

Public Document Pack



NOTICE OF MEETING

Meeting	Children and Young People Select Committee
Date and Time	Wednesday, 8th July, 2020 at 10.00 am
Place	Virtual Teams Meeting - Microsoft Teams
Enquiries to	members.services@hants.gov.uk

John Coughlan CBE
Chief Executive
The Castle, Winchester SO23 8UJ

FILMING AND BROADCAST NOTIFICATION

This meeting will be webcast on the County Council's website

AGENDA

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore all Members with a Personal Interest in a matter being considered at the meeting should consider, having regard to Part 5, Paragraph 4 of the Code, whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

3. MINUTES OF PREVIOUS MEETING (Pages 3 - 10)

To confirm the minutes of the previous meeting.

4. DEPUTATIONS

To receive any deputations notified under Standing Order 12.

5. CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements the Chairman may wish to make.

6. CHILDCARE SUFFICIENCY ASSESSMENT AND COVID-19 IMPACT AND RESPONSE FOR THE CHILDCARE SECTOR (Pages 11 - 30)

For the Select Committee to receive a report from the Director of Children's Services providing an overview of childcare sufficiency assessment and Covid-19 impact and response for the childcare sector.

7. CHILDREN'S SERVICES UPDATE ON COVID RESPONSE (Pages 31 - 76)

For the Select Committee to receive a presentation from the Director of Children's Services providing an outline of the impact and response of the Children's Services Department to the Covid-19 pandemic.

8. PROPOSED CHANGES TO POST 16 TRANSPORT POLICY STATEMENT 2020 (Pages 77 - 204)

For the Select Committee to pre-scrutinise the proposed changes to the Post 16 Transport Policy Statement 2020.

9. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) 0-25 REFORMS UPDATE REPORT - SEN PERFORMANCE AND JOINT WORKING (Pages 205 - 266)

For the Select Committee to receive a report and presentation from the Director of Children's Services providing a further update on progress following the implementation of the SEND reforms.

10. WORK PROGRAMME (Pages 267 - 274)

To consider and approve the Children and Young People Select Committee Work Programme.

ABOUT THIS AGENDA:

On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

Agenda Item 3

AT A MEETING of the Children and Young People Select Committee of
HAMPSHIRE COUNTY COUNCIL held at the castle, Winchester on Friday, 10th
January, 2020

Chairman:
p Councillor Kirsty North

Vice-Chairman
p Councillor Ray Bolton

a Councillor Jackie Branson
p Councillor Ann Briggs
p Councillor Zilliah Brooks
p Councillor Fran Carpenter
p Councillor Peter Edgar MBE
p Councillor Marge Harvey
p Councillor Pal Hayre
p Councillor Wayne Irish

a Councillor Gavin James
p Councillor Neville Penman
p Councillor Jackie Porter
p Councillor Robert Taylor
p Councillor Michael Westbrook
p Councillor Malcolm Wade
p Councillor Elaine Still

Co-opted Members

p Ian Brewerton, Secondary School Parent Governor Representative
a Gareth Davies, Primary School Parent Governor Representative
p Robert Sanders, Church of England Schools Representative
p Kate Watson, Special School Parent Governor Representative
VACANT Roman Catholic Schools Representative

In attendance at the invitation of the Chairman:

Councillor Roz Chadd, Executive Member for Education and Skills

119. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Jackie Branson and Gavin James.
Councillor Elaine Still was in attendance as the Conservative Deputy Member.

Apologies were also received from Gareth Davis, the Parent Governor
Representative for Primary Schools.

120. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part

5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

No declarations were made.

121. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting held on 20 November 2019 were confirmed as a correct record and signed by the Chairman.

122. DEPUTATIONS

The Committee did not receive any deputations on this occasion.

123. CHAIRMAN'S ANNOUNCEMENTS

On behalf of the Committee, the Chairman congratulated Peter Colenutt, Assistant Director for Strategic Development upon receiving an MBE in the recent New Years Honours.

The Chairman also extended the Committee's condolences to Councillor Patricia Stallard, Executive Lead Member for Children's Services and Young People, for her recent bereavement.

124. 2020/21 REVENUE BUDGET REPORT FOR CHILDREN'S SERVICES

The Committee received, for pre-scrutiny, a report and presentation on the Children's Services Revenue Budget for 2020/21 (Item 6 in the Minute Book). Members were taken through the presentation slides and key issues were outlined.

Officers highlighted the percentage change in Government Departmental revenue budget from 2009/10 to 2019/20 and these changes were explained to Members as shown on page 5 of the presentation slide pack. The Committee was also provided with the context in relation to the County Council's savings over the last 10 years from its Efficiency and Transformation programmes, as well as cash limit comparisons per Council department. Members were reminded that a savings target of £80m was agreed as part of the Medium-Term Financial Strategy in 2018, and the proposals to meet this target were agreed in November 2019. It was noted that the focus was now on implementation and delivery, including service specific public consultations, to engage with service users and key stakeholders.

The Committee were also provided with an overview of the key departmental challenges and the principles of the department were detailed on page 19 of the presentation pack. The key departmental challenges included: demand and cost for services, financial pressure in schools and significant pressure on high needs block. Officers also highlighted the significant increase in the last ten years of child protection investigations, child protection conferences and child protection plans. Members attention was drawn to page 26 of the presentation pack which

highlighted an increase of 30% in the number of looked after children between March 2009 and March 2019.

A brief YouTube video was shown to Members, which illustrated the recent achievements of Children's Services.

<https://www.youtube.com/watch?v=f1FBIpZ2WXc>

It was heard that staff had easier to manage workloads, the use of technology had enabled 30% of staff to spend less time travelling and tools had been introduced to save staff time with administrative tasks. It was also heard that the use of devices had allowed social workers to also spend more time with families. The view to the future was to continue to engage, and continue to support staff in adopting the Hampshire approach.

In looking to the future, officers highlighted the key principles and also operating within the budget and keeping children safe. Officers also drew Members attention to the 'Hampshire Approach' which was a shared mind-set and culture, and also managed risk safely. Page 34 of the presentation slides highlighted that since November 2018, there had been a reduction in child protection plans, looked after children and social work caseloads. Members also noted that 92% of files audited showed improved outcomes for children. In concluding, Members heard that the department was ahead in delivering on savings and the main change for the Children's Services Revenue Budget for 2020/21 was money allocated to schools.

In response to questions, Members heard:

- That HCC leads sector led improvement across the region with best practice being shared across the region, which has been recognised by Ofsted.
- That within the County, new ways of working could be trialled in one specific area before being rolled out to other areas in the County if appropriate.
- That in relation to Swanwick Lodge, there was more expenditure than income at the current time, but once building work had concluded, then this would generate income. Work was also continuing with staff recruitment and training. Swanwick Lodge was nationally seen as a valued resource.
- That it was important for staff to feel listened to. There has been a cultural change and as part of the Transformation Programme, there has been a constant change process with staff welcoming the new approach.

Following questions, the recommendation was proposed and a vote was held with the following outcome;

For:	15
Against:	0
Abstained:	0

RESOLVED:

That the Children and Young People Select Committee considered the proposals and supported the recommendations being proposed to the Executive Lead Member for Children's Services and Young People.

125. CHILDREN'S SERVICES CAPITAL PROGRAMME 2020/21 - 2022/23

The Committee received, for pre-scrutiny, a report and presentation on the Children's Services Capital Programme 2020/21-2022/23 (Item 7 in the Minute Book).

Members were taken through the presentation and important key issues were highlighted which included continued significant school construction and the role of the Local Authority to strategically plan school places and capital investment. The increase in new school places in recent years was also highlighted to the Committee and it was heard that there had been 12,765 new school places in Hampshire between 2013-2019 and it was estimated that this would increase to 19,000 new school places by 2023, but issues such as new housing developments could often impact timescales. Members attention was also drawn to the Hampshire School Places Plan 2020-2024 which was listed at appendix 6 of the report. In relation to Special Education Needs and Disability (SEND), it was heard that the Department for Education had recognised the need for additional funding and the County Council had received £6.429m extra grant funding for SEND for the period 2018/19 – 2020/21.

Officers explained that in relation to suitability investment, schools were supported with suitability requirements and attention was drawn to appendix 8 of the report which detailed this further. The breakdown of the Children's Services Capital Programme 2020/21 – 2022/23 was highlighted and this was detailed at page 9 of the presentation pack.

Pressures on the Capital Programme were explained to the Committee as set out on page 11 of the presentation pack, which included uncertainties over Brexit, Community Infrastructure Levy and restrictions on Pooling. Officers recognised the need to reduce the costs of schools, without reducing the quality of the learning environment. It was noted that HCC continued to work closely with industry, and a detailed benchmarking exercise provided information to help understand ways of becoming more efficient. It was explained that work would continue to examine, revise and update designs for new schools.

In response to questions, Members heard:

- That the Local Planning Authority (LPA) determined how the Community Infrastructure Levy funding (CIL) was spent, and HCC worked closely with the LPA for CIL funding.
- That additional funding has been identified for schools that have children with specific access requirements.
- That HCC continued to work closely with neighbouring authorities and their schools as part of a cluster arrangement, and this also involved sharing school design solutions.
- That HCC continue to review the pressure on SEND provision at schools, and funding for this provision.

- That officers were mindful of issues in relation to climate change, and solutions such as LED lighting and other energy efficient measures in schools were being considered.
- That issues around home to school transport would always be examined in relation to new housing developments, and also when expanding existing schools.
- That with new housing developments such as Berewood in Waterlooville, it was noted that developer contributions were already secured and Members were reassured that there were sufficient local secondary school places to accommodate children from new housing developments.

Following questions, the recommendation was proposed and a vote was held with the following outcome;

For:	15
Against:	0
Abstained:	0

RESOLVED:

That the Children and Young People Select Committee considered the proposals and supported the recommendations being proposed to the Executive Lead Member for Children’s Services and Young People.

126. RESHAPING SHORT BREAK ACTIVITIES – PROGRESS UPDATE

The Committee received a report updating them on progress made in changes to the short breaks activities programme (Item 8 in the Minute Book). This update was at the request of the Select Committee following a previous update to the Committee on the 17 January 2019.

The report was introduced and key aspects of the changes were drawn to Members attention, and the progress with these was highlighted. It was heard that these changes included a priority led commissioning approach, introduction of digital gateway cards and exceptions funding. It was explained that there was now an evidence based approach for applying for the gateway card, and a 48 hour turnaround in issuing the digital card when applications were complete. Through the implementation of the digital card, officers were able to monitor real-time usage as well as data which could then be used to base buddy schemes on.

In concluding, Members heard that there had been positive feedback to the introduction of the gateway card and no issues reported to the changes implemented.

In response to questions, Members heard:

- That officers continued to work closely with Hampshire Parent Carer network (HPCN), and would continue to do so.
- Although swimming was no longer provided as a short break activity through Children’s Services, providers could offer this independently.

- That the exception fund would likely be reduced in the coming years to more realistically match identified need.
- That different ways to run the buddy scheme would be examined, as well as the funding for this.
- That some Members confirmed that they attend regular meetings in their local areas with Parent Carer Network Groups, who kept them informed as to experiences with the changes to the short break activities programme.

RESOLVED:

That the Children and Young People Select Committee noted the progress of the implementation of the changes to reshape the Short Break Activities Programme.

127. ATTAINMENT OF CHILDREN AND YOUNG PEOPLE IN HAMPSHIRE SCHOOLS 2019

The Committee received a report and presentation providing an update on educational attainment of children in Hampshire schools in 2019 (Item 9 in the Minute Book).

Members of the Committee were taken through the slides and key areas were highlighted. Officers detailed the early years/foundation stage of education, and it was heard that by the age of 5 years old overall outcomes were very strong in Hampshire with other local authorities also improving. Educational outcomes in relation to Key Stage 1 and Key Stage 2 were also highlighted to Members. In relation to Key Stage 2, it was noted that it was important that outcomes in reading, writing and maths were achieved, and the assessment process for these were explained.

Members heard that in relation to Key Stage 2 disadvantaged pupils, Hampshire had topped the statistical neighbour group for the last three years. Primary education performed well nationally.

It was heard that there had been a period of unprecedented change in education and especially at secondary level. In relation to GCSE results, it was explained that Hampshire had scored well in English and Maths at grade 4 or higher. Officers explained how Attainment 8 was measured, and it was noted that Hampshire scored above the national average. The measurement of Progress 8 was also explained and it was heard that this was a slightly lower score than the national average. It was noted that the specific EBACC subjects studied also impacted the Progress 8 figure, and this was detailed further in the report at page 119 of the agenda pack.

In response to questions, Members heard:

- That for ease of analysis for Members, future data reporting of educational attainment for disadvantaged children at Select Committee meetings would be shown as a graphical image rather than text commentary.

- That it was important that children were offered a breadth of learning opportunities at school, and officers were pleased that Ofsted had changed their framework.
- That there had been a reduction in the number of children studying music nationally, but this had not been seen in Hampshire where the average grade in music was higher than the national average.
- That Progress 8 as a measure of the quality of secondary school education continued to be a challenge, and a programme was being developed to be rolled out to schools to help address this.
- That there was promotion of spiritual, moral, cultural and personal development in schools for children.
- That it was important to have pathways to employment for children with all educational abilities, which could include employability help and apprenticeship schemes as alternatives to college.

RESOLVED:

That the Children and Young People Select Committee noted the contents of the report.

128. **WORK PROGRAMME**

The Director of Transformation and Governance presented the Committee's work programme (Item 10 in the Minute Book).

Members agreed to move the item on Early Years Childcare and Childcare Sufficiency scheduled for the July Select Committee meeting, to the May Select Committee meeting.

RESOLVED:

That with the amendment to the scheduling of the Early Years Childcare and Childcare Sufficiency item, the work programme was agreed.

Chairman,

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HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Children and Young People Select Committee
Date:	8 July 2020
Title:	Childcare Sufficiency Assessment and Covid-19 Impact and Response for the Childcare Sector
Report From:	Steve Crocker, Director of Children's Services

Contact name: Tracey Messer – Service Manager Childcare Development and Business Support

Tel: 07712 693137

Email: tracey.messer@hants.gov.uk

Purpose of this Report

1. The purpose of this report is to provide an update to the Select Committee on how the Local Authority complies with its statutory duty to secure sufficient childcare to meet parental need, in accordance with the Early Education and Childcare Statutory Guidance for Local Authorities (June 2018).
2. The full Childcare Sufficiency Assessment (CSA) was taken to Executive Lead Member for Children's Services and Young People meeting of 20 November 2019 and is provided as Appendix 1 to this report.
3. This report summarises the key findings of the CSA and identifies the progress against priority actions identified in the CSA. Progress on many of the priority actions has been delayed due to Covid-19 and this report details the impact of Covid-19 on the CSA actions and upon the childcare sector more widely.

Recommendations

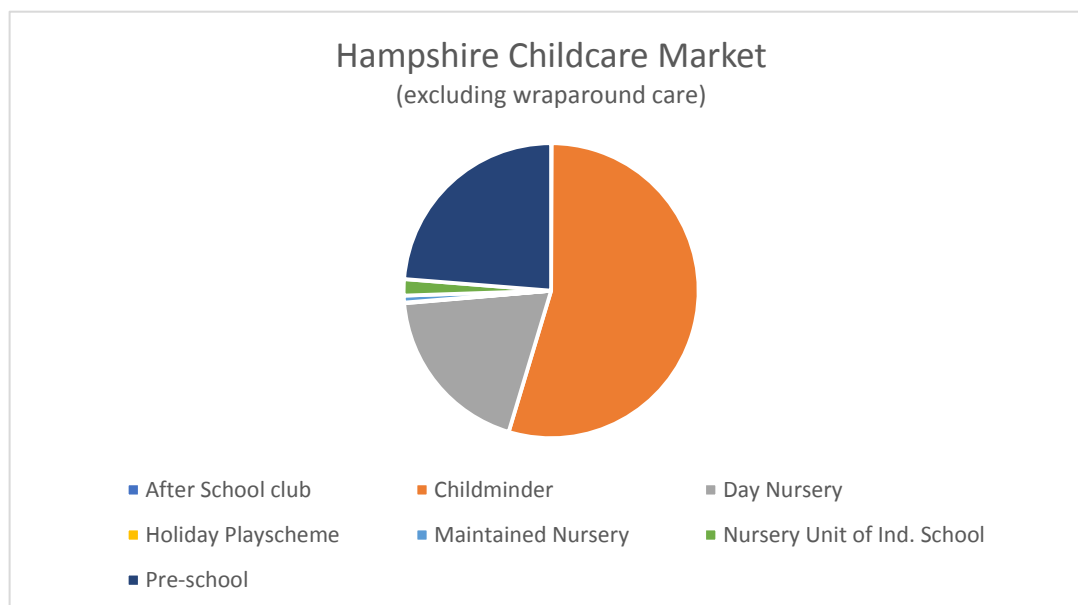
4. That the Children and Young People Select Committee note the content of the Childcare Sufficiency Assessment 2019 and the associated action plan together with the updated position in response to the Covid-19 pandemic.
5. That the Children and Young People Select Committee note the impact of the Covid-19 pandemic upon the childcare sector and the County Council's support to the sector during this time.

