

## EDUCATION SCRUTINY COMMITTEE

**MINUTES** of the meeting held on Monday, 18 June 2018 commencing at 12.00 pm and finishing at 2.00 pm.

**Present:**

**Voting Members:** Councillor Michael Waine – in the Chair

Councillor John Howson (Deputy Chairman)  
Councillor Mrs Anda Fitzgerald-O'Connor (Deputy Chairman)  
Councillor John Howson  
Councillor Gill Sanders  
Councillor Nick Carter (in place of Councillor Jeannette Matelot)  
Councillor Ian Corkin (in place of Councillor Suzanne Bartington)

**Other Members in Attendance:** Councillor Hilary Hibbert-Biles

**By Invitation:** Carole Thomson  
Ian Jones

**Officers:** Neil Darlington (Children's Services) Deborah Miller and Lauren Rushen (Resources).

*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.*

### **93/18 INTRODUCTION AND WELCOME**

(Agenda No. 1)

The Chairman welcomed everyone to the Meeting and in particular the members of the public who had come to address the Committee on the issue of Home to School Transport.

### **94/18 ELECTION OF CHAIRMAN FOR THE 2018/19 COUNCIL YEAR**

(Agenda No. 2)

Councillor Mrs Anda Fitzgerald O'Connor proposed and Councillor Carter seconded that Councillor Waine be elected Chairman of the Education Scrutiny Committee for the 2018/19 Council Year.

There being no further nominations, the motion was put to the vote and was carried nem con.

**RESOLVED:** That Councillor Michael Waine be elected as Chairman of the Education Scrutiny Committee for the 2018/19 Municipal Year.

**95/18 ELECTION OF DEPUTY CHAIRMAN FOR THE 2018/19 COUNCIL YEAR**  
(Agenda No. 3)

Councillor Waine moved and Councillor Carter seconded that Councillor John Howson be elected Deputy Chairman of the Committee for the 2018/19 Council Year. There being no further nominations, the motion was put to the vote and was carried nem con.

**RESOLVED:** (nem con) that Councillor John Howson be elected Chairman of the Committee for the 2018/19 Council Year.

**96/18 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**  
(Agenda No. 4)

Apologies for absence were received from Councillor Jeannette Matelot (Councillor Nick Carter substituting) and from Councillor Susanne Bartington (Councillor Ian Corkin substituting).

**97/18 PETITIONS AND PUBLIC ADDRESS**  
(Agenda No. 6)

The Scrutiny Committee received the following Public Address:

Item	Speaker
7. The Proposed Home to School Travel and Transport Policy	Ms Kathy Liddell, Oxfordshire Family Support Network;  Ms Jessica Patton;  Mr John Riches, Chair of the Oxfordshire Association of Special School Headteachers (OASSH).

**98/18 THE PROPOSED HOME TO SCHOOL TRAVEL AND TRANSPORT POLICY**  
(Agenda No. 7)

The Council had proposed and consulted upon a number of changes to its home to school transport policies applying to Post 16 students and to those of statutory school age. On 19 June 2108 Cabinet were due to consider a report seeking approval of the changes and revised Home to School Transport and Travel Policy. Accordingly, an Extraordinary Meeting of the Education Scrutiny Committee had been convened to

discuss the proposals put forward for a Home to School Transport Policy for Oxfordshire prior to Cabinet consideration on 19 June.

Kathy Liddell, representing the Oxfordshire Family Support Network (oxfsn) spoke on behalf of a number of parents against the proposal to cut transport to school/college for post 16 students. She spoke of oxfsn's disappointment that the Council had not written individually to those currently receiving transport to seek their views and were instead relying on word of mouth and upon schools and colleges. She referred to section 5 of the report and the Council's responsibilities to children with special needs, explaining that oxfsn believed that the discretionary offer of assistance was tantamount to a blanket withdrawal of support for over 16's with SEND. Oxfsn further believed that the need to meet all four criteria set out in the policy to receive assistance would narrow the number of potentially successful applicants down to a very small fraction of those who really needed and deserved support.

Oxfsn asked why it was essential for there to be a medical condition or other circumstance preventing parents from taking to school or lowest income and suggested unaffordable or practically impossible should be added. They further felt that the lack of local spaces locally had not been taken into account. Oxfsn asked for clarification on whether the policy would apply to existing post 16 students and reminded the Council that parents of children with often profound, complex and severe special needs were often at their wits ends and least able to engage in an appeal process.

