CHILDREN YOUNG PEOPLE & SKILLS COMMITTEE

Agenda Item 22

Brighton & Hove City Council

Subject: Progress Report on the Home to School Transport

Service

Date of Meeting: 13 September 2021

Report of: Executive Director of Families, Children and

Learning

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Ward(s) affected: All

FOR GENERAL RELEASE

1. PURPOSE OF 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 the Committee notes this report on the Home to School Transport (HTST) Service.
- 2.2 That a further report comes to a meeting of the CYPS Committee in the Spring of 2022, which will include provide an options appraisal and business case for the re-procurement of HTST services after the current contract expires in August 2023.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In 2019, the introduction of a new Dynamic Purchasing and Procurement of Operators System was problematic and resulted in a temporary but serious disruption to the service. It is acknowledged that the lead-in time for the new system to start from September 2019 was too rushed, Although most issues were resolved by November 2019, the resulting problems led to a significant loss of trust and confidence in the council from families and transport operators.
- 3.2 An independent investigation into the issues reported the following March 2020, making a series of recommendations to the council.
- 3.3 A Members' Policy Panel, with PaCC attendance, investigated issues, taking evidence from all parties, and reported with recommendations in November of 2020.
- 3.4 It has been acknowledged that the service needed to make sure going forward that children and families were explicitly at the heart of all its work and this is now made clear in all policy and practice.

- 3.5 Recommendations from the independent review and the Members' Policy Panel are being implemented as part of an action plan to restore trust and confidence in the service.
- 3.6 For over a year, the service has been working to a written co-production agreement with the PaCC, approved by the HTST Governance Board and included with background reports to this report. This ensures that all new policy and practice is co-produced in consultation with parent and carer representatives and that parents and carers are part of recruitment panels and key decision-making forums.
- 3.7 New governance arrangements were brought in to ensure all stakeholders were fully involved in the changes. Alongside the Members Policy Panel, a HTST Governance Board was set up with all stakeholders represented and meets half-termly. It is chaired by the Assistant Director, Education and Skills. The Governance Board will continue to monitor progress with the service, alongside 6-monthly reviews by the CYPS Committee.
- 3.8 The service has made major improvements over the past two years, which are outlined throughout this report.

4. Co-production with the Parent Carers' Council

- 4.1 A co-production working agreement was co-produced between PaCC representatives and the Home to School Transport Service and ratified by the HTST Governance Board in June 2020.
- 4.2 The working agreement ensures that:
 - All policies and developments relating to HTST are co-produced with PACC and written in parent carer accessible language.
 - All communications of significance with parents and carers are coproduced with PaCC
 - PaCC and families using transport are fully consulted on any changes to the service and their feedback is given full consideration and used to formulate policy and practice.
 - All new posts to the service are recruited with a PaCC representative on the Panel
 - An Amaze or PaCC representative is present at all Transport Panels determining eligibility for HTST
- 4.3. The HTST has valued the extensive and excellent input from the assigned PaCC representative, which has made a very significant contribution to service improvements.
- 4.3 An addendum by PaCC to this report in included below as supporting documentation to this report.

5. Planning of Transport Arrangements for September 2021

5.1 Social distancing measures have been in place throughout the academic year 2020/21 on all dedicated school transport, with most vehicles travelling at around 50% capacity.

- 5.2 Social distancing has never been mandated on Home to School Transport by the government, but has been advised, and the service has followed government advice closely throughout.
- 5.3 Despite the changing circumstances surrounding the pandemic, the service, with our transport providers, has run efficiently throughout and without interruption.
- 5.4 Very few children or transport staff have tested positive for COVID at any point in the pandemic, including the recent third wave, although more have been required to self-isolate.
- 5.5 At the time of writing this report, the most recent national guidance updated on 17 July 2021 states:

we no longer recommend maximising distancing and minimising mixing, but unnecessary risks such as overcrowding should be minimised

Dedicated transport to schools and colleges COVID-19 operational guidance - GOV.UK (www.gov.uk)

