

CABINET

DATE	21 December 2022
REPORT OF	Cllr Margaret Cracknell Portfolio Holder for Children and Education
RESPONSIBLE OFFICER	Janice Spencer Interim Director of Children's Services
SUBJECT	Review of 16 Plus Education Transport Policy
STATUS	Covering Report - Open Appendix – Closed - NOT FOR PUBLICATION – contains Exempt Information within Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended)
FORWARD PLAN REF NO.	CB 11/22/02

CONTRIBUTION TO OUR AIMS

Our ambition for North East Lincolnshire is that all of our children are healthy, resilient, safe and are supported to achieve their full potential. The Council Plan caters for this directly in three of its priorities:

- To deliver high quality statutory, targeted and universal services for children and young people in our borough
- To ensure all children and young people in our community have access to high quality, safe and effective health services when they need it, so they enjoy good health and wellbeing throughout their life
- To ensure our children and young people attain the right skills and learning which enables them to contribute as future citizens, to the continued economic and social development of North East Lincolnshire

EXECUTIVE SUMMARY

- Work is being undertaken to review the provision of children's transport within the wider review of community transport
- The Children's Transport Review is looking to understand current SEND (Special Educational Needs and Disability) education and children's social care transport arrangements and identify issues, develop ideas and solutions for future Children's Services transport policies
- There is always a need to be efficient about how public funds are used and this is also an opportunity to consider how young people can be supported so that they can prepare for adulthood and develop independence skills
- This report focuses on post 16 SEND education transport

RECOMMENDATIONS

It is recommended that Cabinet:

1. Notes the content of this report.
2. Approves the implementation of option 3 as set out in the closed appendix of this report, with the introduction of sub-option 2 (b) as articulated in that appendix.
3. Delegates authority to the Director of Children's Services in consultation with the Portfolio Holder for Children and Education, to take all actions as may arise in connection with such implementation.

REASONS FOR DECISION

To ensure children and young people are supported appropriately to access their education setting, whilst preparing them for adulthood and developing skills of independence.

1. BACKGROUND AND ISSUES

- 1.1 A review of community transport is currently being undertaken, with one strand focusing on children's transport:
 - Under 16 SEND education transport
 - Post 16 SEND education transport
 - Children's social care transport
- 1.2 The review aims to have the following outcomes:
 - Good practice examples implemented
 - Agreed policy position in relation to eligibility for transport provision and clarity over payment arrangements/requirements
 - Reduction in NELC budget overspend on home to school transport and social care transport
 - Exploring alignment of transport entitlements between post 16 and adult service provision
 - Potential for fewer home to school journeys funded by NELC
 - Improved support for young people to develop independence skills
 - Improved support for vulnerable adults in terms of choice and independence
 - Reduced unit costs for journeys
- 1.3 As part of the review work, available data has been gathered, other local authority policies have been reviewed to identify best practice examples, engagement has taken place with staff and consultation has been undertaken with SEND parents/carers and children/young people during June and July 2022. A survey was issued to parents/carers (130 surveys were completed) and young people (24 surveys were completed). The main themes were around the child/young person getting to school on time, friendly, reliable and understanding transport staff, with a good relationship being built up and being kept informed by the driver/escort on what is going on. Some parents had expressed a view with regards their children being able to travel by bus, which would help develop independence skills.
- 1.4 The transport review is conducted in parallel with Adult Services, in order to promote a consistent approach to entitlements for individuals requiring support with community transport at different life stages.

1.5 This report concentrates on Post 16 SEND education transport.

1.6 **Post 16 SEND Transport – Current Issues**

- The provision of education transport for children with an EHCP (Education, Health and Care Plan) post 16 is non-statutory. However, in NEL, we continue to fund all children up to the age of 19 when this is requested. Current transport arrangements are not robustly or routinely reviewed at the annual review. A child turning 16 and moving to a different phase of their education sees no change to their transport arrangements and transport is still maintained within the same remit that it has always been
- There is currently no assessment of the level of independence that could be achieved by individuals by either stopping or reducing the education transport provision or how we can promote their preparation for adulthood
- This review is intended to promote preparation for adulthood amongst our 16-19 age range children with SEND in receipt of an EHCP. For those young people who are able to, travelling independently or semi-independently is a valuable skill for their adult life and accessing their wider community including shops, employment, training, places of interest and leisure facilities
- The Local Authority acknowledge that for some young people who are 16+, it would still be appropriate to review their transport arrangement, but this may result in the same provision being maintained
- Looking ahead to our numbers of children with EHCPs, there are many children who will need support to access transport and need the support to travel to their post 16 setting, and the Local Authority are exploring how they can effectively do this and the financial pressure the service is currently under
- The Local Authority are seeking support from interested parents and carers who want to work with Local Authority Officers to undertake a review of the current provision, and co-design a new model that supports further independence and skills for adulthood amongst our children and young people. This model would need to consider the financial implications of the current model, and exploration of how costs can be reduced per pupil for this age group

1.7 **Post 16 SEND Transport – Next Steps**

1.7.1 As mentioned earlier, the provision of education transport for children with an EHCP post 16 is non-statutory. However, in North East Lincolnshire, we continue to fund all children up to the age of 19 when this is requested. We would like to explore options for alternative ways of delivering the service provision, including charging for 16+ SEND transport, to both ensure children and young people are supported appropriately to access their education setting, whilst preparing them for adulthood and developing skills of independence.

