any person may object to or make comments on the proposal by sending them by email to cedarcentreconsultation@brighton-hove.gov.uk by post to Michelle Hunt, Brighton & Hove City Council, 1st Floor Hove Town Hall, Norton Road, Hove, BN3 3BQ.

Signed:

Publication Date:

Appendix 3:

Summary of acronyms used in the report

ASC	Autistic Spectrum Condition
BHISS	Brighton & Hove Inclusion Support Services
CYPS	Children, Young People & Skills (Committee)
EHC Plan	Education, Health & Care Plan
MLD	Moderate Learning Difficulties
PaCC	Parent and Carers' Council
PAN	Published Admission Number
PMLD	Profound and Multiple Learning Difficulties
SEN	Special Educational Needs
SENCO	Special Educational Needs Co-Ordinator
SEND	Special Educational Needs and Disabilities
SLD	Severe Learning Difficulties

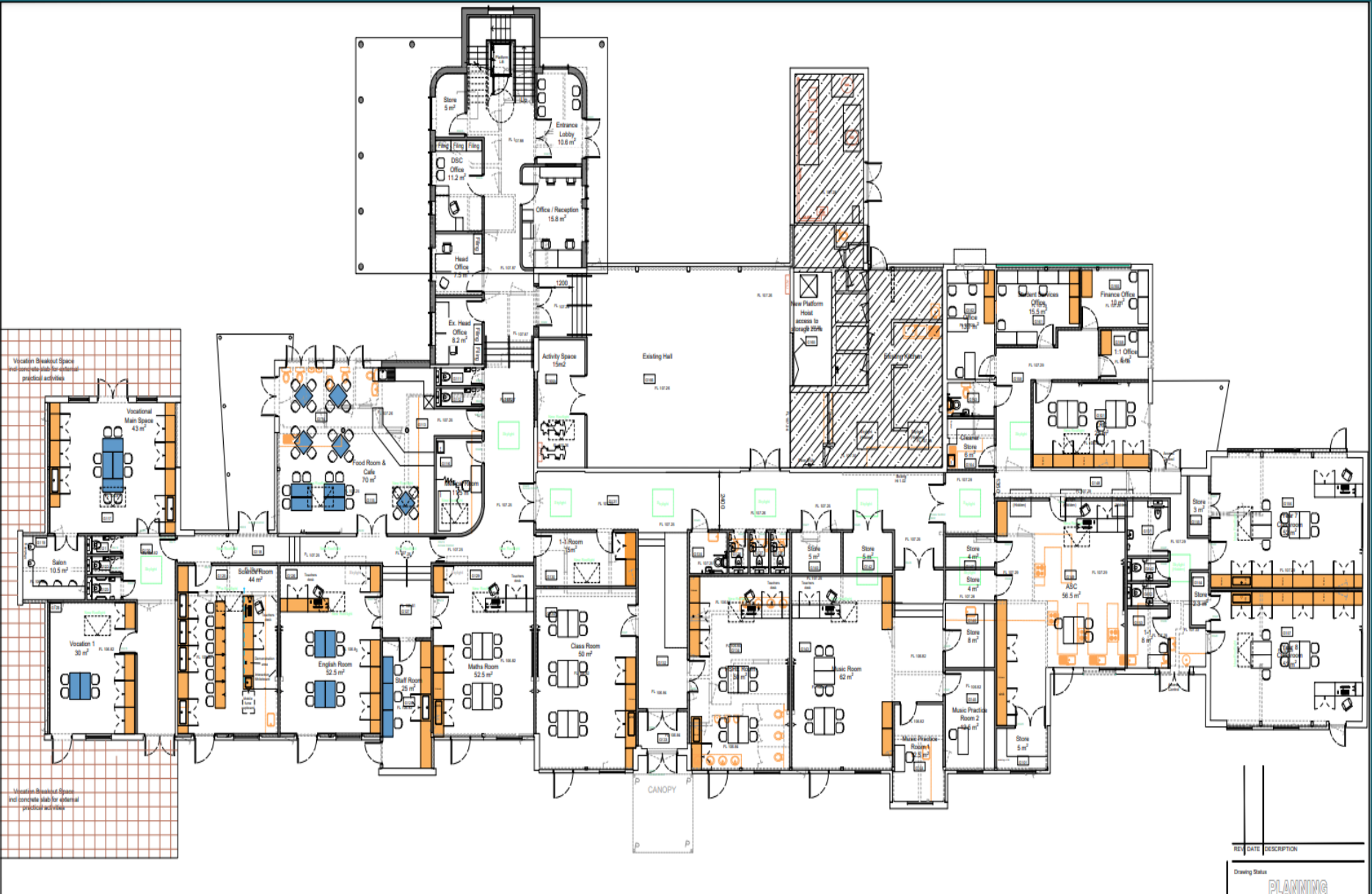
Proposal for a new ASC/MH Provision

HP₃

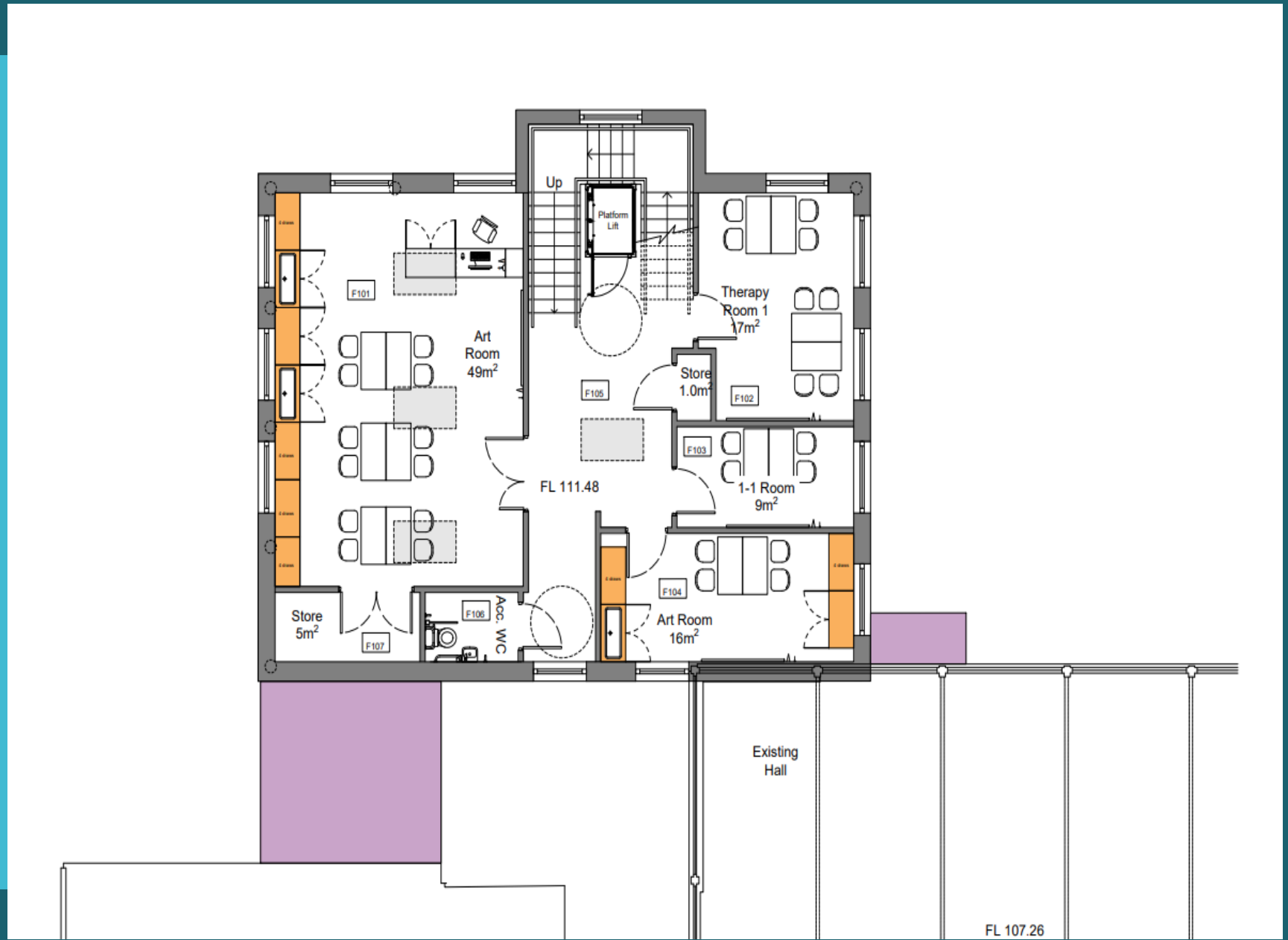
92 The Provision

- Will initially provide up to 30 places for KS3 / 4 students
- EHCP must have ASC and SEMH (MH) as Categories of Need
- Students do not need to have a Learning Disability
- Focus on supporting emotional barriers to attendance and engagement with personalised learning

Ground Floor Plan



94 First Floor Plan



95 Elevations



North Elevation



South Elevation

06 Our Vision

- This provision is based on a commitment to Student Voice and Person Centered Planning
- This provision is a relationship based model - students must feel safe
- We believe in an holistic multi - agency approach to meet the whole young person's needs
- We believe in helping the student find their place and purpose in the adult world

The Learning Environment HP3 will provide...