Executive Summary

6. Statutory guidance requires that the County Council is able to secure sufficient childcare for working parents and to undertake a sufficiency assessment to be brought to Executive Members on an annual basis.
7. The detailed CSA in Appendix 1 provides an overview of childcare in Hampshire as at 2019. It provides an action plan that looks forward to 2020 year beyond, delivery of which would support the County Council in maintaining a vibrant and diverse childcare market.
8. Delivery against the Action Plan 2019-2021 contained in the assessment has been affected by the Covid-19 pandemic. On 20 March 2020, the Government required all childcare settings to close to all but vulnerable children and the children of key workers.
9. The number of providers open and children attending childcare significantly reduced immediately following the lockdown announcement but has gradually increased (and continues to do so) as lockdown measures have been relaxed.
10. Hampshire County Council facilitated attendance of key worker and vulnerable children during lockdown through a brokerage services for families, and through direct work with providers to encourage attendance.
11. The County Council has implemented a variety of financial, learning and communication measures to support the childcare sector during the pandemic so far, and further support will be required in the short, medium and longer term to ensure the Hampshire childcare sector continues to provide sufficient places for Hampshire children.
12. With the need for the economy to start recovering, there is also need for the childcare opportunities for parents to be available. Ensuring sufficiency and supporting the childcare sector over the coming months and years will be challenging and there are many unknowns.

Hampshire's Childcare Market and Funding Context

13. The Hampshire childcare market comprises c. 1470 settings, excluding before and after school clubs. The chart below shows the composition on the market:



14. Local authorities have a statutory duty to ensure that there is sufficient childcare for working parents in the local authority area. Local authorities need to secure early years education places offering 570 hours a year, over no fewer than 38 weeks of the year, for every three and four year old child in their area from the term after their third birthday until the child reaches compulsory school age, known as “universal entitlement”. There is also a requirement to secure Early Years Education provision for eligible two year old children, from the term after their second birthday.
15. In addition to this, there is an extended entitlement that increases the number of hours of free childcare available to eligible working parents of entitlement” free on top of the “universal entitlement” of an additional 15 free hours per week.
16. Latest data suggests there are 24,297 children accessing the Universal Entitlement of 15 hours centrally funded childcare, 12,142 children accessing the Extended Entitlement of 30 hours childcare and 2,115 eligible two year olds accessing childcare in Hampshire.
17. There have been concerns raised nationally that Early Years Funding to the sector has not been sufficient prior to Covid 19. The DfE recognised this to some extent with changes in the Statutory Guidance in 2017 to allow for providers to make consumable charges and to seek voluntary contributions from parents, but there remain concerns as to whether Early Years Funding is sufficient for long term sufficiency.

18. Families do not always utilise their free 570 hours or 1,140 childcare entitlements in a consistent way – usage fluctuates depending upon school holidays, parental working patterns, and provider’s opening hours. This is known as a ‘stretched offer’, whereby families stretch their entitlement to meet their needs, and results in funding changing from month to month.
19. Parents also have a ‘right to request’ wraparound and holiday childcare at the school where their child attends. They can sign up to and use their Tax Free Childcare account which provides a financial contribution of £2 for every £8 (up to a maximum) to working parent to support childcare costs. The County Council has a statutory duty to ensure sufficient wraparound childcare for working parents in the local authority area.
20. The childcare market is financially supported by two primary sources of income:
- (i) Early Years Education (EYE) funding that is provided through the LA based on the number of children attending in support of the LA statutory responsibilities. This is funded through the Early Years block of the Dedicated Schools Grant.
- (ii) Private income generated through the private parental fees directly agreed between the setting and the parents.
21. Table 1 below provides a summary of the proportions of each of these funding source the Hampshire market receives:

Table 1:

Range of children privately funded	Number of providers
all EYE funded	69
all privately funded children	161
greater than 0% up to 5% privately funded for 1 to 4 children	32
greater than 10% up to 20% privately funded 1 - 16 children	146
greater than 20% up to 30% privately funded 1 to 42 children	122
greater than 30% up to 40% privately funded - 1 to 43 children	86
greater than 40% up to 60% privately funded - 1 to 132 children	244
greater than 5% up to 10% privately funded 1 to 9 children	47
greater than 60% up to 80% privately funded - 2 to 180 children	274
greater than 80% and less than 99% privately funded - 5 to 410 children	199
Misc data	91
Grand Total	1471

Hampshire County Council’s Sufficiency Duty and Sufficiency Assessment

22. Section 6 of the Childcare Act 2006 placed a duty on local authorities to secure sufficient childcare, so far as reasonably practicable, for working parents. The Childcare Act 2016 further refined this duty with implementation of 30 hours

childcare. The duty was also set out at regulation 33 of the Childcare (early years provision free of charge) (extended entitlement) regulation 2016.

23. The Early Education and Childcare statutory guidance for Local Authorities (June 2018) outlines the requirement to report annually to Council Members on how they are meeting their duty to secure sufficient childcare, and to make this report available and accessible to parents. Accordingly, the full Childcare Sufficiency Assessment (CSA) was taken to Executive Lead Member for Childrens Services and Young People meeting of 20 November 2019.
24. Hampshire County Council publishes updated childcare sufficiency reports on the Council website for each of the 11 boroughs and districts and updates elected members through briefings.
25. The detailed CSA in Appendix 1 provides an overview of childcare in Hampshire as at 2019. It provides an action plan that looks forward to the 2020 year and beyond, delivery of which would support the County Council to maintain a vibrant and diverse childcare market.
26. The County wide priorities identified in the CSA action plan are set out in Table 2 below, along with a progress update.

Table 2 – CSA Action Plan Summary

Action Plan Priority	Description	Progress Update
Childcare for under twos and two year olds	Capacity of the market and assessment against population	The January 2020 census information provides the basis of the scrutiny. Data and information had been gathered and the planned detail review of this has been affected by the Covid-19 response requirements.
Out of school childcare	<ul style="list-style-type: none"> • Capacity of the market and assessment against trends in 30 hours take up • Recruitment of (temporary) dedicated project officer to assess OSC/Holiday scheme provision and develop strategy. • Development of data set to share with schools on 30 hours take up of new Year R in-take to support schools planning for new intake and potential demand for out of school provision. • Targeted data collection from out of school clubs and schools to inform OSC place planning. 	<p>The trends in take up of 30 hours are matched against the admissions to schools of children moving to Year R in the September. The data analysis for summer 2020 has been delayed due to the Covid-19 response requirements.</p> <p>In December 2019 a temporary Project Officer for Out School Childcare was appointed for a year. Their role is to undertake a full review of what provision is available in Hampshire through private and voluntary providers and also including schools.</p> <p>Further work to develop the data set and data collection has been delayed due to Covid-19.</p>
Rural childcare	Review capacity of the market and assessment of rural sustainability and assessment against population	Desktop review of establishing rural indicators had commenced. However, the project review is now delayed due to the Covid-19 response requirements.
Childcare for new housing developments	Review all known housing developments and phasing to determine the future childcare needs.	This work continues through ongoing desk-based analysis and engagement with the Children’s Services Strategic Planning Team to ensure

		childcare requirements are included and appropriate.
Provider sustainability	<ul style="list-style-type: none"> Continued development and implementation of a set of early indicators to support Development Officers to identify risks to childcare sufficiency in the childcare market. Continued review of the costs pressures of childcare providers to inform strategies to strengthen the provider base where possible. 	<p>A set of early indicators of providers experiencing financial difficulties has been developed.</p> <p>Covid-19 has concentrated, and in some cases, exacerbated the financial pressures for early years and childcare settings. This is further detailed in paragraphs 27-34 of this report.</p>
Early Years Education	<ul style="list-style-type: none"> Continued monitor of 2 year old funding to ensure access, and taking action to maintain access if appropriate. Continued monitor of 30 hours childcare to ensure access and taking action to maintain access if appropriate. Continued monitor to ensure take up of entitlements for disadvantage children: Early Years Pupil Premium; Disability Access Fund; SEND and taking action to maintain access if appropriate. 	<p>2 year old take up: Autumn 2019 saw the reintroduction of direct mail letters to introduce and remind families identified by the Department for Work and Pensions who had applied and met eligibility, but had not taken up a place. This was targeted to the three lowest take up districts Fareham, Rushmoor and Test Valley. Writing directly to these families has had a positive impact with 70% of these families accessing a place. The summer 2020 mailing was delayed due to Covid-19.</p> <p>30 hours childcare: Prior to Covid-19, take up for the extended entitlement had been consistently growing in numbers and hours. The spring census 2020 saw 11,000 child claims. There is concern in the sector that the “stay at home” and “work from home” arrangements due to Covid-19 may have changed working parents demand for future childcare. It is difficult to say at this time if this will be the case but there is national understanding</p>

		that parental confidence is low in use of childcare or return to school at this time.
Childcare Workforce	<ul style="list-style-type: none"> • Continued promotion of childcare as a career choice at job fairs and liaison with Job Centre Plus. • Continued development with Further Education colleges, Housing Associations, and Job Centre Plus of the roll out of “Sector Based work academy- childcare” programme to support new entrants to childcare workforce. • Continued monitor through EYNFF survey of the numbers of staff and qualification in the sector. 	During summer and autumn 2019, this area of work has focussed on supporting stakeholder promotion and attendance at local job fairs to outline childcare as a career option. The Sector Based Work academy programme with Basingstoke College, Job Centre Plus and Housing Associations held three courses during 2019/20 supporting circa 30 unemployed adults with early years and childcare level 2 qualifications and paediatric first aid, together with work experience. There have been five people currently reported as securing employment in 2019. This scheme was to be further rolled out in spring 2020 but has been delayed due to Covid-19.

Impact of Covid-19 During Lockdown

27. The impact of Covid-19 upon the CSA priorities for ensuring childcare sufficiency in Hampshire is clear from the summary in Table 2.
28. Following lockdown, Government guidance required childcare providers to close to general admissions but, similarly to schools, the Government requested that childcare providers continue to provide care for a limited number of children - children who are vulnerable, and children whose parents are critical to the coronavirus (COVID-19) response and cannot be safely cared for at home.
29. This resulted in a mixed economy of 'open' and 'closed' providers and a number of financial challenges to the sector, the most significant of which was the reduction in private parental income (see Table 1 in paragraph 17 for a breakdown of sources of income for Hampshire childcare providers).
30. The childcare sector varies in terms of structure and there are a significant number of community, parent led and/or childminders who may not have had the infrastructure or expertise to assess and understand the financial support packages available from government. The County Council has strived hard to help the sector to understand complex guidance issues by the Department for Education.
31. The out of school sector have not been able to operate since 20 March. The government restrictions also mean that it is very difficult for these services to be able to operate in the spirit of the current government guidance. These issues and concerns have been raised up to the DfE and it is anticipated some revision to the guidance may follow announcements in early July. Many of the out of school service providers are concerned for their survival should autumn not return them to usual patterns of delivery.
32. The numbers of children attending provision during the lockdown from 20 March to 30 May has been extremely low due to implementing the government guidance and restrictions in attendance to only keyworker and vulnerable children. Prior to lock down, there were c. 39,00 children aged 0-4 years attending childcare provision.
33. Table 3 is an extract from daily survey returns from providers and gives a representative view of attendance for: the week after lockdown; 1 June when provision reopened; and to the date of writing this report. The responses from open providers varied throughout the survey collection, and therefore this data only represents 40 – 50% of all open settings. It would be reasonable to extrapolate from this that attendance across all open providers on 16 June was likely to be in the region of 7,000-8,000 children; 20% of the pre-Covid attendance figures.

Table 3 – Attendance summary

Date	Children attending during Covid19 aged 0-4 years			
	Key Workers	Vulnerable Children	Other children	Total Attending
30-Mar-20	257	35	0	292
01-Jun-20	1958	290	1717	3965
16-Jun-20	1551	247	1900	3698

Data from provider returns through daily survey.

34. From 30 March 2020, the County Council commenced daily data collection to understand the proportion of the childcare sector remaining open. Initially only 116 early years and childcare providers indicated that they remained open, although this has increased in line with demand since that date, with a steep increase following the government's change in guidance from 1 June. As at the 18 June there were some 1,216 providers open (see table 4 below).

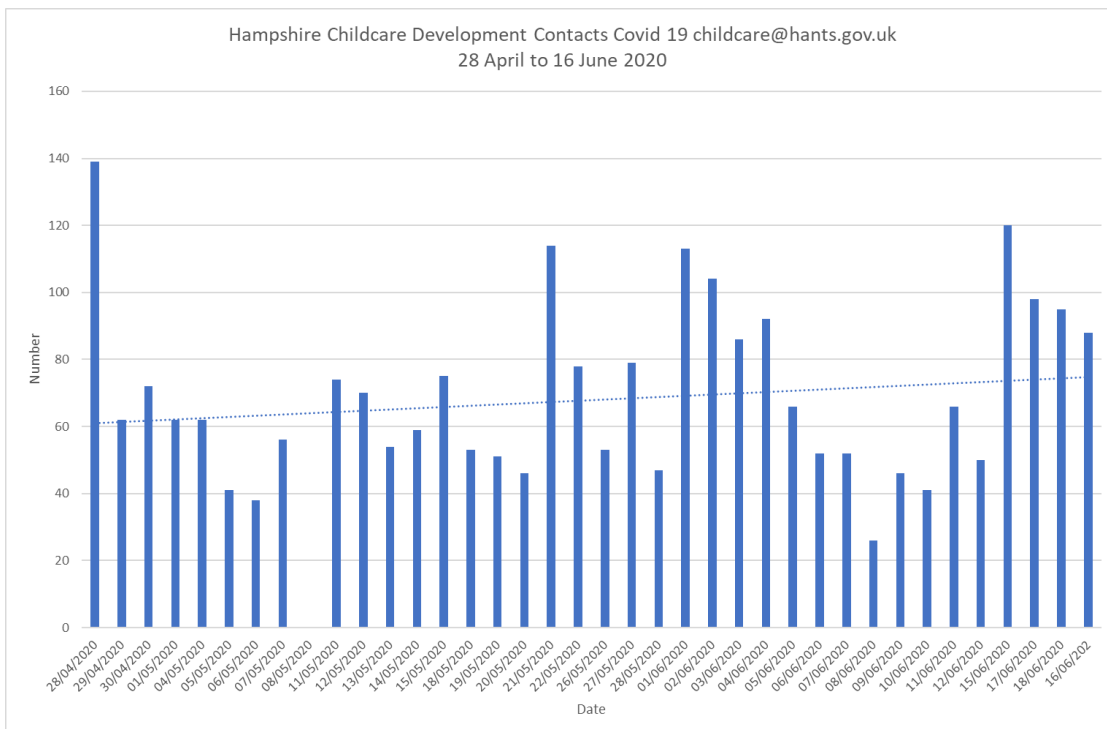
Table 4 – Open childcare providers 26 June 2020

Provider type	Closed	Dormant	Open	Unknown	Grand Total	% open	No. providers expected to open next week	% open from next week
After School club EYE			1	1	2	50%		50%
Childminder	65	32	603	98	798	76%	21	78%
Day Nursery	22	2	245		269	91%	3	92%
Governor Run EYE			24		24	100%		100%
Holiday Playscheme EYE			1		1	100%		100%
Maintained Nursery			12		12	100%		100%
Nursery Unit of Ind. School	7	1	18		26	69%		69%
Pre-school	20	7	309		336	92%	11	95%
Non EYE Childminder	7	2	13	341	363	4%		4%
Out of School clubs	5	1	2	57	65	3%		3%
Total	126	45	1228	497	1896	65%	35	67%

Hampshire County Council's Support to the Sector during Covid-19

35. The County Council has endeavoured to support childcare providers and families requiring childcare during the pandemic in a variety of ways.
36. Frequently asked questions have been produced and issued at least weekly to ensure that the childcare market was kept informed of government guidance. These were directly emailed to all providers and also uploaded to the "latest news" section of the website. These will continue to be provided until such time as they are no longer required.

37. To support early years and childcare settings, arrangements were made to provide an upfront payment of Early Years Entitlement funding at the beginning of April 2020 to assist with cashflow. All settings were also able to make claims for those children they would have usually expected to attend in the summer period.
38. The Children’s Services Department has (and continue to) provided detailed commentary on the issues facing the sector and the guidance required to government during lockdown, frequently engaging with the Department for Education to advocate for the sector.
39. Throughout the Covid-19 response, and to support the new social distancing and infection control measures, some children needed to temporarily move providers. In these circumstances funding was able to be claimed at the new temporary provider, without any reclaiming of funding from those providers unable to operate.
40. A small exceptional funding grant has been established to support providers where there were costs that were exceptional or additional due to the Covid-19 response, where such costs were unable to be covered by income or other government relief funds. There have been 38 applications sent to providers and 14 applications returned. Of these currently seven have been approved to a total value of £30,244.
41. All contact (whether from providers or families) was channelled through a central email account to ensure effective triage and response whilst staff at working at home. There have been over 2,500 messages to this email address since lockdown commenced:



42. Children's Services provided a brokerage service to support key workers in identifying childcare in the event that their usual provider was closed and/or to ensure childcare was available to support shift patterns, school holiday working etc.
43. In late May, a series of webinar sessions took place during the day and evening, with separate sessions for childminders and group settings. At both, we invited a speaker from the representative sector to outline their approach to meeting the revised standards. These sessions were well attended with 351 group settings and 200 childminders and there was positive feedback that they had been helpful to the sector.
44. Similarly, out of school providers were invited to attend two webinar sessions to draw the sector together and explore the issues and concerns they had regarding the limitations the government guidance was impacting on their potential business reopening.
45. Throughout the pandemic, a variety of useful tools and resources have been made available on the Services for Young Children learning platform ('Moodle'), this platform including recordings of the webinars for any setting who was unable to attend the live sessions.
46. Specific webinars have been delivered in partnership with Public Health England and Public Health Hampshire to support the sector in their understanding of dealing with suspected or confirmed cases of Covid-19.