Jessica Patton, as a parent of a child with severe learning disabilities and autism spoke against the recommended changes relating to SEN students. Ms Patton explained that although the proposals would not directly her child, if she had been a few years younger the impact would have been severe, both financially and on her ability to work. Given the limited number of places in Oxfordshire and the rural nature of the County, there were many areas without a bus service and families without a car would not be able to get their children to school. The time required to get their children to and from school would impact on families ability to work. She further referred to the impact on family life, with many parents already struggling to balance the needs of their disabled children with those of their other children. She firmly believed that the proposals did not comply with the DoE statutory guidance on post 16 home to school transport and that the policy in its current form with such restrictive criteria would discriminate against young adults with disabilities and by association, their families.

John Riches, Chair of the Oxfordshire Association of Special School Headteachers (OASSH) spoke against the proposals set out in the report, on the basis that it was not a strategic plan or proposal. A Strategic Plan for specialist provision, which included a travel plan would ensure money was well spent. He further believed that there needed to be a greater exploration of who the policies and proposals affected and the actual impact of the proposal should detail impact, consequences and potential unintended consequences for councillors to consider. He further considered that the proposal and policies appeared to overlook that students completed courses at Special School Sixth Forms until Year 14. He urged the Committee not to approve the proposals, requesting instead that special school place planning and transport for pupils with SEND is looked at within the overall SEND Review.

Councillor Emma Turnbull, Shadow Cabinet Member for Public Health & Education, spoke against the SEND proposals that she felt were ill conceived, harmful and unnecessary. Councillor Turnbull suggested that the proposals were a blatant disregard of the Equalities Act 2010 and queried whether they constituted unlawful discrimination. She noted that following other authorities was not necessarily the right course of action as they were not necessarily lawful. The proposals were unnecessary to produce the saving required when it was possible to overhaul a wasteful procurement model. She suggested that a more efficient model would be to bring it in-house and to run an integrated transport service. Alternative options such as in-house provision or alternative procurement models and not been considered in the SCIA's. Councillor Phillips queried why SEND transport was not included in the transformation programme and why it was not part of the SEND and high needs review.

Councillor Michael Waine, Chairman of Education Scrutiny Committee, explained the reasons behind the decision of the Committee to scrutinise the report carefully. He had heard the concerns of many parents and had recently visited Bardwell School to see post 16 children arrive at school first hand. The Committee needed to ensure that the policy was fair and equitable and that all options had been looked at.

During debate the Committee acknowledged that much of the report was a tidying up exercise except for the proposals relating to SEND transport. The Committee had looked at whether what was being proposed was fair and equitable and whether all options had been explored. They also considered why SEND transport costs were increasing. It was noted that a lot of children were travelling a long way and sometime out of County for schools and it was questioned whether there was enough local provision and if this was pushing up the cost. The Committee further agreed, that due to the small numbers involved, they felt that all parents should have been consulted directly

The Committee noted that It was not just about the cost factor but about the impact on those children's lives and the families of those children. The Committee queried why the changes were being proposed in isolation from the SEND and high needs reviews. The Committee did not found satisfactory answers to their questions and concerns and found the report unsatisfactory.

Mr Darlington confirmed that the policy was not discriminatory and was in line with national policy. Different models of provision had been looked at. Part of the transport was already provided by a direct labour organisation. However, this was not seen as the most economic way to deliver transport across the County. The Committee further agreed, that due to the small numbers involved, they felt that all parents should have been consulted directly

Following debate, the Committee **AGREED** to forward the following recommendations to the Cabinet for their consideration prior to taking any decisions on this matter.

The Committee **RESOLVED** to:

- (a) ask the Cabinet to reject recommendations (a) and (b) in relation to SEND pupils set out in paragraph 55 of the report, on the basis that it was premature to make those decisions at this point in time whilst there was both a SEND and High Block Needs Review underway of which they should be an integral part;
- (b) In relation to recommendation (b) set out in paragraph 56 of the report, the Committee asked that further work and analysis be undertaken in relation to the funding for this provision.

The Committee also wished to be assured that any future proposals coming forward be underpinned by strategic rationale and that any future consultation should include all services users, currently receiving or about to receive transport.

The Committee also asked that any future reports coming forward, particularly in relation to some of the most vulnerable children in society, should include all the analysis that underpinned the proposals or was referred to in the report.

..... in the Chair

Date of signing .....