

PEOPLE OVERVIEW & SCRUTINY COMMITTEE

MINUTES of the meeting held on Thursday, 17 February 2022 commencing at 10.00 am and finishing at 1.30pm.

Present:

Voting Members: Councillor Ian Corkin – in the Chair

Councillor Kate Gregory (Deputy Chair)

Councillor Juliette Ash

Councillor Hannah Banfield

Councillor Imade Edosomwan

Councillor Andy Graham

Councillor Nigel Simpson

Councillor Dan Levy (substituting for Councillor Bethia Thomas)

**Other Members
in Attendance:**

Councillor Liz Brighthouse, Deputy Leader and Cabinet Member for Children, Education and Young People's Services and Councillor John Howson

By Invitation:

Derek Benson, the Independent Chair of the Oxfordshire Safeguarding Children Board, Simon Knight – Head Teacher.

Officers:

Kate Bradley - Head of SEND, Michael Carr – Scrutiny Officer, Barbara Chillman - Service Manager, Pupil Place Planning, Neil Darlington - Service Manager, Admissions & Transport, Ed Edwards – Senior SEND Consultation Officer, Paul Fermer - Assistant Director of Community Operations, Kevin Gordon, Director for Children's Services, Lara Patel - Deputy Director, Safeguarding Children's Social Care, Sandra Pearce - Supported Transport Manager, Carole Stow - Consultation Manager of OCC, Susannah Wintersgill - Director for Strategy, Insight and Communications, and Khalid Ahmed – Law and Governance.

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

1/22 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 2)

An apology for absence was received from Councillor Bethia Thomas (Councillor Dan Levy substituted).

2/22 MINUTES (Agenda No. 4)

The minutes of the meeting held on 11 November 2022 were agreed and signed.

In relation to the Co-Option of Members to this Committee, officers were asked to progress this.

3/22 PETITIONS AND PUBLIC ADDRESS (Agenda No. 5)

Ms Debbie List attended the meeting and made a public address in relation to Agenda Item 6 - Overview of Home To School Transport In Oxfordshire.

The Committee was informed that Ms List lives in the village of Standlake. She has three children, two of which attended the local primary school. When applying for a secondary school place for her eldest son, they applied to the catchment school, Bartholomew School but was told that they would have to pay for transport as there was a closer school, although it was not their catchment school.

When applying for Bartholomew School for her second son, they were told there would be no transport. This was obviously a blow as there was no transport. Her son was offered transport on a community bus, a 16 seater minibus, which was run by volunteers.

Ms List questioned the policy as her sons would get transport paid for if they attended a school which was closer, although not in catchment. Ms List questioned the inequality of the policy.

Mr John Christie attended the meeting and made a public address in relation to Agenda Item 6 - Overview of Home To School Transport In Oxfordshire.

The Committee was informed that the Council is wrongly denying free school transport from children from Middle Barton to their long established catchment area partner school Chipping Norton because it claims there are places available at a nearer school Heyford Park.(HPS)

When Heyford Park Free School opened (HPS), it became the nearest school for Middle Barton. This appeared unlikely to affect free transport to Chipping Norton School because HPS is a small 2 FE all-through school and so would not have places for all or any Middle Barton year 7 students. Its website indicated that it did not plan to admit any year 7 students.

However, because the school is undersubscribed it now states it will admit pupils to a small number of places it has in year 7, although the admissions policy confusingly still states that 'there will cease to be a formal entry point in year 7'.

In 2018 there was one vacant year 7 place at HPS. 12 children from Middle Barton were to go to Chipping Norton School, but because there was one place available at HPS, OCC deemed that the nearest school with places available was HPS and none of the 12 were entitled to free transport. This is at a cost of c 700 pounds a year per child.

This decision appears harsh and unreasonable. This is because there was not a place for each Middle Barton child at HPS, but just one, leaving the 11 children who did not have a place at HPS still without free transport

A second unreasonable decision by OCC occurred in 2021 when 11 places were available at HPS and 20 children in Middle Barton did not get free home to school transport. All the children who were part of the year 7 intake for the previous 2 years had been given free transport, as no places were available at HPS, leading parents to reasonably conclude that this would also be the case in 2021.