- 1-1 and small group learning spaces
- different entry points to the building
- sensory regulation rooms
- counselling spaces
- outside learning eg gardening / forest schools / animals
- Digital media suite
- Calming colour schemes and layouts
- Social interaction spaces
- Flexible eating spaces
- Life skills flat
- Vocational spaces eg café / hairdresser / gardens /wildlife area
- Specialist rooms for arts and sciences

86 How Will HP3 Work?

- each student will co-produce an Individualised Learning and Support Plan before they start
- a multi -agency team will support the student in writing their Plan
- transition into HP3 will be supported by the Wellbeing and Support Team using the Plan the student has written
- the student will have as much choice as is realistic in how , when and where to learn
- each student will have 2 Key Adults and they will check in as needed
- a student will probably need a high level of 1-1 support initially and at certain times . We do not want to create a 1-1 dependency model but staffing levels will allow for 1-1 support

Curriculum Offer

- a range of different qualifications and extra - curricular activities will create a balance
- GCSEs will be offered as well as Functional Skills and BTECs
- a blended delivery model will include options for online learning students will have individualised curriculum targets, as well as holistic behaviour, health and well-being targets
- aiming for at least GCSE in Maths and English and a range of other qualifications
- link up with local Universities and have students on placement
- aim to have neurodivergent role models involved at all levels

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What could a Person Centered Plan include?