- 5.6 In the context of this current guidance from the government, we have reduced social distancing on transport from September 2021, but have taken care to ensure in planning our routes that vehicles are not over-crowded.
- 5.7 This position is subject to change pending new government or Public Health guidance. PaCC have asked us also to consider the position in the light of data over the summer.
- 5.8 Our top priority will always be the comfort, safety and wellbeing of children and young people. Children should be comfortable and arrive at school stress-free and ready to learn. No child's journey has been planned to exceed government guidance (45 mins for a primary child and 75 minutes for a secondary child under normal traffic conditions) unless placements are out of City and cannot be made in these timescales.
- 5.9 The service has agreed route planning principles with PaCC attached as an appendix to this report, which set out a commitment to place children and families at the heart of best practice in this respect.
- 5.10 Most existing routes have been rolled over for September 2021 unless either they do not offer good value for money; need to be organised in a more efficient way or the Service has children and young people becoming eligible for or leaving transport and new routes need to be formed.
- 5.11 the service is seeing a significant increase in the numbers of eligible children coming through for Home to School Transport and this will have significant capacity and budget implications going forward. The rise in children being diagnosed with complex SEND is a national as well as a local phenomenon and the follow-on implications for HTST are being felt nationally also
- 5.12 The service has a rolling online survey enabling parents and carers to feed back on the provision of HTST at any time.

6. COVID-19 Update

- 6.1 Management of socially distanced routes has faced challenges over the pandemic period, but has been well managed by the Service and the Operators. The service regularly keeps operators up to date on changes to national and local guidance, as well as offering advice on lateral flow testing.
- 6.2 The service was also able to arrange early vaccination for those drivers and VPAs who were supporting clinically vulnerable children, as they were classified as care workers and therefore a priority group.
- 6.3 Grant funding to assist with social distancing and other COVID measures was provided by the Government over the pandemic but ceased at the end of the summer term 2021.
- On all suspended routes between 4th January 2021 and 19th March 2021 the council paid supplier relief of 80% of the normal costs of suspended routes. Where those drivers/VPAs were classified as self-employed and eligible to claim under other COVID-related government schemes, 20% of normal costs were paid.
- 6.5. The aim of the relief was to sustain firms over this period and to ensure they had the means to pay and retain staff, such that the service could resume once schools fully re-opened.

7. Monitoring Contractual Compliance

- 7.1 We have held termly contractor review meetings with our operators, where we have monitored the contract's Key Performance Indicators (KPIs) as well as checking insurance, DBS background checks, and training compliance.
- 7.2 Operators are responsible for vehicle compliance, and we have documented their own compliance programmes, as well as liaising with our licensing colleagues to ensure that they are represented at any school site spot checks.
- 7.3 Although we haven't had the opportunity to visit school sites as much as we would have liked due to COVID restrictions on school premises, we have been able to carry out essential visits to those sites where concerns have been highlighted. We will implement a full spot check programme in the Autumn Term.
- 7.4 Spot checks have addressed cleaning regimes in vehicles in response to the pandemic.

8. Training

8.1 Prior to the Spring of 2020, Brighton and Hove had no training offer for transport staff.

- 8.2 Elements of training were contractually required but the service did not have a robust means of monitoring compliance with training or assessing the quality and suitability of training accessed independently by firms.
- 8.3 The service considers high quality training to be essential for the safety and wellbeing of children and young people on HTST and is mindful that parents and carers are of the same view.
- 8.4 Addressing this issue has therefore been a key priority for the service.
- 8.5 Over the last year, 9 modules for training drivers and vehicle passenger assistants have been written for the Home to School Transport service providers.
- 8.6 Online modules cover:
 - o Introduction to the role as a HTST Driver or Vehicle Passenger Assistant
 - Safeguarding on HTST
 - Equalities and the Equality Act
 - Special Educational Needs and Disabilities (SEND)
 - The Many Faces of Exploitation (HTST Relevant)
 - o Behaviour on HTST
 - Autism
 - Language and Communication
 - o Epilepsy

Further modules are being planned, including one in meeting social, emotional and mental health needs on transport.