Paragraph 25 of the statutory guidance makes it clear that:

" At the point when transport eligibility is considered, the prospect of being able to secure a place in an alternative (usually nearer) school must be a real one. "

Parents in Middle Barton think that their children did not have a real prospect of a place at HPS because as an all through 2FE school is not designed to have an intake at year 7 and that there are far fewer places available at HPS than the number of potential applicants from Middle Barton.

They also consider that HPS is not a suitable alternative school for entry at year 7 because their children would

- be isolated from their peers that they have been educated with at primary school, and placed in a through-school environment where the HPS children have been together since nursery.

- have never taken part in any partnership activities with the school as they have with Chipping Norton School.

- have to attend an unviable small 2FE school which cannot offer a full broad and balanced curriculum and full range of extra-curricular activities

- have to attend a school which has been rated as inadequate by Ofsted partly due no doubt to its inadequate size

They request that OCC decide that free transport should not be refused to Middle Barton parents unless there are places available at HPS for all Middle Barton children. This would be a correct and reasonable application of the statutory guidance.

OCC should be facilitating the best education for their children rather than looking for loopholes to avoid paying for home to school transport, especially in these times of financial hardship.

4/22 OVERVIEW OF HOME TO SCHOOL TRANSPORT IN OXFORDSHIRE

(Agenda No. 6)

The Committee was provided with a report which provided an overview of the Home to School Transport Policy in Oxfordshire. The report contained the following information:

- Current arrangements including parental preference
- Pupil projections, expansion plans and need
- How to create fairness within the system
- How to decarbon the service
- Service User experience and opinion

The Director for Children's Services attended the meeting and introduced Neil Darlington (Admissions and Transport), Sandra Pearce (Transport Hub) and Paul Fermer (Community Operations) who provided details of the Policy to Members.

The current arrangements for Home to School Transport are that normally eligibility for free travel is determined at the time that a school place is allocated through, Oxfordshire County Council's Coordinated Admissions Scheme for entry at the normal points of admission; and/or, the issuing of an Education, Health and Care Plan; and/or, the operation of the Fair Access Protocol; and/or, the In-Year Coordinated Admissions Scheme.

The key principles in the Council's current policy were:

- Free travel to "Nearest school" if in excess of statutory walking distances (2 miles if under 8 years of age, 3 miles if 8 to 16 years of age)
- Post 16 free travel for SEN students to the nearest college/school at which need can be met
- Providing a spare seat scheme
- Providing a formal appeals process

Under the Home to School Travel and Transport Policy, children and young people were entitled to free travel which was provided by the most cost-effective means. This was usually by the provision of a free bus pass, however, where numbers were small, children were sometimes transported by taxi. In addition, if parents wanted to take their children to school themselves, the Council may agree to the payment of a mileage allowance.

If free travel was agreed, children and young people would be expected to use public transport or, if this is unavailable, contracted transport such as a coach or minibus. It was expected up to Year 5, parents would accompany children. Once a child was in Year 6 and above only the child would only receive free travel.

In relation to SEND, the Council has a duty to make suitable arrangements as they deem necessary to facilitate attendance at school for eligible children between the ages of 5-16 (Section 508B of the Education Act, 1996). This transport provision applied if their nearest suitable school was beyond 2 miles (if below the age of 8) or beyond 3 miles (if aged between 8 and 16).

There is a statutory responsibility to make transport arrangements for SEN Pupils who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their SEN or disability.

Reference was made to current pupil projections which indicated a 1.2% increase in primary pupil numbers and for secondary school pupils a 7.8% predicted rise between 2020/21 and 2025/26. Longer term, due to the high levels of housing growth planned for the county, projections were that these numbers would increase.

The report provided details on the Council's plans to reach a position where all tendered supported transport services would be carbon neutral.

Work was to commence to understand how the Council could influence the market to reach this position by specifying higher vehicle standards in its tender documents and incentivising the use of cleaner vehicles and practices through its contract award mechanisms. It was hoped this would influence the taxi and coach industry as a whole to reduce its carbon emissions and also to establish best practice for others local authorities to follow.

In relation to the Council's own internal fleet of around 70 minibuses, there was a commitment to be carbon neutral by 2030.