Immediate Issues for the Childcare Sector

47. Whilst summer EYE funding and government support funds have sustained the childcare sector, the loss of parental income during this period, and uncertainty in respect of expectations from September 2020 is causing significant anxiety for providers.
48. Government guidance continues to evolve at a pace, but any form of social distancing and/or capped 'bubbles' of attendance restrict providers' ability to operate at capacity. Whilst restrictions exist, some providers will be unable to offer childcare to all their usual children due to a lack of capacity, further exacerbating financial concerns.
49. Whilst attendance is increasing, settings are informing us that parental confidence in seeking to access childcare is still low. Continued uncertainty as to uptake of childcare prohibits childcare providers from effective financial planning for the future and exacerbates the instability of the sector.
50. The sector has a mixed infrastructure to provide external support and guidance. Many are members of National Day Nurseries association and Preschool

Learning Alliance or PACEY, but others choose not to be. There are also some small network groups operate where providers come together. We have provided a platform for the sector to support each other through our Self-Sustaining networks where this are coordinated by a nominated sector lead. These networks operate a Facebook page and offer support and bring to us any specific needs or training. Many insurance companies provide some basic sector support.

51. Finance and management finance accounting with forecasting and understanding the cashflow is often a challenge to the sector. Community pre-schools are a particular concern in relation to lack of infrastructure. These settings are usually run by group of parents/volunteers who will be faced with a variety of complex issues which they may feel ill equipped/unqualified to manage. There is increased likelihood of these settings closing down as a result. There are 192 such settings in Hampshire offering in the region of 3,000 – 4,000 places for children. This represents 15% of Hampshire’s early years places.
52. At the earliest opportunity, providers need to understand what Early Years Entitlement (EYE) funding they will receive for the autumn term. On 17 March 2020, the government confirmed that local authorities should continue to pay for free early years entitlement places for 2,3 and 4year olds even if settings were closed. This message was contradicted by later guidance which suggested that local authorities should use EYE funding flexibility to support vulnerable and key worker children to access childcare should, their usual provision be closed. In Hampshire, this later guidance could not be implemented as summer term EYE funding had already been paid to providers. To support the sector, the County Council will ensure that providers have an upfront payment on 1 September and providers will then make their headcount claim in the usual way and receive the full autumn term funding by 30 September. We will continue to provide opportunities for providers to add any new entrants over the autumn period. This will enable providers to receive early years funding throughout the autumn term.
53. The Out of School Care sector (OSC) continues to be restricted, causing concern for both providers and families who rely on this provision. As at mid-June, OSC providers may only offer provision outside, provided they can do so safely in line with the Government’s “Staying alert and safe (social distancing)” guidance which allows up to six people from different households to meet outdoors. In doing so, providers must ensure they can keep children a minimum of 2 metres apart and in groups of no more than 6, including staff members.
54. Government guidance requires OSC settings that offer indoor provision should remain closed for the time being. The Government’s current planning assumption is that adjustments to current measures for such settings will likely be part of Step 3 of the recovery strategy (anticipated no earlier than 4th July), based on further detailed scientific advice provided closer to the time.

Medium Term Challenges for the Childcare Sector

55. Sustained loss of private parental income will result in providers exiting the market and sufficiency challenges for local authorities. Effective financial planning is impossible without a clearer sense of when and how families will access childcare. Providers require minimum occupancy level to breakeven financially. Many providers require occupancy levels of between 60-80% in order to survive. 80% of their costs relate to staffing and so there are limited opportunities to reduce costs without affecting sustainability and sufficiency.
56. There were a number of financially vulnerable childcare providers prior to Covid-19. There are seven early years settings, offering 400-500 places that are considered as high risk due to financial sustainability issues. There are a further nine childminders (offering circa 27 places) and 14 group providers considered at medium risk due to financial sustainability issues who offer in the region of 650 places. These providers will be particularly vulnerable as we move forward.
57. Autumn is traditionally the leanest period in the early years calendar, with majority of 4 year olds going to school. It is usually the more generous attendance patterns of summer that sees the provider through the lean autumn period. Many are concerned that they are exhausting much of their finances in summer with limited time to recover during autumn.
58. It is anticipated that the extended lock down period will have had lasting effects on parental demand for childcare. Parents may require less childcare as they are able to work more flexibly from home, anxiety regarding the safety of provision and unemployment will result in less uptake. The market will need to evolve and potentially contract, whilst local authorities will simultaneously need to ensure sufficiency of places.
59. It is possible that there will be a decrease in the quality of childcare provision as a result of lack of time and financial resources to support the necessary training and development to continuously improve.
60. There is a risk that childcare providers operating from rented accommodation are affected by landlords choosing to increase rent or dispose of property assets in order to support their own financial future. This would further destabilise the childcare market.

Longer Term Challenges for the Childcare Sector

61. The issues in relation to effective business planning will continue into the longer term. It has been widely reported that the sector many need Government financial investment in order to expand again.

62. Sufficiency planning will require significant time to horizon scan and evaluate the affects to changes in culture, employment and working patterns as well as market adjustments. The County Council will need to revisit and revise its sufficient assessment more frequently during this period.
63. Generating capacity in the childcare sector takes time – new settings take an average of 6-12 months to become operational. Continued acceleration of Ofsted registration timescales would be helpful to enable new provision to get up and running as soon as possible.
64. Schools may choose to deliver more 2-11 provision and/or wraparound childcare which will reduce demand in the private and voluntary sectors for such services. Less demand for 3 and 4 year olds in childcare would present further challenges to the childcare sector. If school only offer to youngest at 2 years then it is very likely that baby childcare will become very challenging to provide on its own, due to the ratios of staff and the space requirements.
65. In Hampshire, there has been growth in the hours of childcare provided through the introduction of 30 hours. Many families purchase more hours than the government scheme and therefore less employment may see a reduction further in the fee income of providers and less hours needed in the sector.
66. The impact of the lockdown on birth rates could result in increased demand for childcare in the event there is population growth.

Conclusion

67. Support to parents in finding childcare solutions has been successful during the Covid-19 response. As more settings have opened since 1 June, thus far provision has kept pace with demand.
68. There has been continued support to the sector in a variety of forms to enable them to deliver or plan to deliver places during the Covid-19 lockdown and wider openings of provision.
69. The CSA 2019-2021 action plan has been delayed due to the Covid-19 response requirements although it is recognised much of the plan had been started and is still relevant.
70. The development of the financial risk tool has been helpful in the Covid-19 response and is helping to understand the wider financial vulnerabilities in the market.
71. With the need for the economy to start recovering, there is also need for the childcare opportunities for parents to be available. Ensuring sufficiency and

supporting the childcare sector over the coming months and years will be challenging and there are many unknowns.

72. Where it is possible, clarity and timely direction from government on the use of EYE funding and guidance to settings regarding what is permissible will support providers in the short term.
73. In the medium and longer term, the role of officers supporting childcare sufficiency will be crucial in horizon scanning and targeted action to ensure there is childcare of the right type and in the right place for families in Hampshire. Further development of sector specific financial planning is becoming a growing need.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	no
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	no

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Childcare Sufficiency Assessment	<u>Date</u> 20 November 2019
Direct links to specific legislation or Government Directives	
<u>Title</u> Childcare Act 2006: Section 6, Section 7 (as substituted by section 1 of the Education Act 2011) Section 7A (as inserted by the Children and Families Act 2014) Section 9A (as inserted by the Children and Families Act 2014) Childcare Act 2016 Section 1	<u>Date</u> 2006 and 2016

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
Childcare Sufficiency Assessment 2019	Childcare Sufficiency Assessment

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment (EIA):

It has been agreed with Childrens Services Equalities Impact Assessment officer that the Childcare Sufficiency report taken to Executive Lead Member for Children's Services and Young People Decision Day on 20 November 2019 did not require an EIA as there is no change to policy and the report is an assessment of business as usual.

This report to the Children and Young People Select Committee is an information report and therefore no impact has been identified.

20/11/2019 - Executive Lead Member for Children's Services and Young People
Decision Day [Childcare Sufficiency Assessment](#)

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HAMPSHIRE COUNTY COUNCIL

Front Cover Report

Committee:	Children and Young People Select Committee
Date:	8 July 2020
Title:	Children's Services Update on Covid Response
Report From:	Steve Crocker, Director of Children's Services

Contact name: Suzanne Smith

Tel: 01962 845450

Email: suzanne.smith2@hants.gov.uk

Purpose of this Presentation

1. The purpose of the presentation is to provide an outline of the impact and response of the Children's Services Department to the Covid-19 pandemic.

Recommendation

2. That the Children and Young People Select Committee note the impact and response of the Children's Services Department to the Covid-19 pandemic.

Executive Summary

3. This presentation outlines how the Children's Services Department has responded thus far to the Covid-19 lockdown, across children's social care, education and early years. The presentation provides data insight and looks to the future in terms of the approach to be adopted to ensure continuity of services.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	No
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
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Other Significant Links

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<u>Document</u>	<u>Location</u>
None	

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- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

2.1 This paper does not contain any proposals for major service changes which may have an equalities impact other than to improve outcomes and manage the pandemic.

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Hampshire
County Council

Children and Families

Stuart Ashley
Assistant Director

Agenda

1. Our approach

- Phases, oversight and data

2. What we did

- Use of technology
- Children in Care, Foster Carers and Residential
- Partners
- Our staff

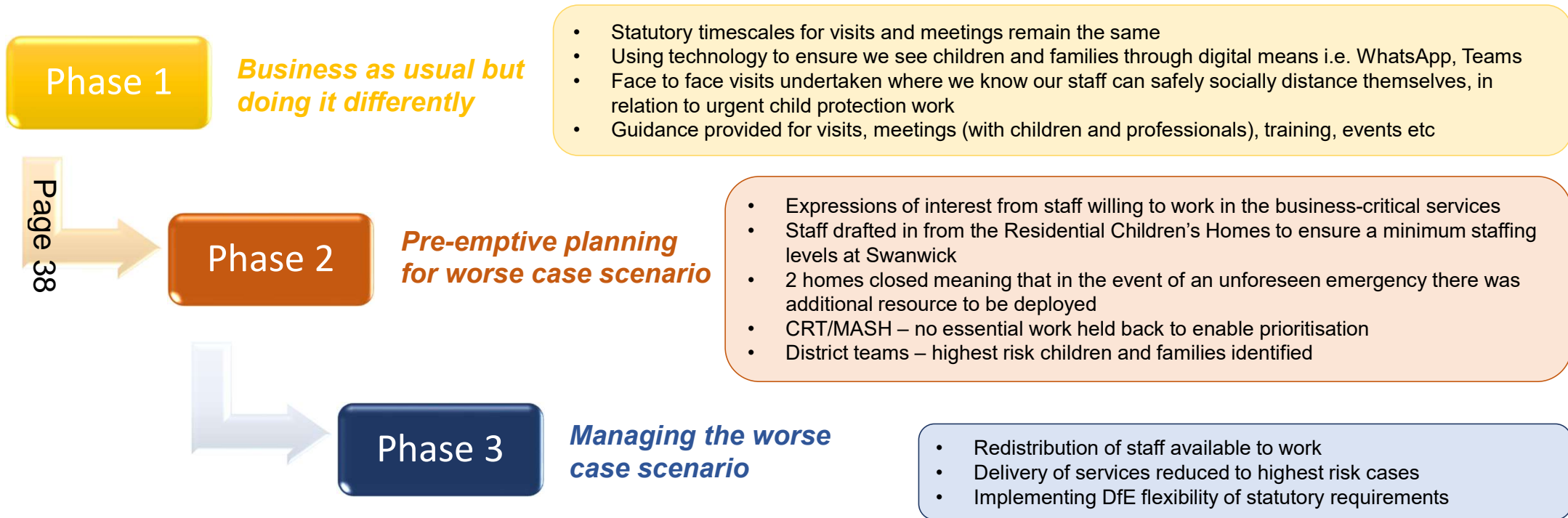
3. In practice

- Some examples

4. Lessons learned and in conclusion

Our approach through the lockdown:

As part of our contingency planning we developed a phased approach, with each phase based on having fewer staff available to work should the situation worsen



We have remained in Phase 1 throughout the current lockdown

Maintaining management grip

It was imperative, from the very start, to respond quickly, be agile, and maintain control:

- New guidance has been issued promptly
- Statutory timescales have been maintained
- Visits have continued - virtually
- Local level management has been enhanced
- Management oversight has remained...

... all whilst children have continued coming into care and less are leaving

Throughout lockdown there has been constant engagement and feedback to understand and capture how teams are responding to the crisis. We have done this through:

- Daily CFMT Covid meetings
- AD log/action tracker
- Weekly Covid specific DM and SM meetings
- BAU team meetings and supervisions
- Q&A process and comms
- Impact log – for TSC specific activity
- DM and SM Workshop



Data:

Measure		Mar-19	Apr-19	Mar-20	Apr-20
No of referrals		1644	1563	1710	1180
Assessments completed (within 45 working days of referral)	Number	1041	1189	1511	1231
	Timeliness	94.0%	92.3%	93.4%	90.3%
ICPCs		95	91	163	160
RCPCs		336	285	280	194

Whilst there has been some reduction in referrals and assessments during April, by the end of May we were back to normal levels

Re: Child Protection conferences we have seen a significant rise through early 2020 because of the complexities of families needs magnified by Covid

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Across March and April 2020, we completed 18,367 visits (Assessment, CIN, CP, CLA, LC)

In March 15% of visits were undertaken virtually, 85% in person
 In April 53% of visits were undertaken virtually, 47% in person

How we worked with children and families

We have continued to see children face to face when needed (**an essential and necessary part of keeping children safe**), however our teams have also been creative in how they are using technology to engage with children and families:



Technology used:

- WhatsApp
- Zoom
- MS Teams
- Skype
- Twinkl
- Google Translate
- Team Talk App

Used for:

- Visits
- Care planning and review
- Pathway planning
- Participation
- Building Rapport
- Life story work
- CLA Reviews
- TAFs
- EPMS
- Life story work
- Supervised contact
- Family Star
- Observing home conditions
- Translation
- Parenting programmes
- Nurture sessions

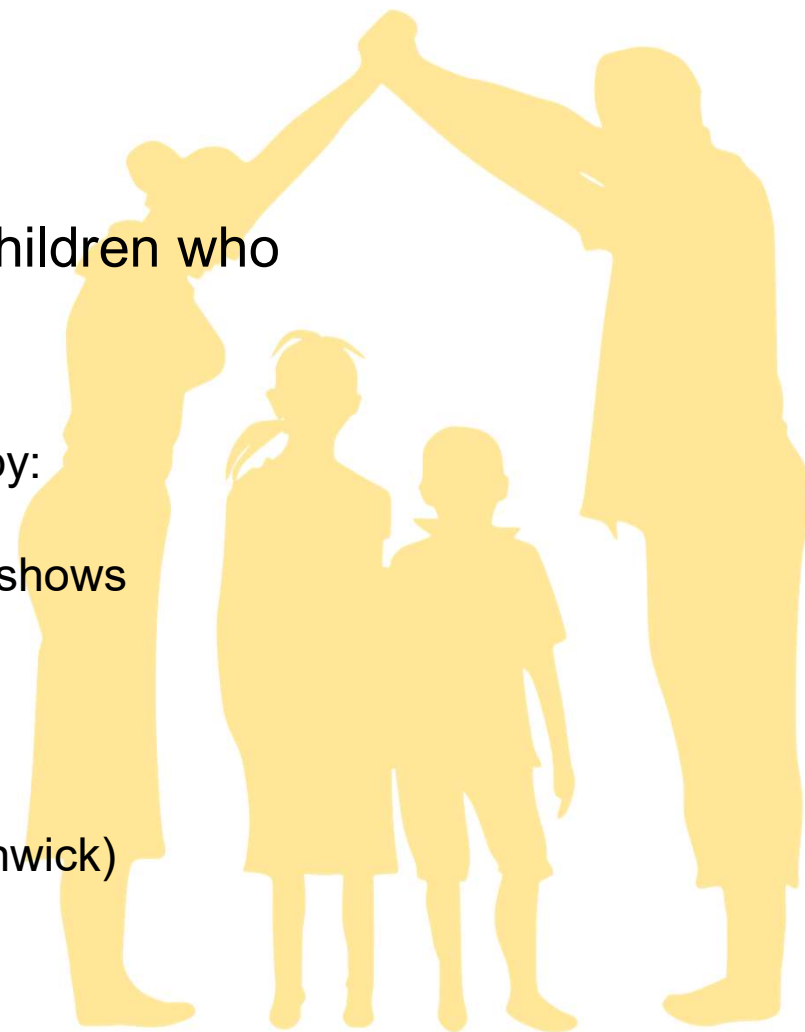


Children in Care

Our staff have worked *relentlessly* to support our children who have all been seen either in person or virtually

We have been focussing on supporting our children in care by:

- Page 42
- Being (even more) creative in lockdown – quizzes, talent shows
 - Stabilising placements
 - Recruiting Volunteers
 - Supporting our foster carers (i.e. staying put)
 - The transition of care leavers to independence
 - Keeping our remaining residential homes open (inc. Swanwick)



Foster Carers and Residential

Early on we closed 2 homes to build resilience for our staffing levels across the residential estate