- 5 of the 9 Operators on the HTST framework are 100% complete with all their drivers and vehicle passenger assistants for all 9 modules.
- 4 of the Operators have completed 70%+ of the modules. There is a deadline for the middle of August for this to reach 100%.
- 8.9 There is now a requirement of all online training modules to be completed by both existing and prospective transport staff when Operators bid on a route for September 2021 and afterwards.
- 8.10 Training is required to be refreshed every two years.
- 8.11 Webinars have been held with good attendance from a variety of Operators.
 HTST have been supported by an Epilepsy nurse specialist at Seaside View. A
 behaviour specialist at a Brighton and Hove SEND school and a SEND specialist
 teacher from BHISS. The webinar focus has been:
 - Epilepsy Awareness
 - Behaviour and Learning disabilities
 - Autism Awareness
- 8.12 HTST have been working with external agencies such as Brighton and Hove Inclusion Support Service (BHISS) and the Parent and Carers Council (PACC) to extend the experience and knowledge shared with the operators, driver's and vehicle passenger assistants through the modules and online webinar's.

- 8.13 Bespoke support has been offered to a few operators where circumstances have requested or needed it.
- 8.14 Future webinars will be held from September focusing on communication and interaction and children and young people with primary needs of SEMH
- 8.15 Two operators were happy to celebrate with an informal awards ceremony for all staff for completing their training so quickly- obtaining a 'gold star' status.

9. Independent Travel Training

- 9.1 The service has been working on the provision of a quality independent travel training offer to families of young people who would be able to benefit from this;
- 9.2 Independent travel training is recommended good practice in both national and local policies as promoting independence in young people as well as sustainable travel options.
- 9.3 Following consultation with stakeholders and with the involvement of the council's procurement team, a 'soft market testing' of potential external providers of independent travel training was carried out in the Spring term with interest expressed from just one local third sector provider. Although only one provider expressed interest at this early stage, it a provider with substantial experience in this area;
- 9.4 There are additional costs attached to setting up and running this programme. However, a successful well-targeted programme has the potential to improve young people's lives and make savings for the council in terms of the need for taxi transport.
- 9.5 The next step is to formulate an options paper and business case, as part of the council's Modernisation programme.
- 9.6 The business case will be approved by the HTST Governance Board before being presented to the Families, Children and Learning Modernisation Board by the end of December 2021.

10. Re-procurement of the Service post August 2023

- 10.1 A Re-Procurement Board was established in May 2021 to consider options when the current framework contract finishes in August 2023
- 10.2 The Board has representation from key council services, including finance, legal and procurement, plus a PaCC and a Headteacher representative.
- 10.3 The work of the Board is being overseen by the Council's Corporate Modernisation Programme.
- 10.4 The Board has constructed a survey on the perceived strengths and weaknesses of the current system of procurement and the current contract for all stakeholders and this has been uploaded onto the council's consultation portal.

- 10.5 Stakeholders will be contacted and invited to complete the survey, with PaCC encouraging families to take part and share their experience of the front-line service.
- 10.6 Results will be analysed and feedback from different stakeholders will be used to consider the various options and to inform the business case.
- 10.7 The Board has also surveyed a wide range of other LAs on their practice, and from the responses is conducting in-depth interviews with a further six LAs to explore issues and ideas further.
- 10.8 The current timeline requires an options appraisal and business case with recommendations to be presented to CYPS Committee in March 2022, leaving a full four terms for implementation of the chosen way forward.