Issues raised by Members

- Clarity was required on how the criteria for eligibility of free travel was set and that these were equitable.
- The Home to School Transport policy does not relate to school catchment areas and there are anomalies such as split village schemes.
- There were resource implications as the Team was small and it had responsibility for the whole county.
- The Admissions Policy had to be clear that free school transport was only provided to children when they go to their nearest suitable school and in accordance with the Council's published Home to School Transport policy.
- Parental preference had an impact on the policy and it needed to be made clearer to parents the implications when making their preferences.
- For some schools, the whole County was the catchment area. This needed to be recognised.
- There needed to be more work undertaken in terms of enabling children to cycle, walk or use public transport to schools i.e provision of facilities such as secure cycle sheds in schools.
- There needed to be more localised SEND Provision in schools which would reduce transport costs.
- Travel times needed to be reduced in rural areas as buses on the rural network did not travel quickly.
- Covid has had an impact on delivering training to schools which has affected SEND travel.
- Reference was made to free travel being made available if the distance from the child's home to the nearest school is under the statutory walking

distance but the route is unsafe to walk. Routes were assessed assuming a responsible adult was available to accompany the child.

- The spare seats scheme operated on contracted bus routes which were operated for the benefit of those entitled to free transport. Where there were more requests to pay for seats than the number available, there are equitable criteria to determine to which pupils the seats will be offered, which was adopted (outlined in the report).
- The Home to School Transport policy required review and comparisons should be made with other Councils and what other countries did.
- The policy should be linked to school travel plans and safer routes to school.
- Reference was made to Central Government providing the statutory framework for Home to School Travel and Transport, which local authorities must have regard to.
- Sixth formers have a high priority for spare seats because the local authority has a legal obligation to ensure access post 16 education.
- The impact of housing growth and increased pupil numbers needed to be taken into consideration in any policy review.
- In relation to decarbonisation of all tendered supported transport services, there needed work to be done on the numbers and types of vehicles, including the Council's own internal fleet of 70 minibuses. Members were informed that there were 130 coaches, 500 cars, 120 minibuses from 140 providers who were working with the Council.

RESOLVED – (1) That the report and the information presented be noted.

(2) That a Working Group be set up to consider the Home to School Transport Policy and the options for the policy, the impact on carbon emissions, the equalities implications.

(3) That if possible, the Working Group should meet before the next meeting of the Committee to consider the issue and agree a report and any recommendations to the Cabinet for submission to the next meeting of the People Overview and Scrutiny Committee for endorsement.

(4) That the membership of the Home to School Transport Policy Scrutiny Working Party is:

(Cllr Juliette Ash, Cllr Andy Graham, Cllr Kate Gregory and Cllr Michael Waine) with the following terms of reference:

- i). to consider the Home to School Transport Policy and the options for any changes to the policy,**
- ii). to consider the impact on carbon emissions,**
- iii). to consider the equalities implications,**
- iv). to agree a report and any recommendations to the Cabinet for submission to the People Overview and Scrutiny Committee for endorsement.**

5/22 SERIOUS CASE REVIEW: CHILD R
(Agenda No. 7)

The Committee was provided with a report of a Serious Case Review of child R who was 13 years old when she took her own life in 2013 in an out of county residential establishment.

As a mark of respect, the Committee stood for a moments silence in memory of the child.

Lara Patel, Deputy Director, Safeguarding Children's' Social Care, attended the meeting and informed Members that the SCR report focused on learning and an explanation of what happened. The findings of the SCR were:

- Working to keep children safe within their families continues to be a challenge and there is the need to ensure that improvements made since child R was a child are embedded into practice.
- Placement Planning and managing the complex needs of Children in Care needs sufficient placement availability, clarity of role across the professional network and systems that scrutinise and challenge how well the child's needs can be met.
- Where there is a risk of suicide, Children in Care should have a clearly articulated suicide prevention plan which takes account of emotional, behavioural and situational risks.

Reference was made to the ten recommendations which came out of the review which were turned into an action plan.

Derek Benson, the Independent Chair of the Oxfordshire Safeguarding Children Board attended the meeting and reported that there would be constant monitoring of the recommendations.

