



# Improving Home to School Transport

## Call-In by the Education and Children's Social Care O&S Committee

### 1 Request for "Call-In"

1.1 On 15 December 2020, the Cabinet took a decision "Improving Home to School Transport" service and in doing so, as set out in the Cabinet report of the same name, to:

- Reinforce the apology to parents / carers and the pupils for the disruptions to their lives and education at the start of term;
- Note the Inquiry's findings and recommendations;
- Note the improvements already made to the service and those planned to build upon this, as set out within this report;
- Note the recommendations for further improvements as set out in sections 3.11 and the associated governance in section 4.8 that will provide the Interim Chief Executive with confidence that the required changes are being made in line with the agreed timelines;
- Agree, in principle, to create an Integrated Passenger Transport Unit, subject to the approval of an Outline Business Case (OBC) by the end of the financial year by the Council Leadership Team;
- Agree that the OBC will set out a new organisational structure which will be consulted upon and implemented during 2021/22 for Home to School Transport, which is aligned to and will support the creation of a wider Integrated Passenger Transport Unit;
- Agree that the above activity, the SEND programme, associated commissioning activity, Home to School redesign and Integrated Passenger Transport Unit developed are collated into a cohesive programme of activity with appropriate governance controls, management oversight and resources. The Programme Design Document for this to be completed by January 2021, setting out the key implementation milestones, benefits and required consultations with the public, stakeholders, staff and Members.
- Agree that additional resources, are commissioned in the new calendar year to drive forward the improvements needed across Home to School Transport and, given dependencies with assessments, the wider Inclusion, SEND and Wellbeing Portfolio including:
- A dedicated transformation lead who will take forward the recommendations and the programme of improvements;



- Continued external resources to ensure the improvements made since September 2020 are maintained and built upon within the context of the wider transformation programme; and
- Additional external resources to continue a wider SEN transformation programme and deliver and embed the required changes.
- Note that the programme will report into the Corporate Programme Management Office (CPMO) and Interim Chief Executive on a monthly basis to ensure that delivery is maintained at the required pace and improvements are being made for pupils, parents / carers and schools; and
- Receive an update report back in summer 2021 that provides an position on progress and an assessment of the readiness of the service ahead of the new academic year.

## 2 Request for Call-In

2.1 Councillors Alex Yip and Robert Alden requested the call-in on 21 December 2020 and the meeting was held on 6 January 2021. They stated the following call-in criteria applied:

*3 - the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);*

*4 - the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;*

*5 – the Executive appears to have overlooked some relevant consideration in arriving at its decision;*

*6 – the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;*

*8 – there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council;*

2.2 At the meeting, Councillors Alex Yip and Robert Alden summarised the key reasons for the call-in request:

*3. The decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive);*

- Cllr Yip stated that scope of the Ernst & Young (EY) report, and the failure to bring in other relevant reports, means that the recommendations within the Cabinet report are flawed and do not go far enough. The recommendations are not based on proper consultation and the scope decided by the Executive results in a light touch review instead of a full and thorough examination of the service.
- Cllr Yip informed Members that the motion at City Council mandated the Chief Executive to, amongst other things, commission an external and independent inquiry into the full Travel Assist Service that fully addresses the concerns laid out by Parents, Carers, Schools and other users of



the service. The motion also mandated the Chief Executive to look into the assurances that have been given to Members about the safety of the service, which Cllr Yip felt was still outstanding.

- Furthermore, Cllr Yip stated that the report does not provide clear lines of accountability of how the improvement journey will be taken forward. Councillor Yip also questioned where the officer accountability was, as this is not reflected in the EY report.
- Cllr Yip highlighted that the report does not address the second demand of the motion around the investigation into the assurances given to Members since January 2020 and before. Therefore, the recommendations in the EY report do not satisfy what was mandated at City Council.
- Cllr Alden concurred with Cllr Yip's comments regarding the EY report not addressing what was mandated by the City Council motion and stated that it is clear that there is a lack of clear action taken, and clear recommendations, and timetable of implementation are two things that were clearly mandated in the motion from Full Council which means the Cabinet report contradicts the Council's agreed public position.

*4. The Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision;*

- Cllr Yip stated that the recommendations do not fully address the concerns of children and families due to a lack of proper consultation before the recommendations were made. This includes schools, parents, carers, guides, drivers, and users. There are c.4000 service users and there were just nine non-BCC stakeholders contacted, therefore the failure to fully consult must undermine the findings.

*5 – The Executive appears to have overlooked some relevant consideration in arriving at its decision;*

- Cllr Yip commented that the report does not state how the change is going to be implemented.
- In addition, Cllr Alden stated that there was a lack of detail presented to Cabinet and this includes the information requested by Cllr Yip via an FOI, plus the departure of the incumbent Director of Children's Services and the failure of the Cabinet Member to clearly answer when there will be a date for this service being safe. It also lacks clear costs and timescales for delivery.