11. Summary and Priorities for further Improvement

- 11.1 HTST has made significant progress over the past 2 years in improving to the service on offer and overcome the legacy of challenges from the difficult reprocurement exercise in the autumn of 2019.
- 11.2 Many new systems have been co-produced and brought in quickly to ensure rapid improvement and that children and young people were once more at the heart and centre of the service on offer. These have all been co-produced with PaCC and include:
 - Parent/ carer representation at Transport Panels
 - PaCC representation at all interview for HTST posts
 - Co-production working agreement with PaCC
 - New online systems for applications and information transfer
 - New comprehensive online training programme
 - New webinar support in key SEND areas
 - New permanent online system for families to provide on-going feedback on the service
 - A robust system of risk assessment
 - New more robust systems for investigations of concerns/ safeguarding issues
- 11.3 In addition, the service has expanded with permanent posts replacing temporary posts and new staff arriving in post.
- 11.4 Two posts in the service have proven difficult to recruit: the interim Head of Service and the Contracts and Service Development Manager. Attempts to recruit are on-going at the time of writing this report.
- 11.5 In the above context and despite considerable progress, the service has much work left to do and top priorities include:

- Reviewing the current system of procurement and considering any changes to be made:
- Consulting on an updated HTST and post-16 transport policy when the government revises the national policy and guidance;
- Providing a quality independent travel training option is available to all families for whom independent travel is an option, subject to a budget being secured for this;
- Finalising a value for money tool for assessing route prices and ensuring best value, while upholding good service standards;
- Extending compliance checks to include spot checks at all school and college sites;
- Reviewing and improving all new systems in the service and making sure they are effectively implemented, recorded and managed;
- Establishing a regular integrated survey of key stakeholders to provide a 360-degree perspective on the work of the service;
- Ensuring a balanced budget for 21/22 and onwards
- Finalising new policies and strategies currently in draft, notably:
 - HTST Sustainability Strategy
 - Revised Appeals Policy

12. COMMUNITY ENGAGEMENT & CONSULTATION

- 12.1 The service now works with an agreed co-production policy with the Parent and Carers' Council (PacC) and is committed to on-going co-production of all communications, new policies and service developments with parents and carers.
- 12.2 The service runs an open parent survey online so families can give feedback on the service at any time.
- 12.3 A major consultation is on-going for all stakeholders in relation to re-procurement options from September 2023.

13 FINANCIAL & OTHER IMPLICATIONS: (DAVE)

13.2 The HTST net budget for 2021/22 is £3.782m. This includes the additional permanent increase of £1.000m as agreed by P&R Committee and one-off funding of £0.400m for 2021/22 only to cover costs of social distancing. The impact of Covid-19 continues in this financial year with a number of measures still in place and this has been recognised by the extension of the additional school transport grant of which Home to School Transport has been allocated £0.098m.

It is anticipated that the additional funding, together with the improved route planning, should result in a break-even position in 2021/22. However, with increasing numbers of eligible children requiring transport, this budget could be subject to considerable pressure in future years.

Finance Officer Consulted: Louise Hoten / Dave Ellis Date: 19/10/20

Legal Implications:

The council is under a legal obligation to provide home to school transport to those families which meet the eligibility criteria. The transport provided needs to be to a safe standard which identifies and meets the individual needs of the pupils concerned, as well as in general. Contractual arrangements, and management of the contract, both now and in terms of any further procurement, need to reflect the complexity of the service required, as described in the body of the report.

Lawyer Consulted: Natasha Watson Date: 31.08.2021

Equalities Implications:

13.4 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 favourably' 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.

Sustainability Implications:

- 13.5 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.
- 13.6 The service is consulting on a draft sustainability plan, outlining its part in helping to meet the council's target of zero carbon emissions by 2030.
- 13.6 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.
- 13.7 While the need to socially distance on transport has necessarily increased the number of vehicles on the road this year, the underlying number of vehicles for when routes return to normal has reduced this year.

Any Other Significant Implications:

13.8 None

Crime & Disorder Implications:

13.9 None

Risk and Opportunity Management Implications:

- 13.11 There are continued risks related to the pandemic, with significant additional safety measures needed on transport. These are mitigated through risk assessments, careful guidance to our transport operators and parents, close consultation with Public Health, and appropriate measures to ensure compliance with national and local advice.
- 13.12 The service is expanding with a number of new posts and also permanent appointments replacing temporary ones. While this will substantially increase capacity to make and sustain improvements, there is a risk in the transition, which will be mitigated through thorough induction processes.