Support across all areas has been **Outstanding**

- Some children have been unwell
- Foster carers have taken children from homes where there has been infection
- We've had volunteers from the wider service offering help if staffing reduces
- Volunteers have also offered support for foster carers
- Further support is in place for foster carers if needed (i.e. financial)

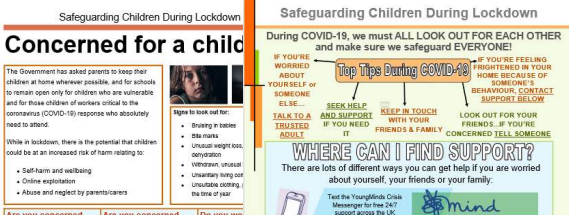
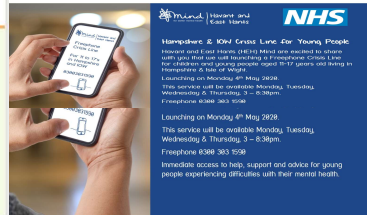
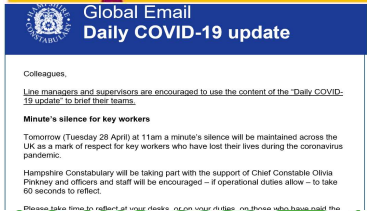
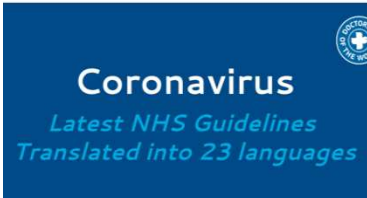


Partners

We have maintained a constant dialogue with our partners

- Business as usual meetings have been unchanged
- Daily contact between Assistant Director and Head of Public Protection (the police) if needed
- We are proactively sharing our important updates
- Shared high risk cases with police and vice versa to focus on right children
- We are sharing updates from partners with our staff

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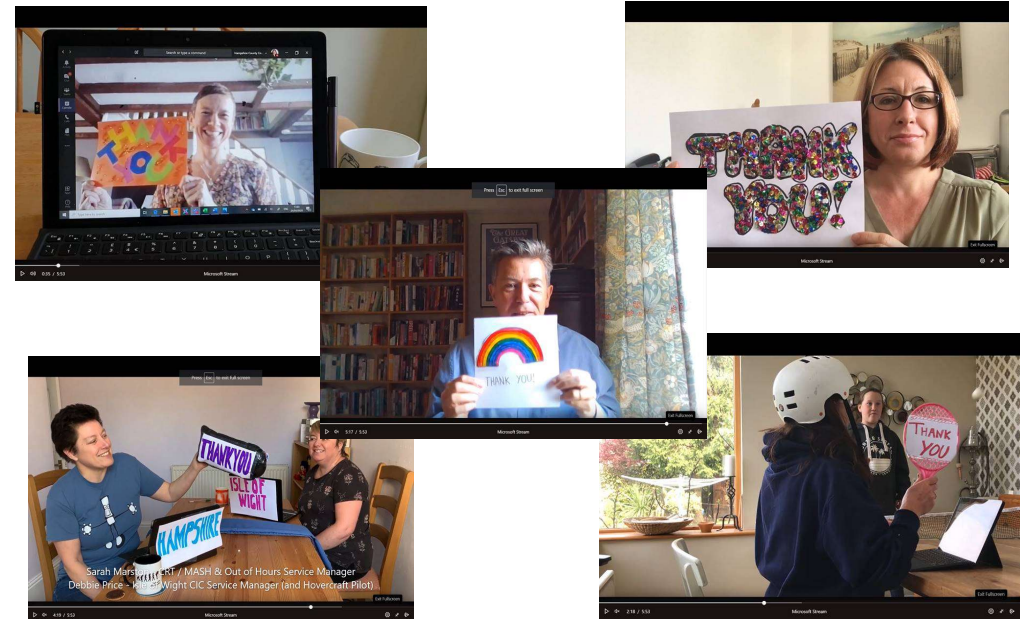
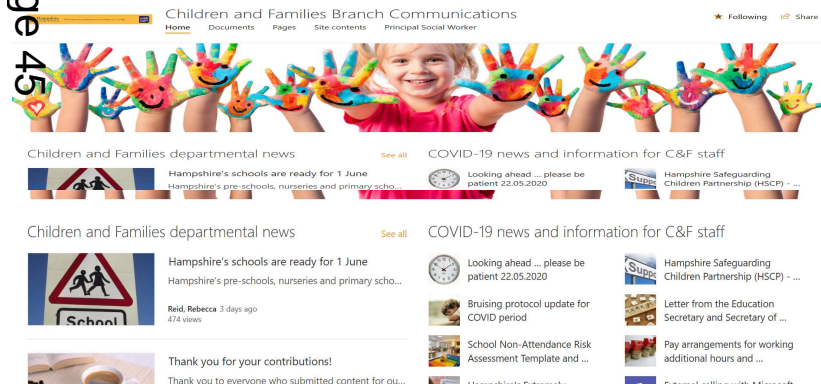


Our staff

Due to the dynamic situation throughout Covid-19, we quickly reviewed how we communicate and support our staff.

Following a refresh, our internal comms channels across Children and Families have seen a 100% increase in engagement, meaning staff are accessing important COVID-19 practice updates quickly and easily

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We've been creative in use of all channels and messaging to maintain constant contact and provide reassurance

Connectivity: Our staff *(not WiFi!)*

We are hearing that some staff are feeling more connected. This is because Covid-19 has meant:

Sustain after Covid-19

- More frequent meetings/catch-ups/touchpoints in response to the ever-changing situation
- Watching out for staff welfare, checking in on colleagues, looking out for each other
- Streamlining and more efficient communications
- Trying new and creative ways of engaging workforce through Teams/videos/other channels



But this will never fully replace the face to face interactions and meetings, both formal and informal, that make us outstanding. We need to do both and use a blend of all channels available to us.

In practice: some examples

Social workers have used technology to observe relationships, home conditions and to engage with children and families in a virtual way

Young people see social media and video communication as part of their daily lives and have enjoyed their personal advisors becoming more engaged with this

Page 7

Video calling very useful for offering nurture sessions to families. I have emailed them sheets and tasks to complete before a session for us to then discuss and go through together via video. It keeps the sessions focused with really good time. It also seems to help record keeping as I can immediately write notes after talking with them rather than waiting until my next admin slot in my diary.

...how lovely it's been to face time my clients Wow - it has been amazing - they have loved it! It seems that a lot of mine have valued this more than when i trek miles to see them face to face. They have been so much more relaxed and definitely this is in their comfort zone - they seem to have taken it as a huge personal compliment that I am contacting them this way. I've been shown around their homes, met their cats and dogs, seen their gardens and relatives and it was all so relaxed too.... I hope it can play a part in the normal world when we come through this.

The use of video has been very helpful as the child has been able to show me things which they have been doing during the lockdown. They have also enjoyed meeting my puppy which was very helpful in engaging a child that is new to my caseload so haven't built as much rapport with him yet

What we have learnt

Worked Well (Continue)

- **Adaptability of staff - Agile working has become the norm we can do things differently/people adapt**
- Staff have picked this up and run with it - Staff have been up for the changes and worked hard to make children safe, good can do
- **Leadership is key**
- **NO TRAVEL!**
- Use of estate creatively – use this as a ‘coming together’ space
- **Use of IT - MS teams has become BAU**
- Better engagement/attendance in meetings. Staff have enjoyed seeing “the person”
- Staff feedback on clear messages from Senior Managers
- **Staff creativity, improved working relationships**
- OP MET meeting – SWs dropping in to the meeting rather than travel
- HSCP meeting working well – look at Hybrid model? (different speeds of different agencies etc.)

Didn't Work Well

- Courts appear to be out of step with current circumstances of staff
- **Sensitive meetings e.g.: HR**
- Fostering health and safety checks
- Newly qualified staff not having experiential working
- Amount of MS team meetings, the need to plan diary well
- **Equipment, making sure people equipped to do the role**
- Not having face to face training how we introduce again, mixture of virtual and face to face?
- Not all large meetings work as well virtually, need to practice how to improve
- CWD cohort – **non communicative children virtual is not better.** Face to face needed when safe to do so.
- **Parenting assessments**

What next:

As lock down eases we must continue working in an agile and responsive way

We are planning for:

- Reviewing building use-incremental increase based on maintaining social distancing, consideration of rotas for staff
- Increasing demand: both referrals and for placements
- Constantly assessing risk for face to face visits & contact
- Reporting and monitoring to continue daily/weekly. This will play an important role in assessing impact and analysing areas of need so we can deploy resources effectively
- Ensuring that staff and foster carers are accessing testing swiftly and appropriately



New ways of working

There are some great examples of how we have worked differently

- Together as teams
- In a mobile and flexible way
- With children and families

We can learn from this and must ensure the good bits are sustained in the service of the future

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However, we will always be mindful that new opportunities must not compromise basic social work practice that cannot be done virtually.

Adoption of new ways of working need to be incorporated into what we already do that makes us outstanding. There are fundamental tasks that will never change and they are an integral part of keeping children safe



In conclusion

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Business as usual but doing it differently



We have maintained constant and solid management oversight of service



Our practitioners, managers and foster carers have been Outstanding in adapting and going above and beyond



Our work with agencies has been collaborative and responsive

We will transition the ease of lockdown by continuing to operate in an agile way. This will enable us to continuously maintain services if we need to go back into lock down at a later stage.

Schools

We have maintained a constant dialogue with our schools

- Our schools remained opened during the crisis for children of key workers and those classed as vulnerable
- We have monitored attendance closely for our vulnerable children, and continue to do so
- We have risk assessed each vulnerable child who has not attended school
- We have worked with Education and schools to provide laptops to eligible vulnerable children
- Children & Families and Education & Inclusion have worked together in close collaboration



Impact of Covid-19 on Education



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Brian Pope
Assistant Director

PM announcement - Schools closed from end of Friday 20 March 2020

- Open for children of critical workers and vulnerable children
- List of critical workers produced by the DfE
- Definition of vulnerable children produced by DfE but extended in Hampshire
- Vulnerable:
 - Open to social care – early help, child in need, child protection plan and looked after children
 - Education Health and Care Plan

PM announcement - Schools closed from end of Friday 20 March 2020

- **Critical workers** – conflicting advice, one parent or two
- **Vulnerable children open to social care** – partnership system put in place, schools, social care and school improvement teams
- Built up numbers over time – 260 up to 1,835
- **EHCP** – risk assessment, “as safe or safer in schools”
- Education team sampling and quality assuring risk assessments

Home Learning – rapid adaption

- School autonomy to determine approach
- First-hand experiential learning.
- Daily blog, resource pack, e-mail
- Manageable chunks, quality over quantity
- Family friendly – parents aren't subject specialists
- Emphasis on enjoyment as well as learning
- Some on-line learning
- Regular feedback key
- Support from DfE, HCC, BBC, etc

Support to Schools

- School Improvement Team - frequent coaching conversations with headteachers
- Governor Services – support to governors
- DfE guidance, based upon public health guidance, should be followed
- Advice rapidly produced to exemplify DfE guidance within Hampshire context
- FAQs – 70 pages
- Think pieces drafted to support recovery in primary, secondary and special school contexts

Support to Schools

- Major focus on well being and mental health with good signposting to a raft of support (staff and pupils)
- Laptops for children open to social care and disadvantaged in Year 10
- Info cell set up – enquiries from parents, heads, county council staff, governors. Matters addressed - HR, FSM, finance, buildings, PPE, PH, media, legal etc

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1 June 2020. Wider reopening in primary

- Extensive advice from DfE to schools
- Bubbles of no more than 15 children plus staff
- Separate bubbles – start, finish, play and lunch times
- Good hygiene and cleaning
- No rotas
- Priority order for return – children of critical workers, vulnerable, Year R, Year 1 and then Year 6
- Headteachers supported by Education Team to help work through risk assessments

1 June 2020. Wider reopening in primary

- Challenging circumstances – staff, professional associations, parents, DfE, media etc
- Call for patience
- 25,000+ pupils return

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15 June 2020. Wider reopening in secondary

- Year 10 only
- Some face to face supplemented by home learning
- 25% of Year 10 on site at any one time
- Supporting national system for awarding GCSE grades for current Year 11

Business as usual but doing things differently...

- Special Educational Needs Team
- Educational Psychology Team
- Music Service
- Specialist Teaching Advisers
- Inclusion Team
- Virtual School
- Careers advice
- Post 16 team – support to colleges, continued learning
- Primary Behaviour Service
- Swanwick, Leigh House, Bluebird, Austen and Place2Learn

Page 62



Peter Colenutt MBE
Assistant Director
Strategic Development and Capital Delivery
Children's Services and Adults' Health & Care

Barton Farm (2 FE primary)



- Majority of construction sites remained open adhering to government guidance “ Construction can continue where it is done in line with public health guidance“
- A few sites closed initially to review H&S plans and then reopened
- All sites now open with contracts closely monitored
- Non essential school repair and maintenance work - suspended at first but projects now restarting – all schemes reviewed on a case by case basis



Stoneham Park (1.5FE primary)

Austen Academy (125 place SCD Through School)



- Productivity likely to be lower than before the crisis
- All schools and governing bodies are being fully consulted about the scope of works and planned delivery
- New school places schemes (basic need) on track for delivery for September 2020
- Weekly liaison with the DfE Capital Directorate

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Deer Park (7FE Secondary)

Access, Resources and Business Development

Suzanne Smith
Assistant Director

Immediate Impact



Business as usual but doing things differently:

Support functions
School admissions
Commissioning & placement finding
Workforce development



Suspension of some activity:

Complaints
Some statutory returns
Some tender processes



Close working with CCGs around planning and risks



Some tenders halted, others continued



Work to establish payments to providers during lockdown



New contact arrangements for providers including Early Years settings implemented



Areas most significantly affected are Early Years and Home to School Transport

HtST - Lockdown

Pre-Covid	Lockdown
<p>Mainstream Children:</p> <ul style="list-style-type: none"> • 1,635 Primary Age Pupils transport each day • 7,390 Secondary Age travellers • Service at the beginning and end of school day • Mostly single, double decker bus and coach services • Loadings to utilise vast majority of seats 	<p>Mainstream Children:</p> <ul style="list-style-type: none"> • Variable numbers of children attending – transport arranged for 170 key worker children, 110 year R, 1&6 and 270 Year 10 • Variable number of routes running daily due to increase for Year 10 students • Social distancing has to be maintained requiring more vehicles for fewer children • Service Beginning and End of School Day, but some requests now being made for early pick ups • Small numbers of non-eligible children being transported as part of being a flexible service. • DfT advice promoted 100% retention payments to bus and coach operators
<p>SEN Children:</p> <ul style="list-style-type: none"> • 995 Primary Age Pupils • 1,614 Secondary Age HtST travellers • 291 FE College students • Service Beginning and End of School Day • Almost entirely smaller vehicles, fewer than 17 seats; Cars, MPV, Minibuses and Specialised Vehicles • Some solo routes but grouping whenever possible • ~ 600 escorts provided based on individual needs and to make grouped arrangements safe 	<p>SEN Children:</p> <ul style="list-style-type: none"> • Variable numbers of children attending – circa 523 pupils over the course of a week • Variable number of routes running – now more than 400 arrangements • Circa 10% of escorts in shielded groups • Average of 150 escorts being used each day • Service Beginning and End of School Day • 50% retention payment paid to other providers, with a separate process to consider financial support for operators experiencing exceptional financial difficulties

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HtST Recovery

- Year R, 1 and 6 returned on 1 June – total of 550 eligible children in these year groups (110 being transported)
- Year 10 return 15 June – total of 1,507 eligible children (273 requests so far)
- Transport principles shared with schools to aid their planning, including:
 - Parents should take children to school wherever possible;
 - Public transport to be avoided;
 - 15-25% of capacity can be used of vehicles due to social distancing;
 - Limited capacity and flexibility in the system;
 - Schools will need to support safe loading of children on to transport.
- Some uncertainty regards numbers returning on 15 June – likely to try and ensure arrangements available to all eligible children unless schools confirm otherwise
- Attendance variable and constant need to adjust transport provision
- Circa 400 SEN and 50 mainstream routes now running and 150 escorts
- Escorts and drivers wear face masks

HtST – Future Challenges



Impact of maintaining social distancing upon available capacity – there is not enough transport to support all year groups returning to school (we estimate capacity is used at most 40% attendance)



Market sustainability, particularly as the furlough scheme winds down



Need for DfT and DfE to ensure guidance is consistent where it needs to be and differentiated where it makes sense to be



T21 HtST savings programme will be delayed



Churn in school escorts will require recruitment to maintain numbers



Potential for greater use of parental mileage allowances and possibly spend to save minibuses

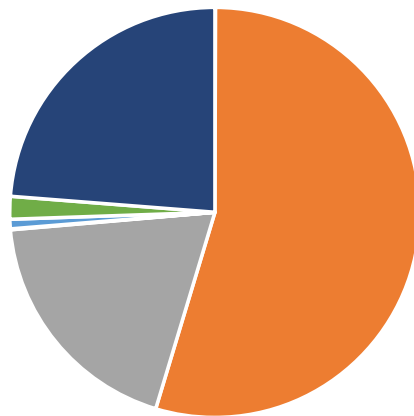


School Admissions

- National primary offer day on 16 April 2020 - 22,500 applications processed
- Supported schools by introducing step for parents to confirm online acceptance of offer to HCC rather than through the school
- Just under 98 per cent (97.77 per cent) of parents have been offered a reception year place for their child in one of their three preferred choice schools, with 90.96% being allocated a place at their first choice of school
- Of pupils transferring from infant school to junior school (Year 3), 99 per cent (99.07 per cent) received a place at one of their three choices – with just under 98 per cent (97.88 per cent) obtaining a place at their first choice school
- In response to the current Covid-19 situation, parents of children starting school in September 2020 have been advised to wait to be contacted by the school about how to present their proof of address and children's birth certificate
- Temporary changes to legislative arrangements made on 24 April allows for admissions appeals to be heard virtually or as a paper based process. HCC adopted a paper based process with appeals commencing 1 June 2020. First outcomes of paper appeals being received

Early Years – Childcare Market Context

Hampshire Childcare Market
(excluding wraparound care)



- After School club
- Childminder
- Day Nursery
- Holiday Playscheme
- Maintained Nursery
- Nursery Unit of Ind. School
- Pre-school

Range of children privately funded	Number of providers
all EYE funded	69
all privately funded children	161
greater than 0% up to 5% privately funded for 1 to 4 children	32
greater than 10% up to 20% privately funded 1 - 16 children	146
greater than 20% up to 30% privately funded 1 to 42 children	122
greater than 30% up to 40% privately funded - 1 to 43 children	86
greater than 40% up to 60% privately funded - 1 to 132 children	244
greater than 5% up to 10% privately funded 1 to 9 children	47
greater than 60% up to 80% privately funded - 2 to 180 children	274
greater than 80% and less than 99% privately funded - 5 to 410 children	199
Misc data	91
Grand Total	1471

The market is relatively unstable, with many providers locally based and with little by way of reserves or organisational infrastructure to support them with complex financial issues. There are significant risks to ensuring future sufficiency of the market if we (central and local government) are unable to support the sector with both advice and finance.