*6 – The decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do;*

- Cllr Alden observed that press articles highlighting concerns of parents demonstrates this.

*8. There is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.*

- Cllr Yip asserted that the EY report is flawed, and the recommendations do not add anything new but rather present a rehash of what has been said before in three previous re-iterations.



There are a number of full-page pictures and pages are replicated, demonstrating that over a third of the report is extraneous and highlights the superficiality of the report.

- Cllr Yip further stated that the EY report does not reference the Education & Children's O&S Committee's inquiry into Home to School Transport and this is inexcusable. The Committee had conducted surveys and heard from parents and carers, expending considerable effort and time. The Scrutiny inquiry report includes key areas, such as safeguarding and safety. The Audit report was also not referenced. Therefore, there needs to be one definitive report to bring all of this together in one place.

- 2.3 A discussion took place and the Leader responded to points raised by members of the Committee and the members calling the decision in.
- 2.4 The Leader was keen that the EY report was presented to parents and carers before they presented to anyone else, which they did on 24<sup>th</sup> November 2020. The issue regarding the lack of consultation was raised and EY explained that given the speed of the report there had not been time to fully consult with parents and carers. Subsequently, on the 30<sup>th</sup> November 2020 EY met with the Parent Carer Forum (PCF) and specifically asked them whether they were happy with the recommendations in their report and the Chair of the PCF confirmed they were. The Leader has also met with the PCF in December 2020 and he was assured they were happy with the recommendations in the Cabinet report. Members discussed the role of the PCF and for them to be an established and independent effective representative voice of parents and carers and request the Council provide resources and support.
- 2.5 The investigation into accountability, DBS checks and assurances that may have been given to this Committee and Audit Committee last year is ongoing and is separate to this EY report and does not therefore appear in the Cabinet report.
- 2.6 EY were not asked to review the Scrutiny report, however, the Leader is happy to ensure the recommendations from that Scrutiny report are adopted as part of the transformation of this service going forward.
- 2.7 Cllr Alden clarified that the EY report does not include the full motion: *Commission an external and independent inquiry into the Full Travel Assist Service that fully addresses the concerns laid out by Parents, Carers, Schools and other users of the service as listed in section 7 [in the Scrutiny Report] and listed in paragraph number a) above, by providing clear recommendations, lines of accountability together with an open and transparent timetable for sustainable improvement.* The recommendations also do not have any officer name or timescales. The Leader stated the separate investigation alongside this EY report will deal with that part of the agreed motion.
- 2.8 In summing up, the Chair went over each call-in criterion in turn, agreeing that the EY report did not take account of the Scrutiny inquiry into Home to School Transport and subsequent City Council motion from September 2020, but that the reassurances sought by O&S on issues around safeguarding and DBS checks had been dealt with separately, as reiterated by the Leader. Under failure to consult with relevant stakeholders, there were conflicting accounts of whether the Parent



Carer Forum were in agreement with the recommendations as set out, and whether they were representative of parents and carers, and how BCC might better help promote them as a forum for parents in future, but that intention to consult in the future on delivery aspects had already been set out in the Cabinet report. For call-in criterion 5, the Chair indicated further information on detail of delivery could be requested from Cabinet, and the Leader offered to attend a Scrutiny meeting with the Cabinet Member to provide further information. Whether the decision was controversial was a matter for personal opinion, the Chair stated, and in the final point on clarity and sufficient information, the Committee felt the omission of audit report and the O&S inquiry report in particular was unacceptable when dealing holistically with the system inadequacies.

### 3 The Committee Resolution

- 3.1 The Committee resolved to call-in the decision for reconsideration by Cabinet by a vote of 7 members to 2, with concerns particularly focusing on criteria 3, 4 and 8.
- 3.2 The Committee is concerned about the lack of regard given to the work it carried out in this area over many months, calling many witnesses and consulting with a great many parents, carers, schools and pupils, and would request that this be taken into consideration. The Committee wishes to see that the EY report take into account and adopt where appropriate the Scrutiny report into Home to School Transport and its outcomes (set out in Appendix 1) and, as appropriate, the Audit report.
- 3.3 The Committee expressed a desire for BCC to have more robust structure and action around promoting and supporting the Parent Carer Forum (PCF) with parents.
- 3.4 The Committee expressed a desire for the Executive to commit to a greater consultation with parents, schools and users.
- 3.5 The Committee requests a SMART action plan be put in place.
- 3.6 The Committee will write to the Leader outlining concerns raised in this meeting and accept his offer of a session at a future meeting of the Education & Children's O&S Committee with him and the Cabinet Member for Children's Wellbeing.

**Councillor Kath Scott, Chair, Education & Children's Social Care Overview and Scrutiny Committee**