Public Health Implications:

- 13.13 In relation to COVID-19, transporting children with SEND in the enclosed space of vehicles brings inevitable risk for children and staff, but the service has worked with transport providers to mitigate that risk as far as possible.
- 13.14 Guidance to operators is written in consultation with Public Health and advice sought from Public Health as needed.

Corporate / Citywide Implications:

- 13.16 The issues that arose with the service in the summer and autumn of 2019 led to a loss of confidence in this area of the council's service amongst parents and carers of children with SEND, with schools and with transport providers.
- 13.17 Issues with the process of consultation and co-production with key stakeholders were highlighted and have been addressed for the future.

SUPPORTING DOCUMENTATION

Addendum to report by the Parent Carers' Council



a voice for parent carers in Brighton and Hove

Brighton 16th August 2021

PaCC Home to School Transport (HTST) Report

(Addendum to Progress Report on the Home to School Transport Service for Children Young People Education & Skills Committee)
Date of Meeting: 13th September 2021

Reflection On Service & Conditions During Covid

On behalf of Students and Families who receive the Home to School Transport (HTST) service, we acknowledge the hard work and commitment of the HTST Team, Operators and Schools & Colleges for pulling together in the most trying circumstances, not least with the additional logistical challenges of working from home. The uncertainty and stresses that have arisen due to the pandemic were sharply felt by all, and perhaps this year, more than ever, the 'travel bookends' of the day were critical aspects of trying to maintain Children/Young People's and their families' daily routines. We are also aware that over the period of the pandemic, some Crew members have passed away, and on behalf of the students & their families who knew and miss them, we wish to express our sincere condolences to their families and friends.

Stronger Infrastructure

We are now working within a more cohesive structure where HTST and PaCC regularly meet at the Co-Production and Governance Meetings, and being able to monitor key performance measures together brings reassurance and encourages shared solutions, as well as helping PaCC to understand the 'back office' procedures. Our current arrangements do not facilitate any direct conversations with Operators, and this might be something for consideration moving forward, perhaps at a couple of key points of the year.

Training

We are pleased with the comprehensive suite of co-designed training modules, which have (by necessity) been produced for online format, and can be found on the Council's Learning Gateway. We acknowledge that this isn't always a perfect substitute for face to face training, and we know that there are advantages (expedience, anywhere/anytime, easy to update, easy to refresh learning) but also disadvantages (ensuring proper engagement, rather than

skimming, not suitable for First Aid Training), but feel that we now have a solid foundation upon which to build. We thank Jo Whittick (Clinical Nurse Epilepsy Specialist), Marina Brewerton (Hill Park School) and Sadie Gillett (BHISS) for their design and delivery of specialist training webinars which were extremely well received. We support the expectation that all Crews will have have completed the training (as well as holding a DBS Certificate) in order to be able to work on HTST runs, and to undertake bespoke specialist training where identified by the Risk Assessments.

Monitoring Contractual Compliance

We support the monitoring and enforcement of contractual compliance which is the foundation of a safe service. We're reassured by the safeguarding oversight provided by our special schools and colleges, who may - and indeed, have on rare occasions - observed and reported a concern. However, the service works with a number of settings across and beyond our city limits, so together we should also look at tightening Incident Reporting across those destinations too. We are keen to see a solution to the ongoing vacancy for the Contracts Manager role, with an eye on the potential changes to procurement on the middle horizon.

Independent Travel Training (ITT) for Students

We are keen to progress this service development, which will be set out in the updated HTST Government Guidelines, that are pending. ITT is recognised as a key component of Preparation for Adulthood. 'Independence' does not look or feel the same for all young people, and setting parameters for what this service can and can't offer, and balancing our community's diverse needs and wishes, against the realities of budgetary

pressures will be challenging. PaCC recognises the investment required to set up ITT but would expect to see tangible benefits for young people's independence as they become adults, which in turn could mean less reliance on social care provision.