Reference was made to the impact of the pandemic on the safeguarding of children in terms of increased caseloads, CAMHS waiting lists, co-ordination with other agencies and Multi-Agency Risk Assessments where all agencies were involved with the child. An increase in people expressing an interest in becoming foster carers is needed to be able to provide more local placements.

As part of the Early Strategy there is a target to undertake 10,000 Early Help Assessments to prevent children from needing statutory interventions. It was acknowledged that this would be a challenge for agencies.

More local placements are needed so that children were not placed in areas away from their families.

Recruitment and Retention of Social Workers was a national issue, with Oxfordshire competing with other local authorities. It was agreed that the Recruitment and Retention Strategy for Social Workers would be submitted to this Committee **(ACTION: Director of Children's Services)**.

RESOLVED – That the findings and recommendations of the Serious Case Review for Child R, and the actions taken to date be noted.

6/22 CONSULTATION ON SPECIAL EDUCATIONAL NEEDS AND DISABILITIES IN OXFORDSHIRE

(Agenda No. 8)

The Committee was provided with a report which informed Members of a public consultation on proposed changes to arrangements for SEND for children and young people in Oxfordshire which was launched on 10th January, 2022.

The Chair commented that it was unusual that the Committee was being asked to comment on the consultation at this point in time and reference was made to some parents of SEND children having difficulty accessing the consultation. Members did not think that scrutiny should be a consultee in the process, but should have a role in the policy development.

The Director of Children's Services reported that the Committee would have the opportunity to scrutinise the policy.

There have also been a series of all member briefings on this issue. The report provides an opportunity for the Committee to scrutinise the policy and also to consider any recommendations to feed into the consultation.

Members were informed that reasons that changes needed to be made were outcomes for children with SEND in Oxfordshire were not good enough. In addition, it needed to be ensured that effective and efficient use was made of available funding, which would mean that difficult decisions must be made and the Council needed to act now.

The key strategic objectives being consulted on were:

- Improving outcomes for children with SEND
- Developing a continuum of local provision to meet the requirements of children and young people with SEND
- Good physical and mental health and wellbeing
- Improving post-16 education, learning, employment and training
- Positive move into adulthood for young people with SEND.

The proposed changes which were subject to consultation were :

- Reform of Top-Up funding arrangements for children and young people with an EHC Plan
- Resource bases as a core part of the range of provision
- Sufficiency of specialist day placements in Oxfordshire
- Enhanced pathways within mainstream schools
- Reconfiguring requests for additional funding for schools
- Co-ordinated approach to supporting children with SEND at the earliest opportunity.

The Director of Children's Services commented that SEND was not a good system for making use of resources. The Council were awaiting the outcome of the national review into SEND.

Kate Bradley - Head of SEND, Carole Stow - Consultation Manager of OCC, Susannah Wintersgill - Director Strategy, Insight and Communications, Ed Edwards – Senior SEND Consultation Officer and Simon Knight – Head Teacher attended the meeting to provide background to the consultation.

Issues raised by Members

- Training was an important aspect of SEND and this was not referred to in the paper. Officers reported that training was key to the approach.
- The phasing of top ups would be dependent on the outcome of the consultation.
- There needed to be support and challenge in schools with School leaders thinking strategically.
- There was a need for commissioning of services.
- This review result in a potential overspend for Oxfordshire.
- It was important that pupil's voices were also heard and Members were informed that sessions had been held with young people to get their views.
- There would be an email address which would be published to enable views to be emailed in separate to the on-line consultation.
- There would be an all Member briefing which would take place before Cabinet considers the policy.

Councillor Liz Brighthouse, Deputy Leader and Cabinet Member for Children, Education and Young People's Services said she was keen for the SEND topic to be considered again by this Overview and Scrutiny Committee to enable comments to be fed to Cabinet.

RESOLVED – That the issue be noted as a possible future topic and it be determined at the next meeting how and when this could be considered on the Committee's Work Programme for the next Municipal Year.

7/22 WORK PLAN 2021/22

(Agenda No. 9)

It was agreed that the following be added to the Committee's Work Plan:

Education White Paper
Recruitment and Retention Strategy for Social Workers.

..... in the Chair

Date of signing