1.7.2 Options have been considered as part of this report and these are:

1. Do nothing

2. Full cost recovery
3. Contribution to travel costs

1.7.3 The Children and Lifelong Learning Scrutiny Panel recommended that as part of the post 16 SEND transport review, that where applicable, a full cost recovery approach be looked at, based on an individual assessment being done where necessary.

1.7.4 While mindful of the Scrutiny Panel's recommendation on full costs recovery, this will need to be considered in light of the current economic climate and the need to have a balanced and fair approach, which encourages our children and young people to continue with their education. The appendix to this report outlines further detail on the options, which Cabinet is asked to consider.

2. RISKS AND OPPORTUNITIES

2.1 The main risks are:

- Parents/carers and transport staff/providers do not feel engaged and that changes are being imposed on them
- The review does not generate any savings that can be re-invested in service provision and service budgets remain overspent

2.2 The main opportunities are:

- The potential to introduce new ways of working
- The potential to generate savings that can be re-invested in service provision
- Preparing young people for adulthood and developing skills of independence

3. OTHER OPTIONS CONSIDERED

3.1 All the charging options considered have been included in the report.

3.2 An invest to save, fleet model option has also been discussed by the project team. The Council owns and operates 6 wheelchair access buses within the overall vehicle fleet. There is the potential to expand the education transport fleet to include several cars, or people carriers. However, this would need significant investment and links with the charging options of full costs recovery, or contribution to travel costs.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

4.1 There are potential positive reputational considerations resulting from this work to identify issues, develop ideas and solutions for future Children's Services transport policies, as the Council will be seen to be putting children and young people and their wellbeing at the core of service provision.

4.2 However, there may be some potential negative reputational considerations if a fixed charge or contribution is introduced, which the parents/carers would not

previously have had to pay and if this is the case, an action plan will be developed, with guidance from the Council's Communications Team, on how the new arrangements will be communicated.

5 FINANCIAL CONSIDERATIONS

- 5.1 The Council's Commercial Strategy sets out the need for the Council to become more commercial in the future. This means looking to achieve best value for money at the same time as delivering key social outcomes for residents and meeting the needs of residents.
- 5.2 The provision of education transport for children with an EHCP post 16 is non-statutory and there is an opportunity to explore options for alternative ways of delivering the service provision, including charging for 16+ SEND transport.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The outcome of this work may have implications for young people to ensure that they are supported appropriately to access their education setting, whilst preparing them for adulthood and developing skills of independence.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

There are no additional climate change and environmental implications as a result of this report.

8. CONSULTATION WITH SCRUTINY

The Children and Lifelong Learning Scrutiny Panel received a report on the Children's Transport Review at their meeting on 22 September 2022, so that they could consider any further recommendations and additional options that they felt needed to be explored. The Scrutiny Panel made the following recommendation to Cabinet - That as part of the post 16 SEND transport review, that where applicable, a full cost recovery approach be looked at, based on an individual assessment being done where necessary.

9. FINANCIAL IMPLICATIONS

- 9.1 The Council has a duty to promote best value and maximise the effective use of its limited resources. The review and options contained within them need to consider this and determine how this requirement is best met.

10. LEGAL IMPLICATIONS

- 10.1 A review of the nature proposed is appropriate as the Council operates under a duty to achieve best value and to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness".

- 10.2 However, in doing so, and potentially making changes to service provision, it (the Council) must equally have regard to its wider statutory duties including s149 Equality Act 2010 (the Public Sector Equality Duty).
- 10.3 In practical terms, the public sector equality duty requires any consultation regarding service change to be at the earliest opportunity, with persons possessing a protected characteristic who may be affected. It appears that from the above report, this has already taken place and can be used to shape future provision.

11. HUMAN RESOURCES IMPLICATIONS

- 11.1 A review of this nature may have people implications for those employed by NELC. Appropriate HR Advice and guidance should be sort throughout the review.

12. WARD IMPLICATIONS

- 12.1 No direct implications for wards.

13. BACKGROUND PAPERS

- 13.1 Children and Lifelong Learning Scrutiny Panel: Children's Transport Review Report - 22 September 2022 – ***Closed Item.***

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