- What do I need to feel safe at school
- What do I need to learn
(environment, teaching styles, adult support, peers or alone etc)
- Who and what do I need to help and support me
- What future am I building towards

Support 101 Agencies and Therapies

The success of DP3 will depend on the multi -agency personalised support which will include :

- Counsellors
- Therapeutic inputs eg Lego therapy / Emotion Coaching etc
- PACE (Playfulness, Acceptance, Curiosity and Empathy) work
- Family Support
- Educational Psychologists
- Charities
- CAMHS
- Medical staff
- Key adults

- There needs to be a resilient , visible senior leadership team
- staff need to be resilient and flexible to make dynamic decisions that are right for the student/s at that time
- staff need to understand that **relationships** provide the safety, success, esteem, belonging and confidence that these students need
- understand that home school partnership is vital , be non-judgemental and welcoming to families

An emotionally and physically safe space

103

- HP3 needs to be safe – no student can repeatedly create an unsafe environment
- we expect many students to be self – excluding from school and been unable to attend lessons because they have experienced severe bullying, mental ill-health or trauma.
- we expect some students to have experienced challenges with self-harm
- don't talk about behaviours – talk about expectations
- students must want to learn and want to be there
- everybody must have unconditional positive regard for each other
- everybody must look after the wellbeing of each other
- anxiety may mean cannot always self-regulate and we are aware that behaviours in a current / past setting can change
- assessment places a possibility in the future

Preparation for Adulthood

104

Areas to consider are:

1. work experience
2. accreditation
3. workplace encounters
4. community inclusion
5. travel training
6. college visits.

How will this be different from traditional secondary school?

Layout of the learning spaces – sofas etc

First name terms for staff

No bells -free flow movement

Negotiated timetables

No uniform



Attendance

- attendance is key but will need to be measured flexibly
- trust with families and students may take time so an Outreach model will support
- flexi school agreements may support students to commit to attending
- low attendance in the building is not necessarily poor attendance

107 What's Next?

- currently finalising funding model
- final Approval at CYP Committee in September
- refurbishment at building works start September
- recruitment of Deputy Head to lead site Autumn Term 22
- work with LA to start receiving EHCPs for consultation

Parent Consultation – Hill Park Satellite at the Cedar Centre
6th July 2022 at 11.30am

Questions and Answers

1. Looks like a large space – will the provision be expanded to incorporate more places.

Some research has been carried out by a PhD student and currently it shows that provision for 30 pupils is required. There is a need not to over-commission so there will be a review of need in the future to determine whether this level is sufficient or whether more places are required.

All other provisions that have been researched are small – there is a need not to have large numbers as this will be overwhelming. However, there will be multiple entrances so there could be consideration of multiple small pods to incorporate more places in the future (and depending on the needs of those in the provision).

2. Eligibility – will it be Autism and SEMH, or one of SEMH or Autism?

The primary need will not be SEMH as this is the cohort of provisions such as Homewood College. It is likely that pupils will have high anxiety levels and internalise their anxieties not externalise their anxieties so that it is behavioural.

3. Could there be possibility of pupils being able to take their GCSEs over an extended period of time?

Yes, happy to look at this and work with the needs of the pupils. A Y11 only Sixth Form is also being considered which would give students more time to complete their GCSE's.

4. Where will pupils be on roll? Will they be on-roll at a mainstream school? Will the provision be a first-choice placement or as a result of an issue/failure in a mainstream school?

Pupils will be on roll at Hill Park. It will be a first choice/preference for them but initially it is likely that pupils will be chosen according to need and this may result in students across all year groups. After this first year, a cohort of Y7 should then work their way through, although some students will always need to join in other year groups.

Transitioning – things shared that worked for one child and useful to pass on:

- a. No pressure to attend – ability to sit and look from outside in the car and not have the pressure to go inside
- b. Able to join favourite lessons and flexibility in the lesson planning to provide support for young people to join activities and classes that they enjoy
- c. Timetable – which built on feeling safe and was supportive enough to ensure that anxieties were addressed and disappeared

- d. Ability to have aspirational targets enough that the young person can achieve highly (which is good for self-esteem)
- e. Not to have anything in the building that would not be present in a house

All very important points and key to ensuring that each child is able to relax and feel that they can achieve, reduce their anxiety so that they are able to allow themselves to “fail more” which conversely allows them to achieve more.

- 5. Lots of support for the provision, much needed and hopefully this can be a model of good practice going forward in the city to support pupils with this profile. An exciting development**
- 6. Need clear admissions criteria. Factors that are a concern are later diagnosis/waiting lists/extended behaviour in exclusion and slowness of diagnosis. Need clarity around whether private diagnosis will be considered or not.**

Will likely go forward with those pupils that already have a diagnosis first. There are discussions around private diagnosis, and it is hoped that the position around this will be clearer by the time this provision is available. This is a collaborative process and keen to work collaboratively with parent/carer groups.

- 7. Six places per year group – will this target those that are currently in private provisions or those that are currently not in school?**

Unlikely that the provision will be split into 6 pupils per year group and in the first instance more likely to be a selection of young people in different year groups. Over time, Y7 is likely to be the most common entry point.

- 8. How much will this cost per child?**

Not able to define this at the moment, will be similar to a Hill Park school placement and funding will follow along these lines. The costs of pupil placement will need to cover the costs of admin staff and premises support as well as the class based and curriculum costs as pupil numbers are small. that are likely to be more is for maintenance of the site and the staff required for this (i.e., Caretaker, Front Office and Admin support). The costs will not be as high as independent provision placement costs.

- 9. Will it be a barrier for those with ASC SEMH and Dyslexia?**

Not at all – these needs can be met.

- 10. Are therapy dogs/animals being considered?**

Yes, but have to be mindful that dogs/animals would need to be introduced in a structured way. Grounds are big enough to consider offering animal care as well.

- 11. Will student have to have an EHC Plan already in place?**

Yes.

12. Would children not yet at their age-related expectations be able to apply?

Yes. The provision is mainly for those without a learning disability who may not be able to access an environment rather than those with a learning disability.

13. Is there the option to scale back the offer and extend the places instead so that instead of offering a “Rolls Royce” model for 30 the provision could offer less but cater for 50?