Early Years Lockdown

- 17 March 2020, Government confirmed that local authorities should continue to pay for free early years entitlement places for 2,3 and 4 year olds even if settings were closed
- Hampshire made an advance payment to providers to support cashflow. All Early Years Entitlement funding paid until the end of the summer term
- Childcare settings closed from 23 March for all bar vulnerable children and those of keyworkers
- Created a brokerage service within 24 hours
- 50-100 enquiries per day
- Confusion within the sector regarding furlough
- Financial support for setting experiencing exceptional financial difficulties/falling though the gaps in Government financial support – four settings have received payments, four pending
- Additional costs of c.£158k double funding for keyworkers during lockdown, more to come
- Regular FAQs produced and circulated to help sector navigate and understand guidance
- Webinars with sector to explore their concerns, provide guidance and encourage peer to peer support
- Frequent engagement with government to raise questions, explore issues

Early Years Recovery – DfE Return 11/6/20

	Total	Open	Closed
How many childcare settings are in your area?	1829	1090	242
How many are group-based early years providers?	632	492	136
How many are school-based early years providers?	36	34	1
How many are childminders?	1161	564	105
Are any childcare settings planning to close next week?	Not sure		
Approximately how many children are attending childcare in your area?	3663		
How many are children of critical workers?	1638		
How many are vulnerable children?	225		
Are there enough places for all children of critical workers and vulnerable children who need one?	Yes		

Early Years Future Challenges

- Financial challenges and sector sustainability
 - Continued need to double fund
 - Autumn term issues
 - Parental demand
 - Interplay with capacity
 - Withdrawal of furlough
- Capacity
- Wraparound care
- Community run provision
- Sector confidence and infrastructure
- Parental update
- Access and cost of hygiene supplies
- Business Planning
- Longer term changes to working patterns and employment

Thank you
and
any questions



HAMPSHIRE COUNTY COUNCIL

Front Cover Report

Committee:	Children and Young People Select Committee
Date:	8 July 2020
Title:	Proposed Changes to Post 16 Transport Policy Statement 2020
Report From:	Steve Crocker, Director of Children's Services

Contact name: Martin Goff

Tel: 01962 846185

Email: martin.goff@hants.gov.uk

Purpose of this Report

1. The purpose of the report is to provide an outline of the proposed changes to Post 16 Transport Policy Statement 2020 and the process followed to establish the Policy Statement.

Recommendation

2. That the Children and Young People Select Committee consider and support the recommendations being proposed to the Executive Lead Member for Children's Services and Young People in Paragraphs two and three of the attached report.

Executive Summary

3. The purpose of this report is to enable the Children and Young People Select Committee to pre-scrutinise the attached report that informs the Executive Lead Member that the
 - Department followed the usual processes consulting on changes to its Post 16 Transport Policy Statement following the statutory timetable
 - Director of Children's Services first determined the Policy Statement, on 27 May 2020, in consultation with the Executive Lead Member for Children's Services and Young People.
 - Policy Statement determined on 27 May 2020 was, following legal advice, withdrawn after receipt of a pre-action protocol letter.

- Policy Statement has now been reviewed and amended and is being presented for approval to the Executive Lead Member for Children's Services and Young People.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Proposed Changes to the Home to School Transport Policy (2021)	<u>Date</u> 18 March 2020
https://democracy.hants.gov.uk/ieDecisionDetails.aspx?ID=1477	27 May 2020
Direct links to specific legislation or Government Directives	
<u>Title</u> https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772913/Post16_transport_guidance.pdf	<u>Date</u> January 2019

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Please see Appendix C of the attached report: Proposed Changes to Post 16 Transport Policy Statement 2020

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker	Executive Lead Member for Children's Services and Young People
Title	Proposed Changes to Post 16 Transport Policy Statement 2020
Date	8 July 2020
Report From	Steve Crocker, Director of Children's Services

Contact: Martin Goff (Head of Transport and Admissions)

Tel: 01962 846185

Email: martin.goff@hants.gov.uk

Purpose of this Report.

1. The purpose of this report is to finalise the County Council's 2020 Post 16 Transport Policy Statement (the Policy). The Policy was originally determined on 27 May 2020. However, following receipt of a pre-action protocol letter, it was thought advisable to withdraw the Policy and reconsider certain matters. The Policy has now been reviewed and amended and is being presented for approval to the Executive Lead Member for Children's Services and Young People.

Recommendations

2. That the Executive Lead Member for Children's Services and Young People approves the attached 2020 Post 16 Transport Policy Statement (Appendix D) which incorporates the following changes after review of the 27 May determined Policy:
 - a. Improved clarity for how the County Council will consider applications for young persons under 18 years of age, those aged 18 and those 19 years of age and older (and considered under the adult duty).
 - b. Confirmation that the County Council will provide transport support necessary to facilitate the attendance of young people of sixth form age and with an Education Health and Care Plan (EHCP) aged 19 and over who are in education or training.
 - c. Where the young person is aged under 18, the expectation of the County Council is that parents or carers will be responsible for transporting their child. The public consultation undertaken to inform the Policy sought comments on specific circumstances which the

County Council considered were not exceptional and would not usually require the provision of transport. Upon further consideration, the Council concluded that this proposed approach was potentially confusing and did not accurately detail the Council's intended approach. The Policy has now been amended to remove any reference to exceptional circumstances in this context. The amended Policy states that it is the Council's expectation that parents/carers of this cohort will transport their children to their school and that, therefore, it will usually not be necessary for the Council to provide transport. However, the Policy now makes it clear that necessity for transport assistance will be assessed by considering all cases on their individual facts.

3. That the Executive Lead Member for Children's Services and Young People notes that the review led to the following amendments to the processes supporting the decision-making process:
 - a. An updated Equality Impact Assessment (Appendix C);
 - b. A reduction in the identified savings target following analysis of the composition of the cohort using the Post 16 transport service and where savings may be delivered as a result of the Policy
 - c. The further consideration around the outcomes of the public consultation, and how the Policy requires consideration of individual circumstances.

Executive Summary

4. The proposed 2020 Policy Statement sought to clarify the circumstances which the County Council considered were not exceptional and, therefore, would not automatically warrant transport being provided. A public consultation on the proposed policy statement ran from January 2020 until April 2020.
5. Changes were introduced into the proposed Post 16 Transport Policy Statement for September 2020 determined on 27 May 2020. However, the Council received a pre-action protocol letter (Appendix E) which argued that the 27 May Policy Statement was unlawful on various grounds and the Policy Statement was legally challenged. In the light of this letter it was thought appropriate to withdraw the 27 May 2020 Policy Statement and review it.
6. Based on the consultation responses and the pre-action protocol letter it has been understood that the circumstances suggested by the 27 May 2020 Policy Statement would not to be exceptional (and therefore not likely to lead to the provision of transport by the Council) may, in some cases, make it necessary to provide transport assistance. Circumstances vary

significantly between families and the number of applications is sufficiently low to enable consideration on a case by case basis. Furthermore, feedback from some respondents asked for the Policy Statement to be clear and easy to understand, so changes have been made to address this feedback.

7. The Post 16 Transport Policy Statement recommended for approval provides details of the service available to eligible Post 16 learners and enables Hampshire County Council to continue to meet its statutory requirements.

Contextual Information

8. This report presents the outcome of the annual public consultation on the Post 16 Transport Policy that is required by statutory guidance. The consultation particularly sought comments from schools, post-16 providers and young people; responses have been taken into account when proposing the content of the Policy Statement.
9. The changes proposed for the Post 16 Transport Policy Statement detail the offer for sixth form age students and adult students with an Education Health and Care Plan up to the age of 25. The proposed Policy Statement explains that the County Council will provide local authority funded transport, when it is necessary, to facilitate attendance. It also explains, that where the young person is aged under 18, the expectation of the County Council is that parents or carers will be responsible for transporting their child, but individual circumstances of families will be considered when making eligibility decisions.
10. If agreed, the changes would be incorporated into the Post 16 Transport Policy Statement from September 2020. The Policy Statement is determined annually. Parents and young adults make a new application each year and eligibility for support is decided each academic year. The newly determined policy statement will be used for all new applications for assistance for the 2020/21 academic year.
11. Included within the proposed Policy Statement is updated wording in relation to the rates of parental contribution, including how and when they apply. The wording within the proposed Policy Statement provides a clear explanation of current practice, including confirmation that families with low income (but not in receipt of named benefits) or with exceptional circumstances may apply for a discretionary waiver or a reduction in charge and each application will be assessed based on its own merit and evidence.

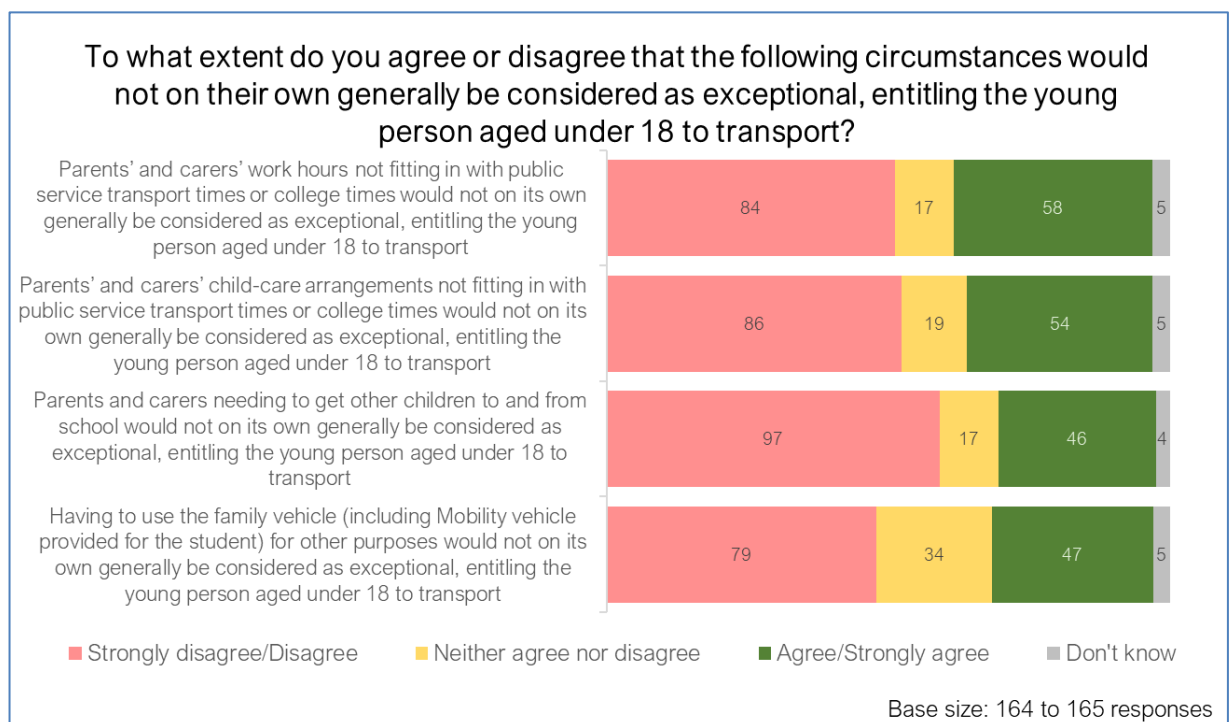
12. In 2018 the Policy Statement was modified to reduce local authority funded provision so that transport was provided only when necessary to facilitate attendance. The amended Policy Statement was promoted as one of a number of measures seeking to reduce costs in providing transport services. In the summer of 2018 that change had only a small impact on provision. In the summer of 2019 (the policy largely being carried forward from 2018) the approach led to a legal challenge as implementing the new Policy Statement relied on published information in the application process that was not included in the Policy Statement. Following advice, the County Council reverted to its previous approach. The proposed 2020 Policy provides a clearer policy position.
13. There are proposed revenue budget savings arising from these changes. Other projects endeavouring to reduce costs include: the use of school minibuses for home to school transport; major procurement exercises looking at sole provider tendering, route 'bundling' and longer term contracts; and restructuring the home to school transport team and its use of technology.
14. The Policy Statement recommended for approval enables Hampshire County Council to continue to meet its statutory requirements.

Finance

15. Current expenditure on the home to school transport service is approximately £32million, of which £1.3million was spent on Post 16 transport assistance. The Children's Services departmental transformation 2021 programme has an approved target of £3million of savings from this budget.
16. The 27 May decision paper referenced possible savings of £680k in establishing the Policy. These potential savings were highlighted in the consultation exercises which helped to influence the 2018 and 2019 Post 16 Home to School Transport Policies.
17. Further analysis of the Post 16 cohort and the impact of the proposed policy changes led to a revised saving estimate of £170k. This is based on the potential for 30% of an estimated 128 Year 12 local authority funded travellers no longer receiving transport because their parents/carers are able to transport them and an average cost (using 2019/2020 actual costs) for transporting a Post 16 student of £4,864 per annum. However, this is an estimate and the savings may, depending on the particular circumstances of the applicants, vary from this.

Consultation and Equalities

18. The public consultation on the 2020/21 Post-16 Transport Policy Statement ran from 13 January 2020 to 23 February 2020. Responses were invited by completing a dedicated online survey.
19. There were 168 responses to the consultation, all of which have been taken into consideration when compiling the statement for publication. A summary of the key consultation questions and responses is provided in paragraphs 19 to 24. For the Post 16 Transport Policy Statement the following questions were asked and responses received.
20. The proposals for changes to the Post 16 Transport Policy Statement explained the expectation of the County Council that parents/carers arrange transport for their child to their Post 16 education setting until they become an adult. The consultation sought opinions on specific circumstances which the County Council advised they did not consider to constitute exceptional circumstances which would automatically render transport necessary. The summary responses to that request are as follows:



21. None of the circumstances were agreed with by the majority of respondents.
22. The highest level of disagreement (97 of the 164 responses) was with the proposal that parents and carers who need to get other children to school would not automatically entitle a young person under 18 to Post 16

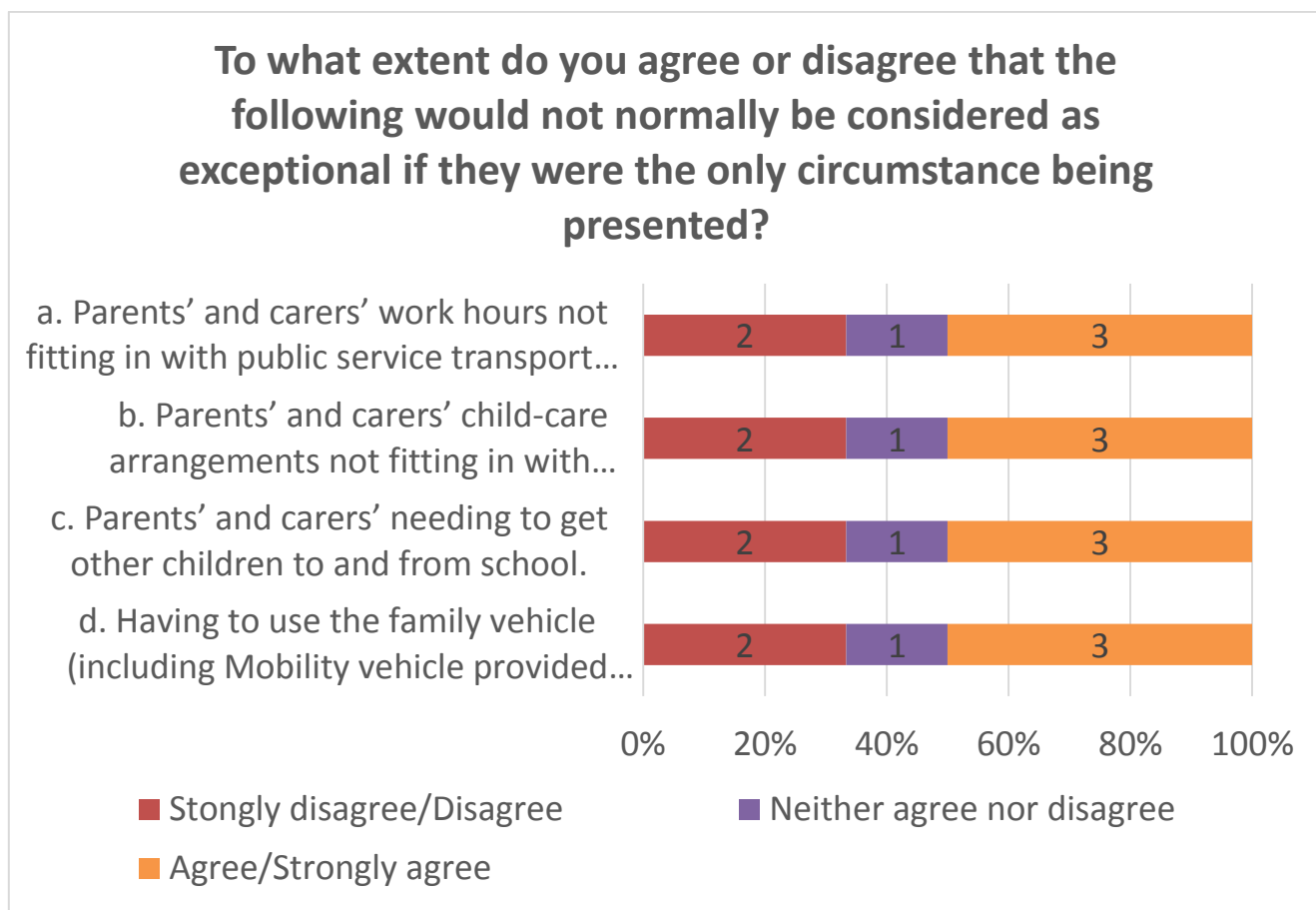
Transport.

