

Report to Cabinet

20 October 2021

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| Subject: | Recommendations of the Scrutiny Review of Special Educational Needs and Disabilities Transport Models |
| Cabinet Member: | Cabinet Member for Children and Education, Councillor Karen Simms |
| Director: | Director – Law and Governance Surjit Tour |
| Key Decision: | Yes |
| Contact Officer: | Alexander Goddard, Democratic Services Officer alexander_goddard@sandwell.gov.uk |

1 Recommendations

- 1.1 That the administration of Special Educational Needs and Disabilities Transport be reviewed to ensure consistency of approach and that resourcing is adequate in light of increasing demand on the service.
- 1.2 That the Parent Group for Children with Special Educational Needs and Disabilities be communicated and consulted with on any changes to the Special Educational Needs and Disabilities Transport service and, where possible, the views of affected children and young people are also sought.
- 1.3 That Education Health Care Plan assessments are carried out without delay to ensure early identification of recommended provision, including Special Educational Needs and Disabilities Transport requirements.
- 1.4 That child to adult ratios for minibuses be re-evaluated to ensure that they are appropriate and reflect assessed risks and needs on a case by case basis.



- 1.5 That the Independent Travel Training Programme be continued and increased.
- 1.6 That awareness campaigns relating to Personal Budgets and the Independent Travel Training Programme be refreshed to ensure all families are aware of the options available.
- 1.7 That Early Years provision in each town be reviewed, which may help reduce transport costs.
- 1.8 That time lengths of Special Educational Needs and Disabilities Transport journeys be reviewed to ensure that children are not needing to travel for more than 50 minutes in normal circumstances.
- 1.9 That place provision be reviewed and strategically located throughout the borough to minimise journey times for children using Special Educational Needs and Disabilities Transport.
- 1.10 That the following be considered in relation to the contracting of Special Educational Needs and Disabilities Transport for February 2022:-
 - (a) providers should ensure drivers and Passenger Assistants are trained, and accredited where appropriate, in First Aid, non-verbal communication, use of safety harnesses and manual handling. In addition there should be Advanced Passenger Assistants who are specifically trained to provide emergency medication on transport, including but not limited to administering pre-loaded EpiPens or pre-loaded buccal midazolam devices;
 - (b) a market position statement be prepared, encouraging competition from a wide range of suppliers;
 - (c) small and medium enterprises should be afforded opportunities to tender for the contracts;
 - (d) that local/mainstream schools should be the first consideration if they can address the needs of pupils, whilst recognising that some parents may prefer alternative places;
 - (e) some harmonisation of provision should be considered to balance effective management of contracts whilst retaining a diversified group of providers;
 - (f) the model for provision should avoid the increased risk associated with awarding contracts to a small number of providers.



- 1.11 That a trial scheme for providing Passenger Assistants in-house, or in partnership with schools, be undertaken as part of the contracting of Special Educational Needs and Disabilities Transport and that a full analysis is carried out on the trial scheme to determine its effectiveness.
- 1.12 That the feasibility of taking Special Educational Needs and Disabilities Transport provision in-house be assessed, this should include risks, costs, benefits, potential timescales and suitable performance indicators, and it should include the following options:
- (a) full Special Educational Needs and Disabilities Transport service in-house;
 - (b) combined provision with existing Adult Social Care Transport;
 - (c) only Passenger Assistants service provided in-house.
- 1.13 That, however the Special Educational Needs and Disabilities Transport service is provided in future, Passenger Assistants:-
- (a) must be trained, and accredited where appropriate, in First Aid, communication with non-verbal children; and
 - (b) during their induction and onboarding a clear and strong emphasis should be placed on relationship building between the Passenger Assistant, the family, the school and the transport provider;
 - (c) also include Advanced Passenger Assistants who are specifically trained to provide emergency medication on transport, including but not limited to administering pre-loaded EpiPens or pre-loaded buccal midazolam devices;
- 1.14 That how children with Autism Spectrum Disorders can receive earlier diagnoses be reviewed with partners, to help improve outcomes, including around transport needs, for that group.
- 1.15 That research relating to Special Educational Needs and Disabilities is considered whenever it is available to identify potential areas of improvement in Sandwell's service provision.

2 Reasons for Recommendations

- 2.1 The recommendations have been identified by the Children's Services and Education Scrutiny Board in order to address the findings of a scrutiny working group into Special Educational Needs and Disabilities (SEND) Transport Models. These recommendations cover matters for Cabinet to consider in relation to the commissioning of SEND Transport



at the end of the current extended contract period, matters relating to the longer-term delivery of SEND Transport and other, more general, recommendations on the topic.