There are other provisions being considered, and this will increase the number of placements for those with autism to 100 across the city. These new resource and satellite hubs will be attached to Primary and Secondary settings and will be offered in addition to the 30 places at Hill Park (HP3). It is hoped that these places will be offered in September 2023 or 2024 at the latest.

14. Will it be the SEN Team or a Panel that will decide on placements at HP3?

It will be a joint decision-making process to start with, and then going forward pupils will be identified at Primary/Secondary transition stage.

15. Will this be something that needs to be considered for transition review stage, and if so then what group of reviews will this need to target (i.e., would those currently in Year 5 be able to apply)?

It is likely that this would be too soon for those currently in Year 5 to apply as provision still has a long way to go until it is ready. Initially thoughts are that this would be filled with pupils from other year groups and then once provision is up and running admissions can be sought from those coming up to Year 7 stage.

Agreed that a clear statement of when parents/carers/pupils can include HP3 as their choice of school and a clear admission criterion is needed.

16. If HP3 is put as first choice but then this is not met – would the pupil, then automatically be able to take a place at Hill Park?

No – the admissions criteria at Hill Park Special School is different and they would not be eligible.

17. In that case, could the provisions be called something separate so that parents/carers/pupils are able to name the provision so that it makes the appeals process easier if, say, they ask for a resource base or satellite place attached to a mainstream or specialist school and then are offered a place but not at the resource or satellite provision?

It is a difficult legal point to call satellite or resource bases different names as legally they are an extension of the mainstream provision.

18. Will this only be for Brighton & Hove children?

East Sussex and West Sussex authorities have the right to apply for places for their young people, but it is hoped that priority will be given to Brighton & Hove pupils and those with Brighton & Hove EHC Plans as the data to put the provision in place was based on Brighton & Hove needs.

19. If students are on more flexible timetables, would they still be able to access home to school transport if eligible?

Yes. It is hoped, however, that pupils will be on more flexible timetables so there will be the opportunity for there to be a mixture of home to school transport, parent supported transport and independent travel.

20. Would there be out of school clubs e.g., after school?

Yes, it is hoped that there will be an extended day curriculum once the provision is established.

21. Will there be EOTAs, or Sense Learning put into place in the interim to support those that may need it and before a place at HP3 is available?

Mainstream schools receive resources to provide education to pupils so if a pupil is enrolled in a mainstream school, then there is the availability for the school to organise support, for example through Bright Teach.

22. For families who've had children unable to be in school, it has a huge impact on their ability to work, livelihood etc. Is the hope that school might offer an enrichment programme so that students might be able to have a longer school day, even if it's low demand?

We hope that the negotiated curriculum will give students enough choice to come and engage on site.

23. Is it possible to share the methodology/analysis carried out by the PhD student which identified the 30 places for this provision?

A request will be made to see if the SEN Sufficiency analysis can be shared.

Parent Consultation – Hill Park Satellite at the Cedar Centre
6th July 2022 at 6.00pm

Questions and Answers

1. Will there be eligibility for Year 10 in 2023?

It is likely that in September 2023 there will be a selection of pupils in a variety of year groups and selected from those pupils that are not in education, so yes those in Year 10 will be eligible. Year 6 pupils will then start to be selected for entry into Year 7.

2. Are autistic advocates being consulted in the refurbishment?

Yes, there are hopes to be able to work with young people with autism to advise on environmental issues and with different groups.

3. Rewards and Sanctions cause anxiety to spike, will this be an approach at this provision

Rewards and sanctions are always negotiated on an individual basis at Hill Park. There will be no behaviour boards or charts or anything public or class based.

4. If a child is accepted and require Art Therapy or OT would that be fully included?

The provision will be working with NHS Sussex for an integrated therapy offer to ensure all needs are met. Whatever is in the EHC Plan will be delivered and the funding model has the flexibility to allow for most therapies. If not, then additional funding will be requested.

5. CAMHS involvement – is it the normal referral process or will there be a speedier direct line approach?

The referral process is the same, the school will make a referral. Generally, the waiting time has not been that long, but aware that there are pressures within the Service that are causing delays.

6. Are therapy dogs/animals being considered?

Yes, but have to be mindful that dogs/animals would need to be introduced in a structured way. Grounds are big enough to consider offering animal care as well.

7. There are views around that all of the spaces are already fully allocated and that there will be no availability – how true is this?

No pupils have been allocated at the moment. There have been queries from lots of interested parties, but the provision will not open until September 2023. It is likely to be a mixture of allocations in the first instance, and then once the provision is up and

running there will be the normal allocation of places into Year 7. A phase-through approach will not initially be in place. Places will be discussed at a Panel where the LA and school will make the decisions together.

8. Will the provision be expanded to incorporate more places?

Some research has been carried out by a PhD student and currently it shows that provision for 30 pupils is required. There is a need not to over-commission so there will be a review of need in the future to determine whether this level is sufficient or whether more places are required.

All other provisions that have been researched are small – there is a need not to have large numbers as this will be overwhelming. However, there will be multiple entrances so there could be consideration of multiple small pods to incorporate more places in the future (and depending on the needs of those in the provision).

There are other provisions being considered, and this will increase the number of placements for those with autism to 100 across the city. These new resource and satellite hubs will be attached to Primary and Secondary settings and will be offered in addition to the 30 places at Hill Park (HP3). It is hoped that these places will be offered in September 2023 or 2024 at the latest.

9. Liaison with Social Communication Resource Unit could be useful to look at the level of demand.

10. If prioritising those who have been out of school the longest – what will this look like at Panel?

There is a need to develop an Admissions Criteria/Statement that can be shared. This is a collaborative process and keen to work collaboratively with parent/carer groups.

11. If students are on more flexible timetables, would they still be able to access home to school transport if eligible?