23. The lowest level of disagreement (79 of 165 responses) was with the proposal that needing to use the family vehicle for other reasons would not automatically entitle a young person under 18 to Post 16 Transport.
24. Three unstructured responses were submitted (not using the Response Form), comments included reference that the Easy Read consultation document was hard to understand; that policies should be written in plain English; that families on low income or in rural areas could be disproportionately affected; that changes may make it harder for families with children in multiple schools; that proposals, if agreed, could impact on other services or on children and young people and their families; that absenteeism could rise; that all cases should be reviewed on their individual merits; and that the County Council should undertake impact assessments to understand impacts at a local level.
25. Respondents were also asked to describe impacts of the proposed changes, with 37 responses submitted. The three most common themes are shown in the table below:

Impacts on parents and carers (26 mentions)	These comments mentioned that parents and carers may need to give up work; may need to change or reduce their working hours; may find themselves unemployable; could suffer negative impacts their mental health; would need to travel more to transport children to education, and could struggle to get other children to school on time
Impacts on children and young people (20 mentions)	These comments mentioned that the proposed changes may prevent children and young people from attending Post 16 education; may offer children and young people with Special Educational Needs or Disabilities (SEND) fewer opportunities than available to those without SEND; may restrict the choice of colleges for children and young people with SEND; and may create a barrier to education for children and young people who are unable to take public transport independently
Impact on family finances (11 mentions)	These comments mentioned the financial impact on parents and carers who may need to give up work and the financial impact of additional childcare that may be needed to support families if the proposed changes to Post 16 Transport policy were implemented

26. To augment the public consultation the County Council directly approached 21 Post-16 education providers to request their views on the consultation.
27. Six Post 16 education providers responded to the consultation. A summary of the key consultation questions and responses is provided here. For the Post-16 Transport Policy Statement, the following questions were asked

and responses received. There was a small majority in agreement with all the proposals.



28. Although some Post 16 education providers were of the opinion that if just one of the circumstances were presented then transport should be awarded, the majority believed this should not be the case. Of those education providers in agreement with the proposal, the overall response was that these circumstances should be taken into consideration, but along with any other circumstances being presented on a case by case basis.

29. Post 16 education providers were also asked to describe the transport needs of students attending their education provision and how efficiencies and savings could be generated by working together with the County Council. A summary of the feedback from the six education providers is as follows:

<p>Q2 – The Post 16 Transport Policy Statement has focused the Council’s support on students with Learning Difficulties and Disabilities (LDD) students, usually they have an EHCP. Please provide any comments on their</p>	<p>These responses mentioned that Hampshire County Council transport provision would benefit learners if it was arranged to reflect individual study timetables. For some learners, if County Council support wasn’t</p>
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<p>transport needs when attending your setting.</p>	<p>available for transport then they would not be able to attend their study programme. For other learners travelling independently on public transport may not be appropriate given the distance they travel and/or their personal safety due to their additional needs and social vulnerabilities. With more young learners using public transport this has resulted in extra support being provided by the Post 16 education provider. County Council provided Transport is a vital service for many young people.</p>
<p>Q3 – The cohort of students aged over 19 for whom the Children’s Services Department provides transport is increasing in numbers. Please provide any comments on their transport needs, if different from above, when attending your setting.</p>	<p>The needs of learners over the age of 19 is the same as those 18 years and younger and any support continues to reflect their individual needs. Education providers do offer travel training, but this is not appropriate for everyone.</p>
<p>Q4 - The forecast growth in the Post 16 sector, particularly over 19 students, is bringing unprecedented pressure on the service and its budget. Do you have any comments on how providers and the County Council can work together to generate efficiencies and savings for both providers and the service?</p>	<p>Improve co-ordination of transport, increasing vehicle size and number of passengers transported on each route where necessary/possible. The County Council could provide comprehensive travel training whilst young people are at school, so when they reach Post 16 education some may be able to travel independently, improvements are needed to ensure this is both robust and delivers positive outcomes.</p>

30. As is evident in the Equality Impact Assessment (EIA) (Appendix D), there is likely potential adverse impact on individuals’ with the protected characteristics of age and, disability and rurality if some or all of the changes to the Policy Statement are approved. The EIA highlights the possible scale of impact for the age groups that may be affected. With respect to age and disability, when a child/young person is refused transport under the Policy Statement there is an opportunity for this decision to be appealed.

31. To mitigate the impact of the proposed changes to the Policy Statement, taking into consideration feedback from the consultation, it is evident that individual circumstances should be considered by the County Council on a case by case basis, and transport provided where evidence clearly

indicates that it is necessary in order to facilitate attendance at the young person's education placement or training.

The Pre-action Protocol letter

32. Appendix E is a pre-action protocol letter sent in response to the 27 May 2020 Policy. This letter raises eight grounds of challenge. The amendments made to the May 2020 Policy and the EIA meet the various criticisms made therein. Two grounds concern an alleged failure to have regard to certain statutory provisions. As the decision maker is aware, she is required to have regard to the various matters set out in section 509AB Education Act 1996 when considering what transport arrangements are necessary. Further, section 11 of the Children Act 2004 requires the Council, when considering whether to adopt the proposed Policy "to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children". The amendments to the Policy mean that the welfare of children is safeguarded and promoted. The decision-maker is asked to consider the pre-action protocol letter in full.

Conclusion

33. The proposed Policy Statement will aid parents/carers and users of the service to understand the service available and who may be entitled to support.

Supporting information

Public Consultation Findings & Analysis – [Appendix A](#)

Education Provider Consultation Findings & Analysis – [Appendix B](#)

Equality Assessment – [Appendix C](#)

Proposed Post 16 Transport Policy Statement – [Appendix D](#)

The pre-action protocol letter of 2 June 2020 – [Appendix E](#)

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Proposed Changes to the Home to School Transport Policy (2021)	<u>Date</u> 18 March 2020
Direct links to specific legislation or Government Directives	
<u>Title</u> https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772913/Post16_transport_guidance.pdf	<u>Date</u> January 2019

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

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- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Equalities Impact Assessment: [Appendix](#)

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy

Findings Report

March 2020

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Introduction

Context

Between 13 January 2020 and 23 February 2020, Hampshire County Council ran a public consultation seeking residents' and stakeholders' views on proposals to update its Home to School Transport (HtST) and Post-16 (P16T) Transport policies. Key findings from the consultation are set out on this report.

The County Council is seeking to update its HtST Policy to provide greater alignment between the policy and existing practice, as well as to improve clarity for parents and carers on the criteria used to reach decisions about HtST.

Local authorities are also required to consult on their P16T Policy Statement every year. The County Council is proposing to update its P16T Policy Statement to set out the responsibilities of parents and carers of children and young people who receive P16T. It is anticipated that this update could result in potential savings to the County Council of approximately £680,000 per year.

Any changes to these policies would only affect new applications for transport made after the date of implementation.

Consultation aims

The consultation sought to understand respondents' views about, and the potential impacts of, amending the HtST Policy to:

- clarify that the distance from a child's home to their school is calculated using the nearest available entrance to the school grounds;
- clarify that the route to a school is measured using the nearest available road route, passable for a suitable motorised vehicle, when determining whether a non-catchment school qualifies as a nearer school (if all of the routes to the schools in question are beyond statutory walking distances);
- clarify that school transport would not be removed from children attending a non-catchment school if a place at their catchment school, or a school closer to their home, becomes available; and
- reflect a change in the administration of how appeals are processed.

The consultation also sought to understand respondents' views about, and the potential impacts of, updating the P16T Policy for 2020/21 to set out the responsibilities of parents and carers of children and young people who receive P16T.

Feedback received through this consultation will be considered alongside wider evidence to inform the County Council's decision on proposed changes to the HtST and P16T Policies. This decision will be taken by the Executive Lead Member for Children's Services and Young People.

The approach taken in the running and analysis of this consultation is described in Appendices one and two.

Responses to the consultation

Who responded?

There were 165 responses to the consultation questionnaire, all of which were submitted online, which breaks down as follows:

- 160 were from individuals,
- four were from organisations or groups, and
- one did not indicate either way.

A copy of the consultation questionnaire is provided in Appendix three.

There were also three separate unstructured responses. Two were from organisations and one from an individual. These responses are also included in this report.

A list of the organisations or groups that took part in the consultation is provided in Appendix four.

A detailed participant profile is provided in Appendix five.

Specific analysis was undertaken of the views of respondents from households:

- with children;
- that currently receive HtST or P16T provided by the County Council;
- with children with Special Educational Needs or Disabilities (SEND); and
- households with an annual income of up to £20,000.

The analyses would also have looked at the responses of organisations and groups that provided a response. However, as the sample size for this segment was small (four responses) this segment's views have not been analysed as their own grouping.

Findings from the consultation

Summary of Key Findings

There was overall agreement with proposed changes to the HtST Policy, including for:

- the distance from a child's home to their school to be calculated using the nearest available entrance from the child's home to the school grounds;
- the route to a school to be measured using the nearest available road route, passable for a suitable motorised vehicle, when determining whether a non-catchment school qualifies as a nearer school; and
- school transport to not be removed from children attending a non-catchment school if a place at their catchment school, or a school closer to their home, becomes available.

There was no overall agreement or disagreement on the proposed amendment to the HtST Policy that would change the administration of appeal decisions. The most common suggestion was that appeal decisions should be independent of the County Council.

Suggestions of changes to the HtST Policy most frequently mentioned applying an automatic entitlement to transport for children with SEND, and all cases being judged on their unique merits.

There was overall disagreement with proposed changes to the P16T Policy, intended to clarify that young people aged under 18 would not be automatically entitled to transport if the following did not fit with public service transport times or college times:

- parents' and carers' working hours;
- parents' and carers' child-care arrangements; or
- parents' and carers' need to get other children to and from school.

Almost half of respondents disagreed with the proposed change to the P16T intended to clarify that a young person would not automatically be entitled to transport if the family vehicle (including Mobility vehicle provided for the student) needed to be used for purposes other than transporting the young person to post-16 education.

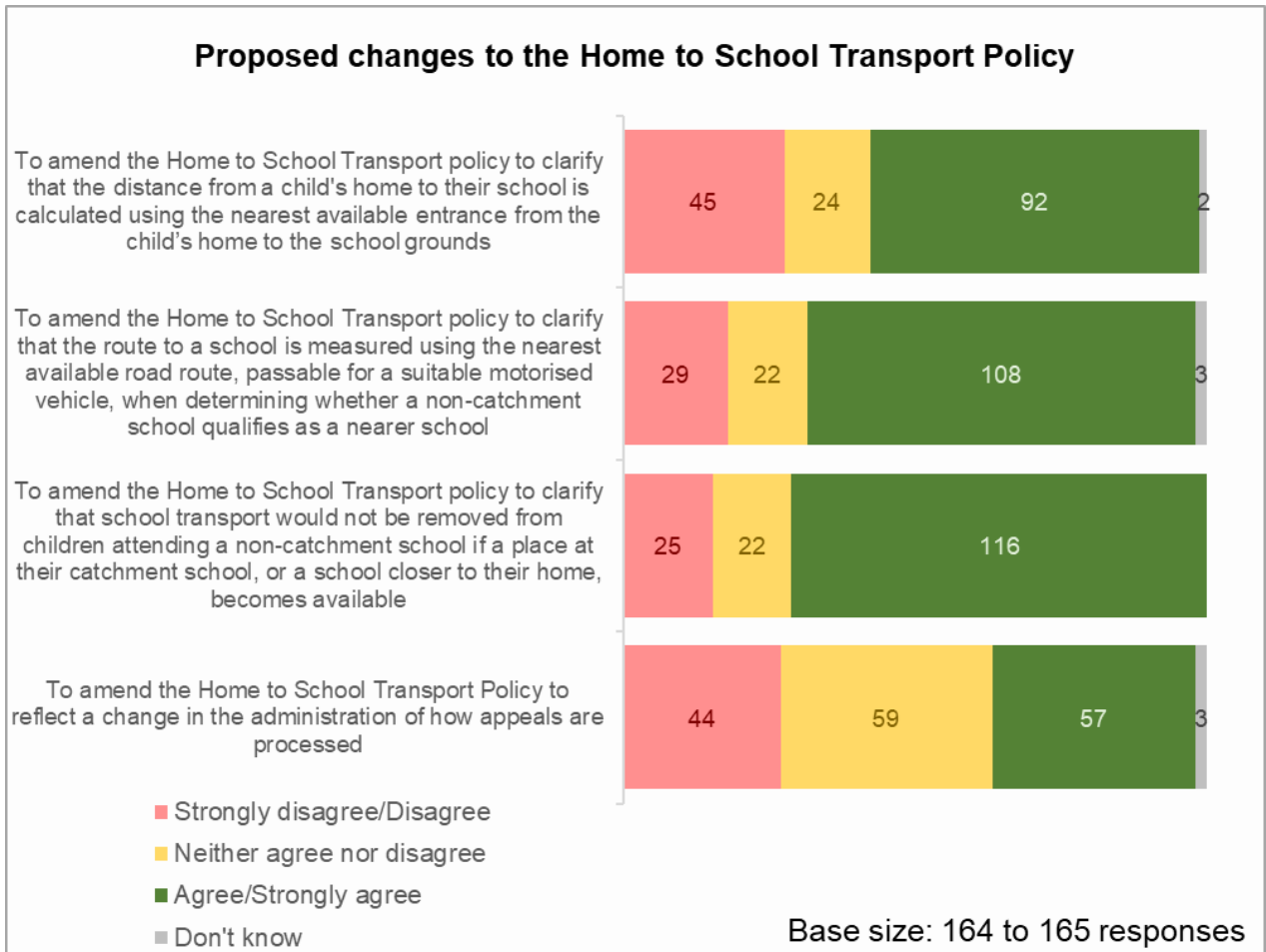
When asked to suggest other changes to the P16T Policy, respondents most frequently mentioned that the Policy should consider the other responsibilities of parents and carers when deciding if someone is eligible for transport, and that children and young people with SEND should be automatically entitled to P16T.

The most frequently cited impacts of the proposals related to negative impacts on parents and carers, particularly on their working patterns - and on children and young people, most commonly that it changes could reduce access to education.