Re-Procurement for 2023 Service

PaCC are pleased to be actively involved, ensuring that any changes to the way the service is procured or delivered will always keep the needs of young Passengers top of mind. We recognise the financial constraints and legacy of the 2019 turbulence, but reiterate the need to recognise that the HTST Service must continue to accommodate increasing numbers of eligible Students without a drop in service standards. Close working with the Council's SEND Team (EHCPs, Appeals) ensures the Service can forecast with a fair degree of accuracy, but flexibility of any new Procurement system will be a critical measure, as well as tight monitoring and real time responsiveness to environmental factors that might impact the service (Covid being a case in point). The Service experienced by Passengers must always deliver to the clear guidelines and Laws set out by Government. There may be a period of transition ahead, but to Students and their Families any change must feel 'seamless,' regardless of how it is procured. This will be one of the measures of a successful re-procurement process, and PaCC will have a key remit to help to reassure Students and their Families around any changes.

Planning for September 2021: An Uncertain Time

The national and local Covid picture is an uncertain one. There is a tension between the current high levels of Covid locally, and the reversion to more of a normal service that means that vehicles will be fuller than the 50% capacity that has been running over the past school year. This may prove challenging for some Students who have become accustomed and thrived on quieter vehicles with fewer co-passengers. It may also create anxiety as well as potentially significant risk for some families who have medically vulnerable Children and Young People. At the time of writing, all 16/17 year old healthy Young People and (below them on the priority list) all CEV 12-15 year olds should have received their first Pfizer vaccination before 23rd August. As yet, this roll out hasn't commenced, so in all likelihood, there will be families who are feeling concerned that their Children haven't had their first vaccination or haven't had time to build up an antibody response. The close quarters of a 'fuller' vehicle for the duration of the journey (versus being in a ventilated classroom with outdoor breaks) could be a worry. We have agreed that we will review plans at the beginning of September within the prevailing conditions.

We note that there are currently a number of vehicles that will have 6 or 7 students on board. (7 x primary, 10 x secondary and 1 college run i.e. 18 runs in total). Runs can become more complex, both in terms of logistics and individual wellbeing, so the role of the VPA/s where allocated will be crucial. We are concerned that the additional pick ups/drop offs could take runs to/or beyond their upper limit (45mins/75mins for primary/secondary age students, as set out in the guidelines) and although families do their best to ensure that children are 'ready to board', the turnaround on larger runs will be tight, and delays are inevitable on 'difficult mornings', despite best efforts. We recommend that these busier runs are monitored and if changes are necessary to reduce stress or lateness, that tweaks are made. Feedback from schools Professionals as well as Families and of course, Students themselves, will help to assess wellbeing of the arrangements. The combined individual and 'vehicle cohort' Risk Assessments are a vital part of ensuring that these particular runs will be smooth.

Budgetary Considerations

In order to achieve a balanced budget moving forward, it is essential that Councillors maintain their current understanding of the need to fulfil statutory HTST requirements as well as internal Brighton and Hove policy. We have welcomed the investment in this service to create a well run and effective service that fulfils its statutory responsibilities, as well as keeping the needs of the Children and Young People at its centre. We are in agreement with the top priorities as listed in the Officer's Report and finally, we would like to extend our thanks to Regan Delf in her ongoing temporary Lead role and the Home to School Transport Team for their hard work and commitment to delivering this vital service for Brighton & Hove's Children and Young People with Special Educational Needs & Disabilities.

Pippa Hodge (HTST Rep, PaCC) Diana Boyd (Chair, PaCC)

Pacc | Amaze | Community Base, 113 Queens Road, Brighton BN1 3XG | Tel: 01273 234862 paccbrighton.org.uk | Pacc Facebook group | Pacc Twitter page 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, 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 500 signed up members. This report was developed through discussions with our Steering Group members and our ten partner groups: Barnado's Link Plus, Brighton Pebbles, Extratime, Fresh Youth Perspectives (FYP), Autism Support and Awareness Promotion (ASAP), mASCot, T21, Sweet Peas, Amaze Face 2 Face and Children's Hearing Services Working Group (CHSWG). Find out more here https://paccbrighton.org.uk/