Yes. It is hoped, however, that pupils will be on more flexible timetables so there will be the opportunity for there to be a mixture of home to school transport, parent supported transport and independent travel.

12. Will it be trauma informed?

Yes, staff are trained in these areas currently in Hill Park and skills will be transferred to the new site.

13. There was a mention about funding – does this mean that the provision may not materialise?

The provision will be in place, funding discussions are about finalising amounts rather than if the funding is there. A paper will be presented at the September Children, Young People and Skills Committee for final agreement, and it is highly unlikely that this will not be agreed as it was already endorsed at the June Meeting.

Brighton & Hove City Council

Children Young People & Skills Committee

Agenda Item 12

Subject: 2021/22 Families, Children and Learning Performance Report

Date of meeting: 12 September 2022

Report of: Executive Director of Families, Children and Learning

Contact Officer: Daryl Perilli
Daryl.perilli@brighton-hove.gov.uk

Justin Grantham
Justin.Grantham@brighton-hove.gov.uk

Ward(s) Affected: All

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report sets out a summary of the performance of the Families, Children and Learning (FCL) directorate and provides an overview of business and improvement plans for the year ahead.

2. RECOMMENDATIONS:

- 2.1 That committee note the current performance of the directorate.
- 2.2 That the committee note the business and improvement plans for the year ahead.

3. CONTEXT/ BACKGROUND INFORMATION

How we collect and report on performance information in Families, Children & Learning

- 3.1 The FCL Performance and Quality Assurance Framework is part of the Brighton and Hove City Council Performance Framework.
- 3.2 Along with other directorates in the Council, FCL manage a set of key performance indicators (KPIs) and directorate, service and team level business plans setting out key actions over the coming year(s).

- 3.3 The FCL Performance Board meets quarterly and has oversight of a wide set of 42 KPIs, Directorate Plans, performance against FOIs and MP / member enquiries, EIA Completion, Internal Audit Recommendations, a service user / customer feedback report, a SEND Performance Dashboard, Children's Social Care Performance reports, a Schools Causing Concern report, and a Quality Assurance briefing. Exceptions reports are requested for both good performing areas and areas where there is poor performance. These reports ensure performance is challenged, learning is captured, and improvements are made.
- 3.4 There are links to other Board meetings within the Directorate including the SEND Partnership Board, Corporate Parenting Board, Adolescent Board, Education Partnership and Brighton and Hove Safeguarding Children Board. These boards all have datasets which enable them to scrutinise the work of FCL within their specialist area. In addition, FCL produce data sets and reports to Health and Wellbeing, in regard to Children and young people's mental health and Community Safety Partnership Board in regard to youth offending.
- 3.5 Within FCL each branch has its own data sets, at both a management/operational level and a strategic/SLT level. Each SLT review their data sets monthly to ensure delivery to the service plans and wider objectives. The FCL Performance Board oversees these reports strategically.
- 3.6 Due to the nature of the work, there is also considerable external oversight and scrutiny of services. A number of services across FCL, including Social Work, SEND, BHISS, Education and Substance misuse are required to submit data returns to either the Department for Education (DfE) or the Department of Health (DfH), further detail in 3.9 below. The Ofsted, HMIP and CQC inspection frameworks encompass a number of services within the directorate, with both Social Work and The Youth Offending Service being the focus of specialised inspection of these areas of work (and recently judged to be Outstanding by HMI probation), while the BHISS service and ru-ok are included in Ofsted and CQC inspections.
- 3.7 Ofsted request copies of service performance management reports as part of their inspection frameworks. In addition to the inspection framework there is an annual conversation with Ofsted, where FCL leaders have to evidence to Ofsted the work and improvements made over the previous year, across social work, education and SEND, as well as showing areas identified for improvement. Alongside this, FCL work with the Local Government Association and invite in Peer Reviews, most recently a Peer Review on Early Help in January 2020, alongside being part of the South East Sector Lead Improvement Programme. Through this programme we are linked to two other local authorities and provide each other with Peer challenge.

External requirements of performance reporting

- 3.8 Ofsted request copies of performance management reports as part of their inspection frameworks. They also use a Children's Services Analysis Tool (ChAT) to analyse our children's social care data and performance.
- 3.9 All Local Authorities are required to submit statutory returns to the Department for Education (DfE). These include:

- The SSDA903 return collects information about children who are looked-after by local authorities during the year ending 31 March; and for those who have recently left care, information as to their whereabouts on their 17th, 18th, 19th, 20th or 21st birthday.
- The children in need census covers all children who are referred to children's social care services even if no further action is taken. This includes children looked after (CLA), those supported in their families or independently, and children who are the subject of a child protection plan.
- The Adoption and Special Guardianship Leadership Board (ASGLB) data return collects information about children in the adoption process and (prospective) adopters and children who cease to be in care due to a special guardianship order being granted.
- Ofsted annual fostering data collection. Local authority (LA) fostering agencies and independent fostering agencies (IFA) are required to submit data about foster carers, recruitment and capacity of providers.
- The school census collects individual school characteristics and pupil records from all state-funded schools in England, 3 times a year.
- The annual school workforce census is a statutory data collection which collects data on all teaching and support staff in regular employment.
- All Youth Offending Teams submit a quarterly case-level submission to the Youth Justice Board for England and Wales (YJB)

Brighton & Hove City Council requirements of performance reporting

- 3.10 FCL are key partners in the Council's performance management framework and follow the requirements on reporting as set out within the framework and above. These include the need to maintain directorate and service business plans, corporate and directorate KPIs and to consider other areas of the framework such as budget management, audit recommendations and workforce data. We cover these topics either in our quarterly performance board meetings or our directorate management team meetings.