Analysis of consultation responses

Proposed changes to the Home to School Transport Policy

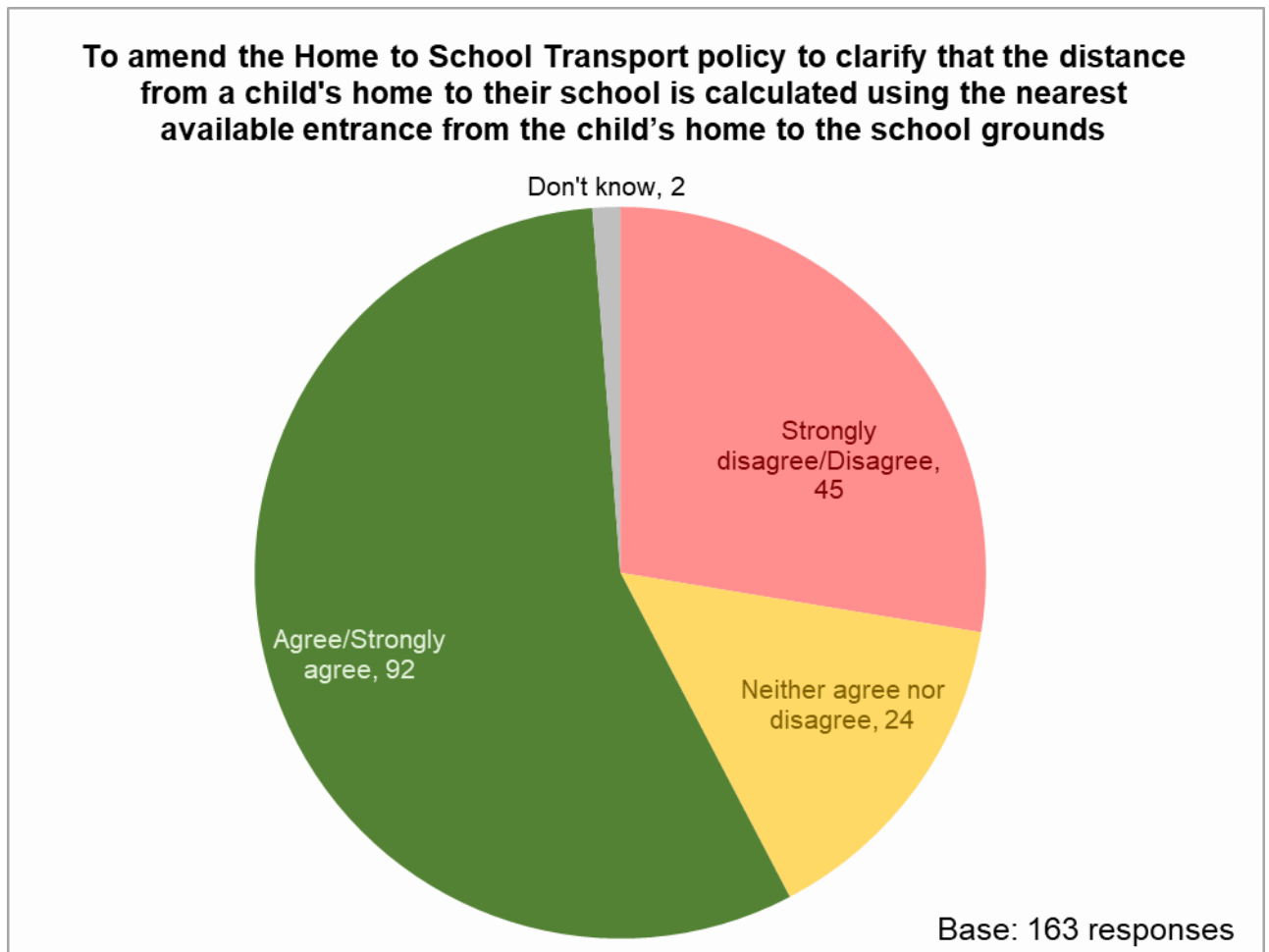
There was majority agreement with three of the four proposals, with one proposal (to amend the HtST Policy to reflect a change in the administration of how appeals are processed) receiving a mixed response overall.



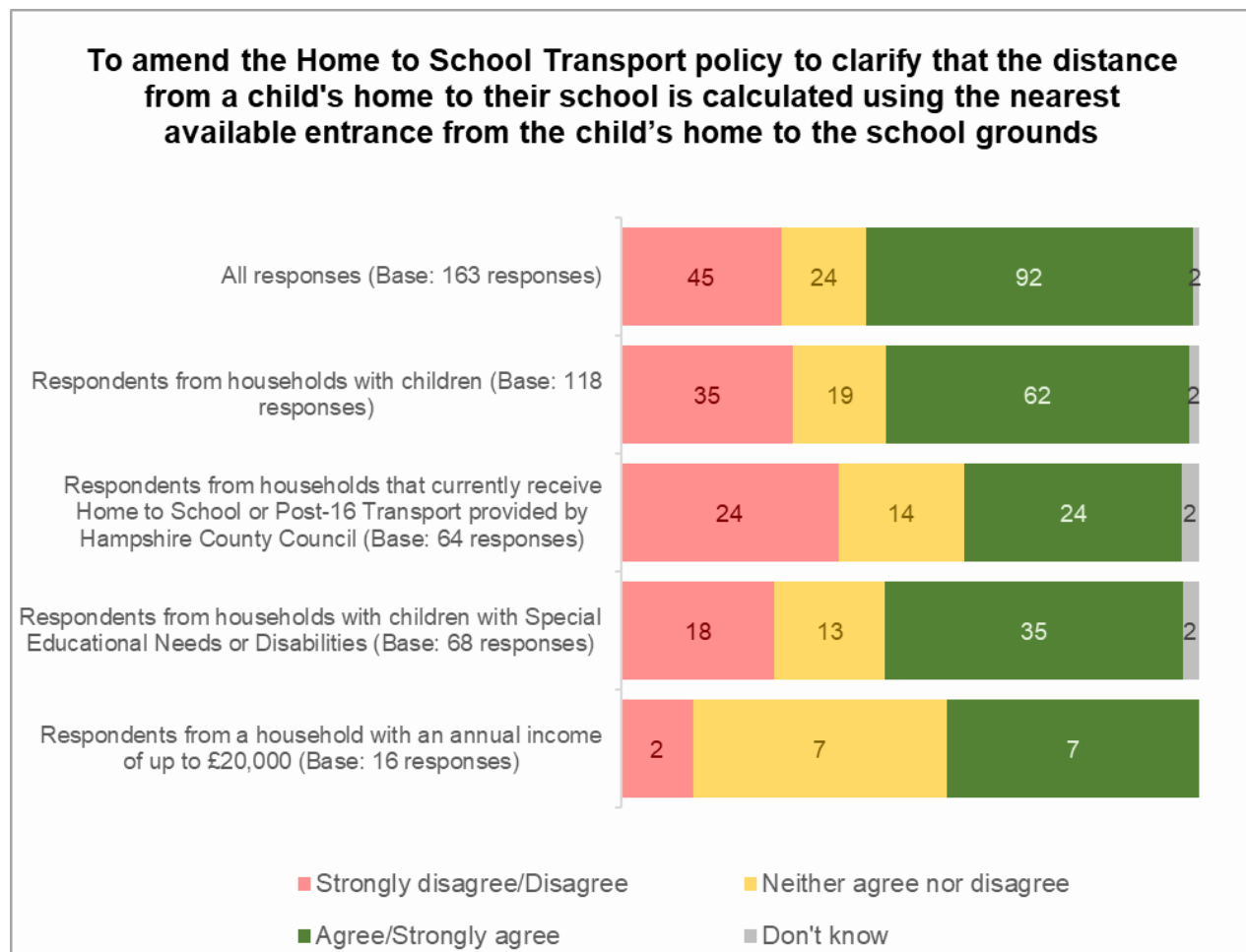
Using the nearest available entrance from the child's home to the school grounds for distance calculations

The County Council proposed to amend the Home to School Transport policy to clarify that the distance from a child's home to their school is calculated using the nearest available entrance from the child's home to the school grounds

The majority of respondents agreed or strongly agreed with this proposal, with double the number of respondents agreeing or strongly agreeing compared with those who disagreed or strongly disagreed.



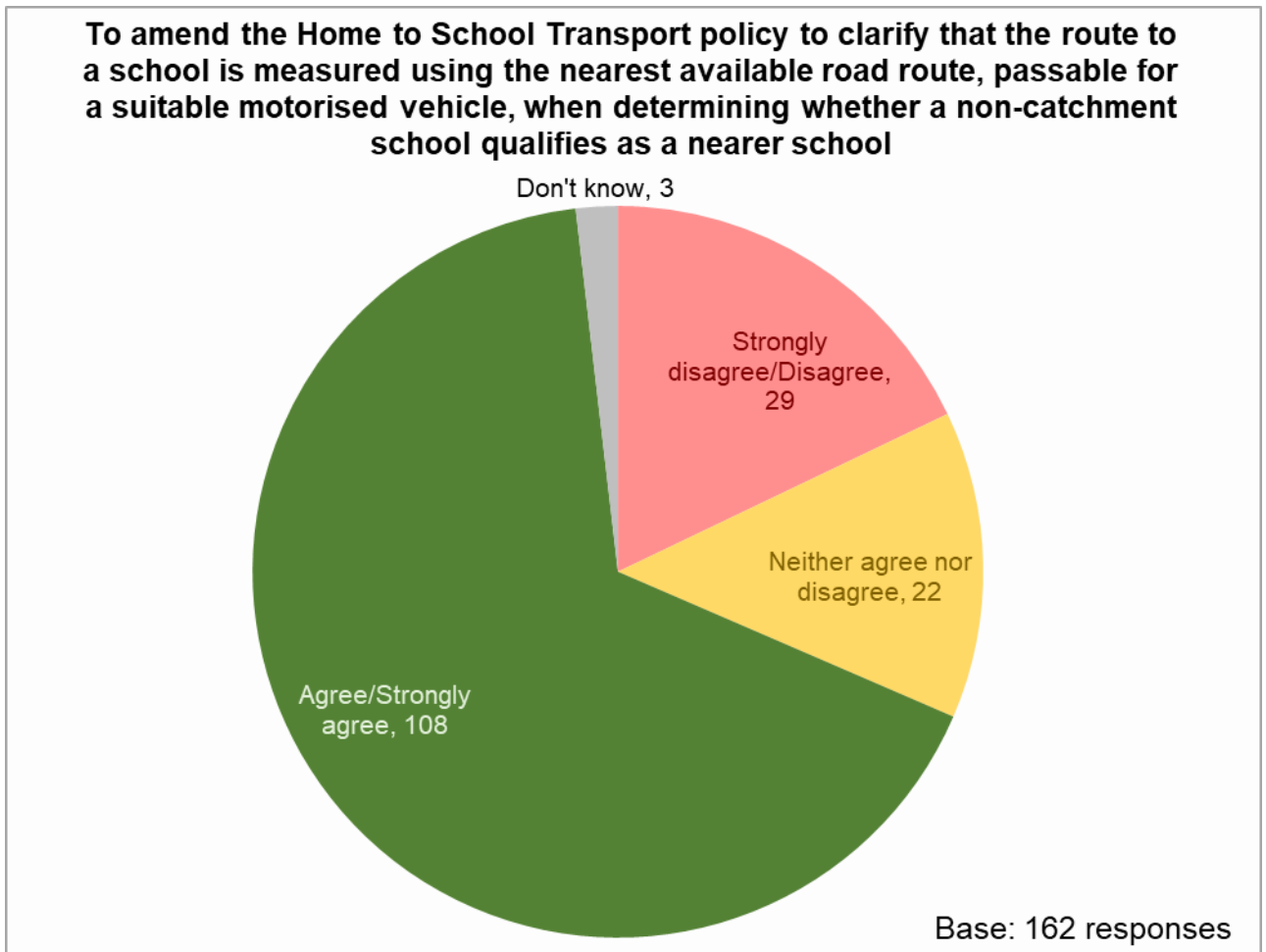
Similarly, no one group opposed the proposal as a majority. However, respondents from households that currently receive HtST or P16T were more mixed in their views - with the same number agreeing as disagreeing. In addition, respondents from households with incomes of up to £20,000 were as likely to have no overall view as they were to agree with the proposal.



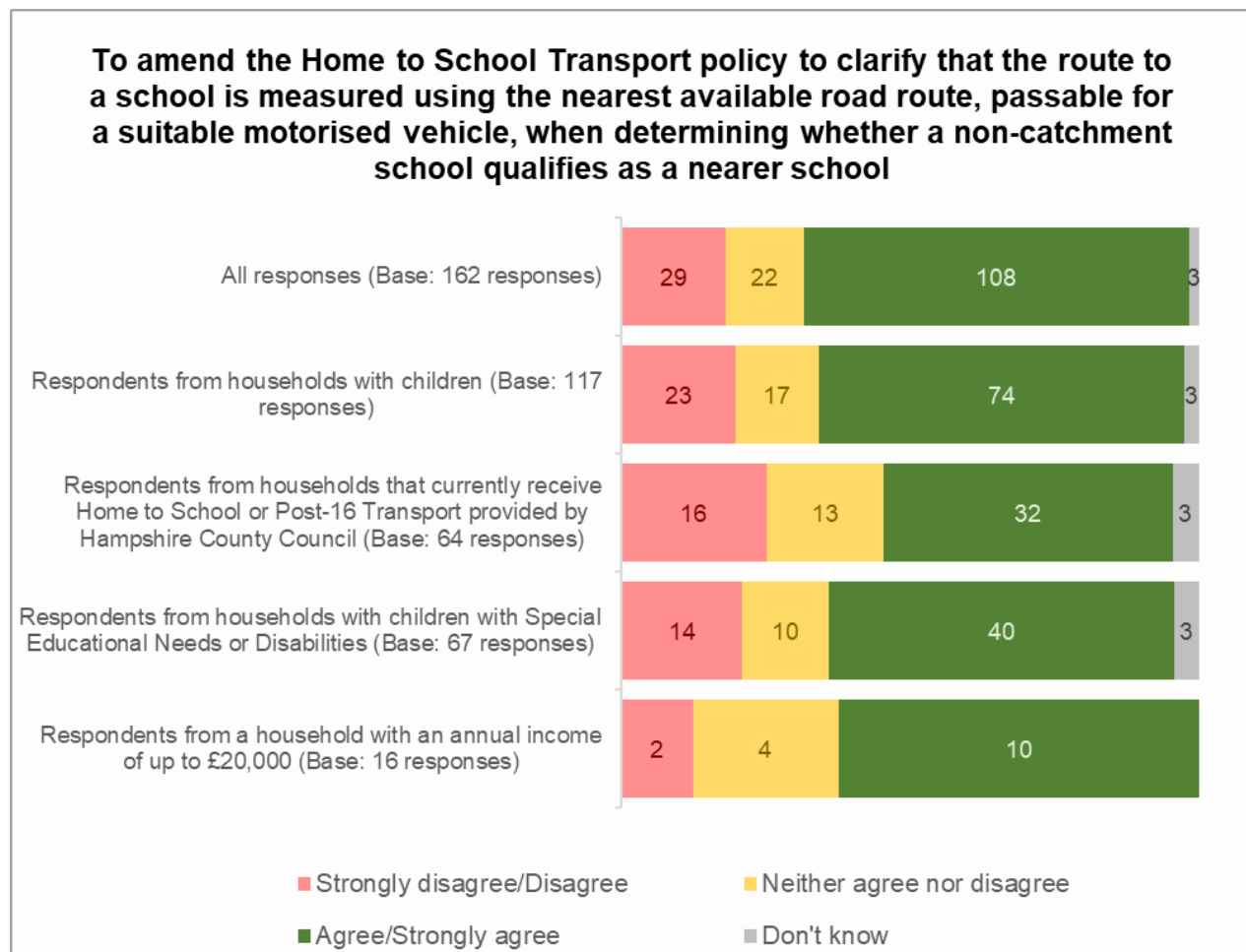
Using the nearest available road route, passable for a suitable motorised vehicle, for distance calculations

The County Council proposed to amend the Home to School Transport policy to clarify that the route to a school is measured using the nearest available road route, passable for a suitable motorised vehicle, when determining whether a non-catchment school qualifies as a nearer school

Two thirds of respondents either agreed or strongly agreed with this proposal, compared with just over one sixth of respondents who disagreed or strongly disagreed.



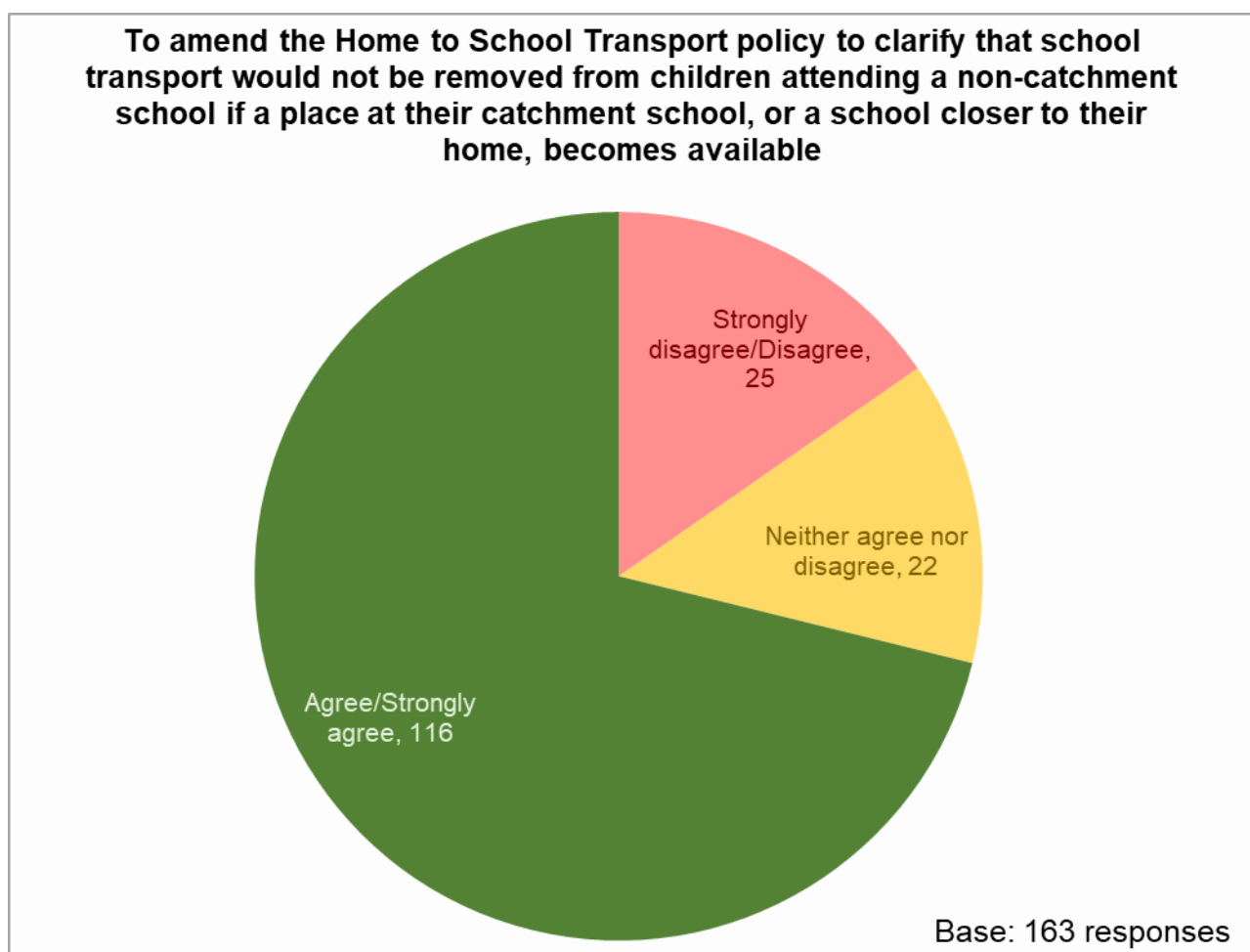
Three of the four groups potentially impacted by the proposal agreed with the proposal. The lowest level of agreement was amongst respondents from households that currently receive HtST or P16T provided by the County Council - half of whom agreed or strongly agreed with the proposal and a quarter of whom strongly disagreed or disagreed with the proposal.