3 How does this deliver objectives of the Corporate Plan?

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|  | Best start in life for children and young people – providing transport to Sandwell’s children and young people with SEND so that they can access education is a vital component of this objective. |
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4 Context and Key Issues

- 4.1 A proposal was approved by Cabinet on 12 August 2020 to establish a new Dynamic Purchasing System (DPS) for the Provision of Passenger Transport for 2021-25 (minute No 65/20 refers). Pursuant to the creation of the DPS, a closed bid tender process was held for the award of four passenger transport related contracts, such contracts to be effective from 1 September 2021.
- 4.2 At its meeting on 16 June 2021, the Cabinet deferred any decision relating to Special Educational Needs and Education Transport Contracts for 2021-25 until a suitable review had been undertaken due to questions relating to the process that had been followed. Cabinet has therefore not yet considered the outcomes of the closed bid tender process.
- 4.3 The requested reviews have been and continue to take place into the process and the Audit and Risk Assurance Committee (ARAC) is carrying out a piece of work in accordance with its terms of reference. The Budget and Corporate Scrutiny Management Board agreed that to add value by considering Special Educational Needs and Disabilities Transport from another lens would be beneficial. It therefore proposed a scrutiny review by the Children’s Services and Education Scrutiny Board of Special Educational Needs and Disabilities Transport Models.
- 4.4 It was acknowledged from the outset of the Scrutiny Review that the role of ARAC will be focused on the tendering arrangements and the



internal/external review so the Scrutiny Review focussed on the duty on the Council, ways in which it does and could dispense that duty and to formulate a view on the best model for the provision of SEND Transport.

- 4.5 The Children's Services and Education Scrutiny Board formed a cross-party Working Group, including members of the Budget and Corporate Scrutiny Management Board and parent governor representatives, and agreed a scope for the Scrutiny Review. It was acknowledged that the Review needed to be carried out at pace in order to ensure suitable transport provision could be procured by February 2022, when the current interim arrangements would cease. To this end, the Chair of the Scrutiny Board directed the members of the Working Group to each take responsibility for a specific workstream that had been identified in the scope of the Review.
- 4.6 Members carried out a range of research including collating data from local, regional and national sources; speaking to a range of officers and stakeholders (including parents and school staff); and liaising with other local authorities. The findings of this research were discussed at multiple meetings of the Working Group and members have identified a range of recommendations to Cabinet relating to Special Educational Needs and Disabilities Transport Models, which are presented to the Children's Services and Education Scrutiny Board for consideration.
- 4.7 The Working Group acknowledged that Special Educational Needs and Disabilities Transport is a vital component of the Corporate Plan objective relating to 'Best Start in Life for Children and Young People'. Furthermore the Council has statutory duties around the provision of transport for children with Special Educational Needs and Disabilities (Education Act 1996) and the recommendations identified by the Working Group reflect this, together with the requirements placed upon the Council by the Equality Act 2010 and the Public Sector Equality Duty.

5 Alternative Options



- 5.1 The Cabinet could decide to not consider the recommendations of the Children’s Services and Education Scrutiny Board arising from the Scrutiny Review of Special Educational Needs and Disabilities Transport, however any potential service improvements would then not be realised.

6 Implications

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| Resources: | The main implications for the Council’s resources relates to financing of SEND Transport. These would be fully determined prior to Cabinet making any decisions on commissioning arrangements. |
| Legal and Governance: | The Council has a statutory duty (Education Act 1996) in relation to SEND Transport. |
| Risk: | The Scrutiny Board acknowledges the need to properly assess risk, especially of potential future models of SEND Transport delivery and recommends that this be part of a comprehensive feasibility study for longer-term options. |
| Equality: | Children and young people with special educational needs and disabilities (SEND) have protected characteristics under the Equality Act 2010. |
| Health and Wellbeing: | SEND Transport contributes to the health and wellbeing of those residents who use it. |
| Social Value | The recommendations include proposals that the Scrutiny Board feels would increase opportunities for local businesses. |

7. Appendices

None

8. Background Papers

[Scoping Document for Scrutiny Review of SEND Transport Models](#)
[Council’s Statutory Duties in relation to SEND Transport](#)
[Background to the Commissioning of Passenger Transport](#)