Performance summary of 2021/22 and our improvement plans

- 3.11 Appendix 1 provides a summary of performance for the previous year. Some of our performance measures (timeliness of Strengthening Family Assessments, completion of Education, Health & Care plans and % of schools who are judged good or outstanding by Ofsted for examples) are compared with national performance rates. Some (number of children being home educated and how many of our foster carers are 'in-house' for examples) are ones where we monitor the trend and consider what further work or intervention is needed in those areas depending on what the data is telling us.
- 3.12 The performance of our critical KPIs is steady currently although we are never complacent and strive for improvement in most areas. We also work hard to steady areas that have had a great deal of improvement in recent years, to ensure that good performance is maintained.
- 3.13 The FCL [directorate business plan](#) sets out the vision and direction of travel for the service provision from 2021 to 2024.

- 3.14 The vision with our directorate plan is that we work as one Families, Children and Learning directorate and with others in the city delivering safe and whole family services, improving outcomes, developing inclusive and accessible provision, and developing our staff.
- 3.15 The business plan details key areas of action for the directorate over the coming years. From improving and maintaining our 'business as usual' through to our significant change programmes such as the Early Help review, developing a Disadvantage Strategy for families, develop and implement an Anti-Racist schools strategy, deliver an environmental education programme, expand support in the city for autism children and deliver year one of the agreed SEND Strategy.
- 3.16 We also have separate and more detailed improvement plans for specific areas of work. One example of this is around our Ofsted improvement action plan, also detailed in a separate paper at this committee meeting.
- 3.17 We are always looking for new ways in which to record, report and analyse on our performance data. One new area we are developing is the use of Microsoft Power BI. The FCL Performance Team has started to deliver performance reports using that, which provides users with interactive visualisations and business intelligence capabilities. This can lead to greater understanding of what the data is telling us and more creatively and freedom on how we can share performance data.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Our Performance and Quality Assurance Framework has been recognised as an area of good practice by Ofsted and LGA Peer Challenge teams. "Regular, comprehensive performance reports enable senior leaders to monitor performance against key performance indicators. This is supported by learning from quality assurance audits, ensuring a focus on practice at monthly performance meetings, corporate parenting panel and the Children, Young People and Skills committee." Ofsted, July 2018.

"Performance support is excellent, with good systems and staff to support them. We were impressed with the integration of performance staff into senior management discussions and the opportunity to use performance staff to facilitate interrogating data at these meetings. Your performance team has established a system whereby instant performance reports are available at all levels on demand. Your numerous performance reports and the ability to get information live and across levels and issues is excellent. We saw good use of this performance data at all levels of the organisation." LGA Safeguarding Peer Review September 2016

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The FCL directorate plan covers the significant change programmes and projects either in train or planned for the years ahead. These separate areas of work will be subject to detailed community engagement strategies as required. For example, the plan sets out how the SEND Strategy will be further implemented. During development this was subject to detailed community engagement activities and feedback loops continue to be built into the strategy review arrangements. Another area of work currently in development is the creation of a strategy to support

families at risk of disadvantage. This work will include a thorough community engagement plan.

- 5.2 There are also various ways in which we routinely ensure that service user voice is captured, and this is a further way in which communities can influence the strategic and operational work of the directorate. For example, the Corporate Parenting Board has representatives from the Children in Care council who have access to the Corporate Parenting Board Performance Dashboard and can therefore be part of the discussions on service improvements and to celebrate achievements.

6. CONCLUSION

- 6.1 It is a requirement to record and report on some of the datasets described here. There are internal and external expectations on that. Ofsted and others have highlighted our best practice in this area.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications arising in this report.

Finance Officer Consulted: David Ellis, Accountant, 31/08/2022

Legal Implications:

- 7.2 In providing information which sets out a summary of the performance of the Families, Children and Learning (FCL) directorate the Committee is able to consider indicators as to whether and how the authority is fulfilling statutory and regulatory duties to children and families. Section 10 of the Children Act 2004 places a duty on local authorities and certain named partners (including health) to co-operate to improve children's well-being.

Lawyer Consulted: Natasha Watson Date: 30.8.22

Equalities Implications:

- 7.3 Much of the work of the directorate focusses on those most disadvantaged within the city. This involves recording and reporting on data around protected characteristics groups. This data informs both how we deliver our business as usual functions, via Equalities Impact Assessments and our significant change programmes such as implementing the SEND Strategy and any future changes to our school admissions arrangements.

7.4 Sustainability Implications

By having a good grip on performance widely across the work of the directorate, it enables FCL leaders to understand how stable service areas are, both ones delivered by the council and those we commission. This means that issues in service delivery (such as staff capacity) can be identified and rectified at an earlier stage, if it is within our abilities to do so. This helps support sustainable

and stable service provision across the city and for the families that need support the most.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of FCL Corporate and Other Key Performance Indicators 21/22
2. Detailed list of FCL monitored KPIs 21/22
3. Summary of FCL directorate plan 2021/22
4. Definitions of the KPIs given in appendix 1

Appendix 1: Summary of FCL Corporate and Other Key Performance Indicators 21/22



98%

of early years registered childcare providers are judged to be good or outstanding by Ofsted, above the England and South East average of 97%. There is a higher proportion of outstanding settings in the city (25%) compared with England (17%).



87.9%

of Strengthening Family Assessments completed during the year ending March 2022 were completed within 45 working days, above the target of 85% and the England average of 87.6%



91%

of schools in Brighton and Hove were judged to be good or outstanding at March 2022, above the England average of 89.2%



401

Children in Care at 31st March 2021, up from 373 at 31 March 21 and above the target of 395 for 2021/22



423

children in Brighton and Hove who were educated at home at March 2022, down from 437 at March 2021 but up from 241 at December 2019



46

First Time Entrants to the youth justice system during the year ending March 2022, up from 40 during the year ending March 2021



4.3%

of young people aged 16 – 17 who are Not in Education, Employment or Training (NEET) and whose NEET status is not known at March 2022, below the England average of 5.7%



70.6%

of Education, Health and Care Plans issued between April 2021 and March 2022 met the 20-week timescale including exceptions, above the 2020 England average of 55.6%



70.1%

of children placed in foster care that are placed in-house, above the 2021/22 target of 70%



7.8%

of people with a learning disability (LD) in Brighton and Hove who are in receipt of Adult Social Care and were in paid employment at 31st March 2021, above the 2020/21 England average of 5.1%

Appendix 2 Detailed list of FCL monitored KPIs 21/22

Detailed separately.

Appendix 3: Summary of FCL directorate plan 2021/22

FCL directorate plan - summary of end of 2021/22 performance	
Directorate Plan action	End of year RAG rating
Objective 1 Take a whole family approach to support safe and stable lives	
Deliver an outstanding social work and care service to keep children safe and to avoid escalation in need	Amber
Support post-16 and adults with skills and employment progression and support the city employment and skills plan and support women, disabled people and BME groups to achieve their full potential	Green
Objective 2: Improve outcomes for disadvantaged and vulnerable people by promoting independence, resilience and learning	
Support families to enable children with SEND to be independent and resilient	Amber
Support families to enable Adults with LD to be independent and resilient	Amber
Work with partners to meet the needs of children & young people with emotional well-being and mental health needs	Green
Deliver against year one objectives within the SEND Strategy 2021-2026 (Corporate Modernisation) to protect and improve special educational needs services and provision within the city	Green
We will continue a programme to reduce the attainment gap for disadvantaged children including 'continuing the successful Every Child a Reader programme and Maths programme'. This program will be adapted as to take into account Covid 19 and catch up now required	Amber
Coproduce, design and implement a citywide strategy to support children, young people and families at risk of disadvantage	Green

Develop in partnership with music and arts service Brighton Dome, the role of arts, music, theatre and cultural learning in the city'	Green
Develop and co-deliver an environmental education programme and promote outdoor education, particularly for those who are disadvantaged	Green
Support families to enable Adults with LD to be independent and resilient	Amber
Support the city's early years and childcare providers, including our children's centres, nursery schools and nursery classes to 'provide high quality early years services and sufficient, accessible high-quality childcare	Green
Deliver an outstanding social work and care service to meet the needs of adults with LD and to avoid escalation in need	Amber
Undertake the Early Help Review (FCL Modernisation) and deliver the Supporting Families Programme	Green
Objective 3: Provide high quality and inclusive education, SEND and employment support and early years, social care and youth provision	
Collaborate with education institutions and businesses to plan for future skills needs and increase the take up of apprenticeships	Green
To deliver SEND services in line with the SEND Code of Practice and associated timescales	Green
Develop and implement a school organisation strategy to ensure appropriate education provision is provided in the city, ensuring alignment with the disadvantaged strategy	Green
Implement the Holiday Activities and Food Programme for free school meal children (Aged 4-16)	Green
Continue the work of the Education Partnership to coordinate and improve educational provision	Green

Support continued improvement in the city's schools and maintain strong Ofsted ratings	Green
Support equalities programmes in schools to address discrimination	Green
Maintain services, including out of school services, for children with additional support needs or from disadvantaged groups including children with learning disabilities, and physical disabilities	Amber
Develop and implement the Anti-Racist schools strategy	Green
Continue our extensive services for children in care and work to attract, support and retain foster carers	Green
Expand support for autistic children and young people in the city	Green
Maintain services for LGBTQ young people and ensure sexual health services and mental health support are delivered at youth centres across the city	Green
Give young people a stronger voice in future services	Green
Ensure that transition services are in place to support young people moving into adult services and that they are integrated	Green
Deliver an improved and high-quality Home to School Transport Service for vulnerable children and young people	Green
Protect funding and review youth services across the city to improve coordination and establish a central youth hub (FCL Modernisation)	Red
Explore procurement activity around city school meals contract	Green
Objective 4: Develop and engage with staff and stakeholders to deliver good quality services and change within the directorate and across council services	

Directorates to work proactively to understand, engage with and respond effectively to the city's diverse communities and its changing demographic	Green
Directorate to actively support the corporate aim of diversifying the workforce at all levels, recruiting and retaining staff from all the city's communities	Amber
Deliver on a directorate wide performance and quality assurance framework to ensure that safe and effective services are provided	Green
Explore the introduction of a workload agreement to give teachers and professionals more time to teach	Amber
Support provision of food support to children, young people and families	Green
Develop a framework for Care Leaver Accommodation for young people aged 16+ (FCL Modernisation)	Green
Ensure service users and stakeholders voice informs service delivery	Green

Appendix 4: Definitions of the KPIs given in appendix 1

Indicator	Branch	Polarity (high is good, low is good or trend)	Definition
% of early years registered childcare providers are judged to be good or outstanding by Ofsted	Education & Skills	High is good	Includes all registered settings, including childcare on non-domestic premises, on domestic premises and childminders
% of schools are judged good or outstanding by Ofsted (Corporate - Council)	Education & Skills	High is good	These figures do not include new schools awaiting their first ever inspection, independent settings and non-maintained special schools, which Ofsted has a duty to inspect
Number of pupils educated at home	Education & Skills	Trend	Elective Home Education (EHE) is where the parent has taken responsibility for the education of their child or children. The LA responsibility is to ensure that there are no children not receiving an education.
The combined figure for the percentage of young people aged 16 – 17 who are Not in Education, Employment or Training (NEET) and the percentage of those whose NEET status is not known [Quarterly YTD excluding September and October]	Education & Skills	Low is good	The current year to date combined figure for academic age 16 and 17 year olds not in education, employment and training (NEET) and for those whose status is not known. (September and October are excluded from this figure because they are statistically unreliable).
% of children placed in foster care that are placed in-house	Safeguarding & Care	High is good	The percentage of children who are placed in foster care that are placed with in-house foster carers, excluding kinship carers. Children allocated to the Specialist Community Disability Service as children with a disability fall under the remit of Health, SEN and Disabilities

Strengthening Family Assessments - % completed in 45 days (Corporate - council)	Safeguarding & Care	High is good	Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Local authorities undertake assessments of the needs of individual children to determine which services to provide and what action to take. Statutory guidance 'Working Together to Safeguard Children' was revised in 2013 giving local authorities more flexibility when assessing children. Previously local authorities carried out an initial assessment within 10 working days and (where needed) a more in-depth core assessment within 35 working days. Local authorities now have the flexibility to carry out a single continuous assessment within 45 working days.
Number of children in care (Corporate - council)	Safeguarding & Care	Low is good	Under the Children Act 1989, a child is looked after by a local authority if he or she falls into one of the following: is provided with accommodation, for a continuous period of more than 24 hours; is subject to a care order; and is subject to a placement order.
Number of first time entrants (FTE) to the youth justice system	Safeguarding & Care	Low is good	First time entrants are defined as young people (aged 10 – 17) who receive their first substantive outcome (relating to a reprimand, a final warning with or without an intervention, or a court disposal for those who go directly to court without a reprimand or final warning)

<p>% of EHC Plans issued within 20 weeks including exceptions (Corporate - council)</p>	<p>Health SEN & Disability</p>	<p>High is good</p>	<p>Education, Health and Care (EHC) plans for children and young people aged up to 25 were introduced on 1 September 2014 as part of the Special Educational Needs and Disability (SEND) provisions in the Children and Families Act 2014. From 1 September 2014, any children or young people who are newly referred to a local authority for assessment are considered under the new EHC plan assessment process. Exceptions are when EHC plan production timescales overlap with school holiday periods, causing delays outside of control within the service.</p>
<p>% of people with a learning disability in employment (Corporate - city)</p>	<p>Health SEN & Disability</p>	<p>High is good</p>	<p>This performance indicator is a snapshot of people of working age who are in receipt of social care services and have learning disability as their primary support need. These are the people furthest from the labour market (i.e. people with the highest social care needs).</p>

Ofsted update 17/08/2022

Schools inspected since last committee 2022

School	Date of Inspection	OE Grade	Previous grade
Ofsted Section 8 Inspections			
Stanford Infant School	22 & 23/03/2022	2	1
Rudyard Kipling Primary School	4 & 5/05/2022	2	2
Hill Park Special School	8 & 9/06/2022	1	1
Homewood College	11/07/2022	N/A*	4

*monitoring visit only so no new judgement

Key to Ofsted Grades

- 1 = Outstanding
- 2 = Good
- 3 = Requires Improvement
- 4 = Inadequate

Snapshot from 30 June 2022

	% of schools judged to be Good & Outstanding	National % schools judged to be Good & Outstanding	% Pupils in a Good or Outstanding School	% of schools judged to be Outstanding	National % Schools judged to be Outstanding
Primary*	92.2	90.5	93.0	9.8	14.7
Secondary	90	82.7	93.1	0	17.0
Special	66.7	91.2	89.1	66.7	36.6
Colleges	66.7	-	-	-	-
PRUs	100	88.5	100	0	17.3
All Schools (not colleges)	91.0	89.5	93.0	13.4	17.2

**Moulsecoomb primary has been converted to an academy and does not have a current Ofsted inspection grade so is excluded from the statistics. Colleges are Varndean, BHASVIC and GBMet.*

Overview of School Ofsted Outcomes

As at 30 June 2022	Outstanding	Good	Requires improvement	Inadequate
Brighton & Hove: % Schools	13.4	77.6	6.0	3.0
Brighton & Hove: Number of schools 67	9	52	4	2
National: % schools	17.2	72.3	9.6	0.9

*The pupil referral units are now one establishment: The Central Hub Brighton
Moulsecoomb primary has been converted to an academy and does not have a current Ofsted inspection grade so is excluded from the statistics.

Overview of Early Years Ofsted inspections

- 96% of early years and childcare settings on the Early Years Register in Brighton & Hove are judged good or outstanding. This is the same as the figure for England (Statistics until March 2022, published June 2022). This includes childminding settings.
- A high percentage of settings are judged as outstanding in Brighton & Hove, above national and local figures:
22% (B&H), 17% (SE) and 16% (England).
- Fourteen Ofsted inspections of nursery, preschool and childminding settings have taken place and been published since May 2022.

EY Ofsted inspections since last committee

Setting	Inspection date	Latest grade for overall effectiveness	Previous grade
Pixies	24/03/22	2	N/A
Childminder	05/04/22	1	2
Young Sussex (Hove)	28/04/22	2	N/A
Kipling Lions	28/04/22	2	2
Childminder	06/05/22	Met (no early years children present)	Met
Childminder	09/05/22	2	2
Young Sussex (Brighton)	12/05/22	1	N/A
Hopscotch Hove Station	19/05/22	1	1
Busy Bees Brighton	27/05/22	2	4
Apple Tree Childcare	01/06/22	2	N/A
Childminder	23/06/22	1	N/A
Childminder	27/06/22	2	N/A
Orchard Pre-school	06/06/22	2	N/A
Childminder	08/07/22	Not met (with actions) (no early years children present)	Not met (with actions)