To not remove school transport from children attending a non- catchment school if a place at their catchment school, or a school closer to their home, becomes available

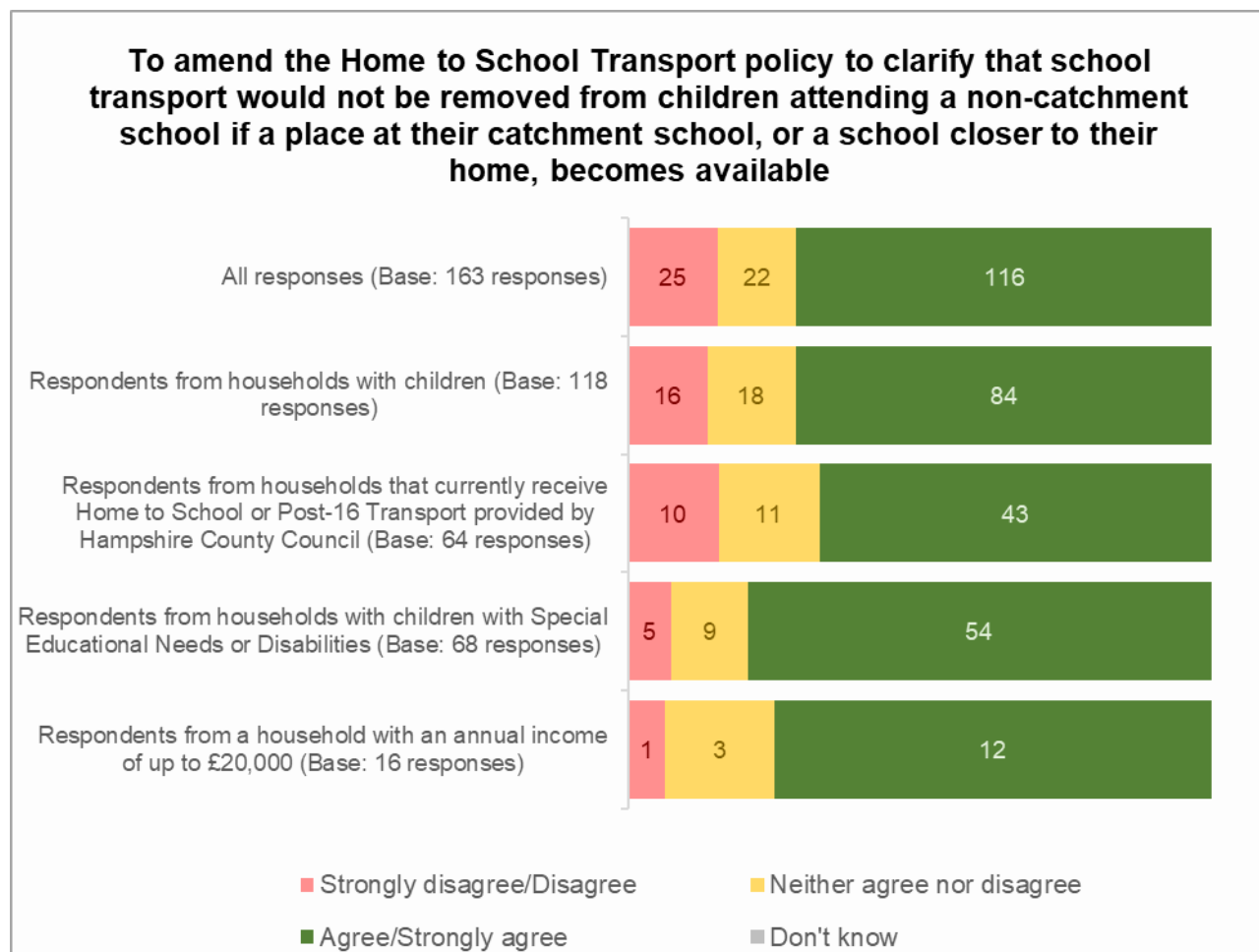
The County Council proposed to amend the Home to School Transport policy to clarify that school transport would not be removed from children attending a non-catchment school if a place at their catchment school, or a school closer to their home, becomes available

Two thirds of respondents either agreed or strongly agreed with this proposal, compared with just under one sixth of respondents who disagreed or strongly disagreed.



When analysed by group, all agreed with the proposal overall.

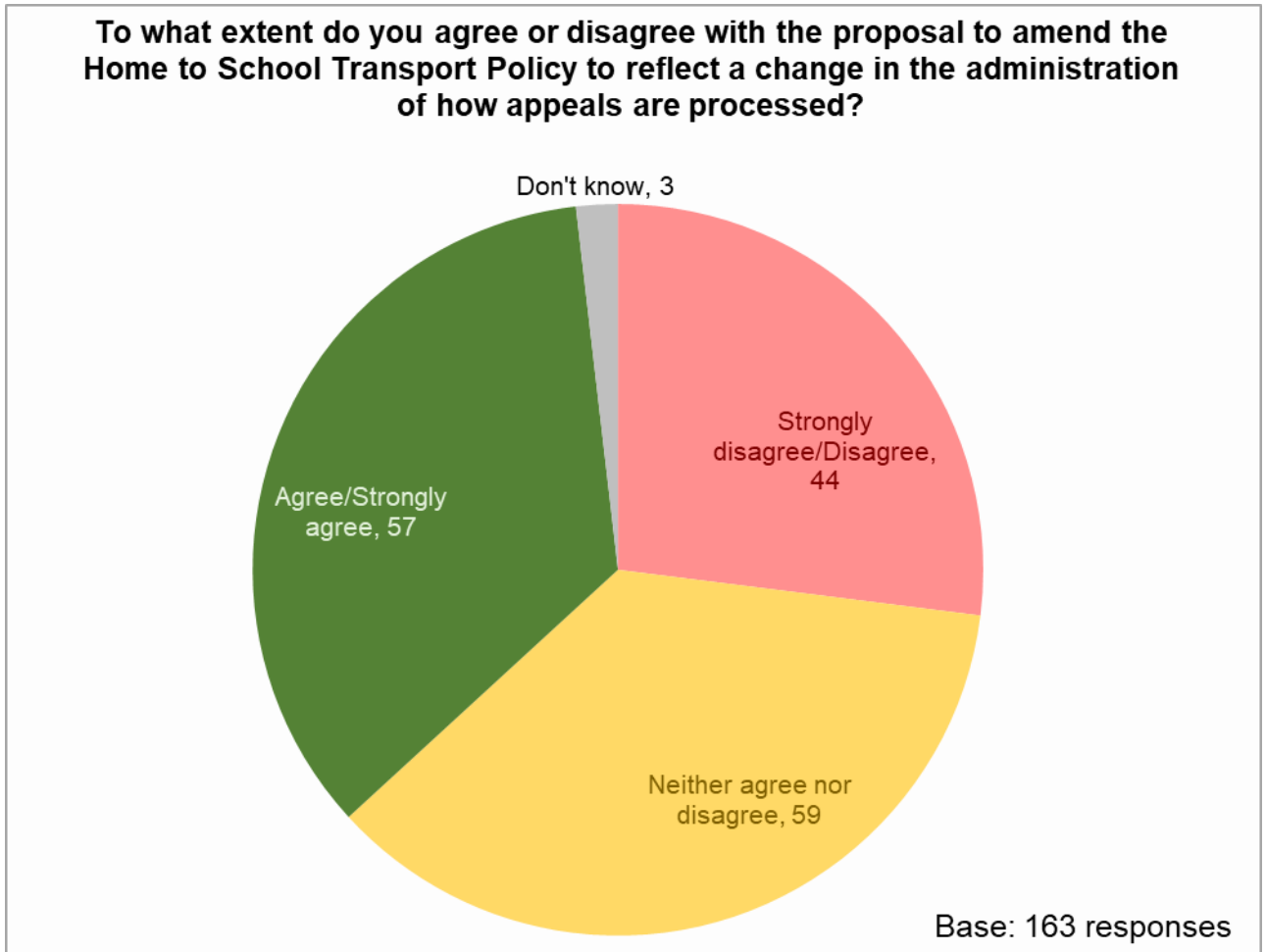
Respondents from households with children with SEND showed the highest level of agreement (around eight in 10 responses agreeing or strongly agreeing), whilst the lowest level of agreement was amongst respondents from households that currently receive HtST or P16T - of whom two thirds agreed or strongly agreed with the proposal.



Changing the administration of how appeals are processed

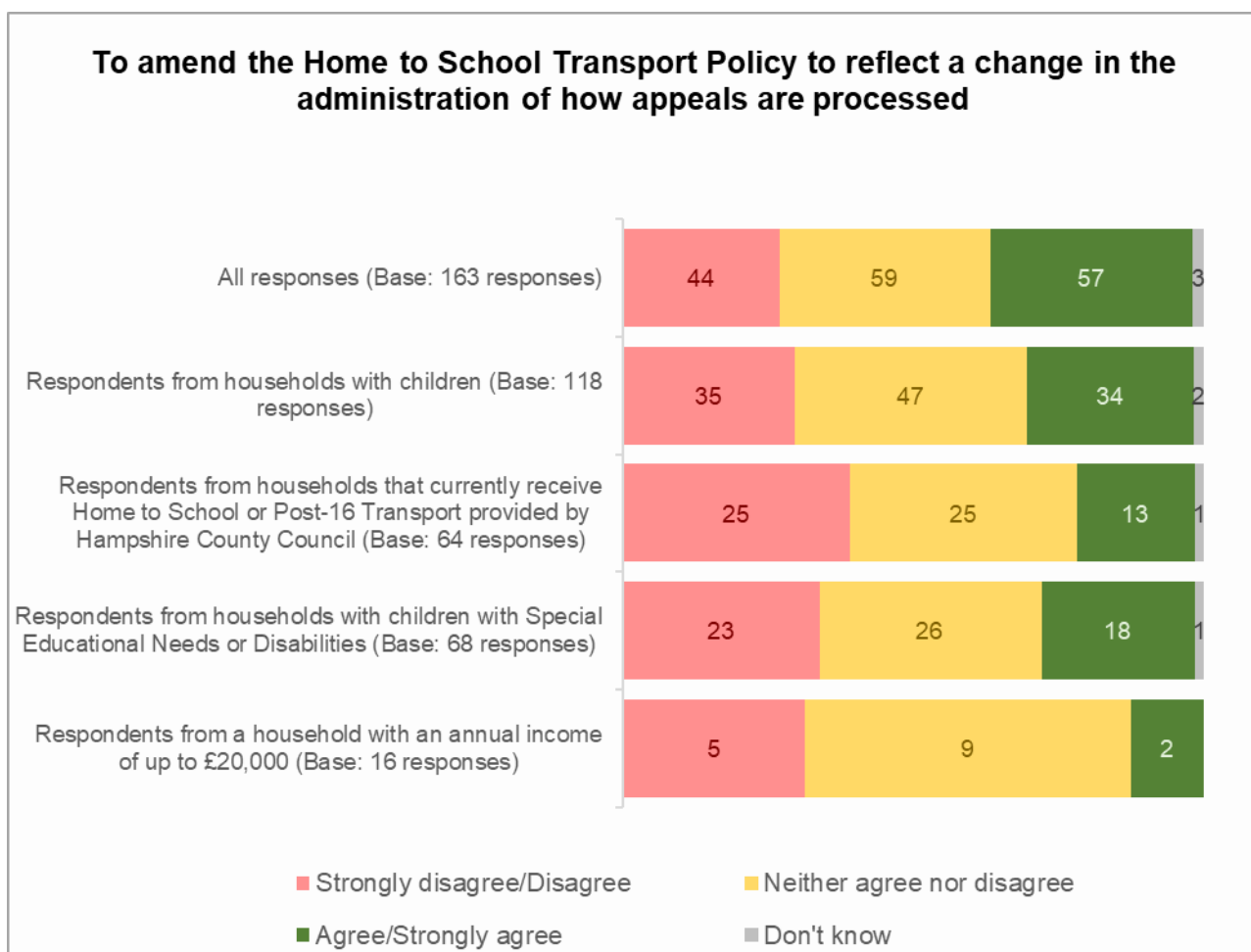
The County Council proposed to amend the Home to School Transport Policy to reflect a change in the administration of how appeals are processed

Respondents most frequently indicated that they neither agreed nor disagreed with the proposal. Of those who specified a preference, more respondents agreed or strongly agreed with this proposal than those who strongly disagreed or disagreed.



A breakdown of the different groups that could be impacted showed that they were all more likely to disagree with the proposal than agree. However, none of these groups showed a majority strongly disagreeing or disagreeing with the proposal, with respondents generally more likely to neither agree nor disagree than oppose the proposal.

The lowest level of agreement was amongst respondents from households that currently receive HtST or P16T. Of these, one in five agreed or strongly agreed with the proposal, compared with two in five who strongly disagreed or disagreed and two in five who neither agreed nor disagreed.



In order to help the County Council to understand who respondents felt would be the most appropriate person to make decisions on appeals regarding offers of transport, respondents were asked *'If you have any suggestions on who should make decisions on appeals against offers of transport, please describe them below'*.

37 respondents answered this question.

13 comments related specifically to individuals deciding on appeals regarding offers of transport for children with SEND. Of these:

- 6 mentioned that the individual deciding on appeals relating to SEND should be independent of the team where the decision was made,
- 3 mentioned that the individual deciding on appeals relating to SEND should be independent of the County Council,
- 3 mentioned that the individual deciding on appeals relating to SEND should have a strong understanding of transport systems, networks, and safety,
- 1 mentioned that the individual should be a representative of the Special Educational Needs Transport Advocacy Service (SENTAS)
- 1 mentioned that the individual should have a strong understanding of SEND and mobility issues, and
- 1 mentioned that schools and parents should be involved in the appeals process relating to SEND.

15 comments were provided about individuals deciding on appeals, without reference to SEND. Of these:

- 11 mentioned that the Officer deciding on appeals should be independent of the County Council,
- 3 mentioned that the School Transport Team should be involved in appeals on offers for transport,
- 2 mentioned that a parent panel should make decisions on appeals,
- 2 mentioned that the job title of the individual involved should reflect their role in the appeals process,
- 1 mentioned that the individual should be a senior County Council employee, and
- 1 mentioned that the individual is not important, as long as appeals are heard fairly.

In addition to comments on who would decide on appeals, 9 comments related to other issues. These included:

- 3 mentioned concerns that the aim of changes was to save money or to reject more appeals,
- 1 mentioned that all children with SEND should receive transport,
- 1 mentioned that all appeals should be heard on the individual merits of the case,
- 1 mentioned difficulties finding the relevant information on this proposal in the consultation Information Pack,
- 1 mentioned that responses to appeals should be presented in written form and not presented verbally,
- 1 mentioned that it was unclear whether appeals would be heard by a single person or by a team, and
- 1 mentioned that walking routes should be safe to use in all weather.

Suggested changes to the Home to School Transport Policy

Respondents were asked *'If you have any other suggestions for changes to the Home to School Transport Policy then please describe these below'*.

41 respondents provided an answer to this question.

Suggestions for policy changes, or changes to services, that were provided included that:

- all children with SEND should receive free transport (mentioned 8 times);
- cases should be looked at on individual merits (mentioned 5 times);
- the catchment areas of schools could be changed to make savings in transport costs (mentioned once);
- school escorts should be trained to deal with medical problems rather than needing to call an ambulance (mentioned once);
- there should be charges for parents who drive children to school (mentioned once);
- transport should be provided using the public transport network, to reduce costs (mentioned once);
- there should be greater consideration of a child's mobility as well as their travelling distance (mentioned once);
- charges for parents should not be calculated using a tiered mechanism (mentioned once);
- travel routes should be organised to serve more than one school per route, where possible (mentioned once); and
- pick-up points should be organised to minimise the need for stops (mentioned once).

12 respondents commented on the proposal to clarify that the route to a school is measured using the nearest available road route, passable for a suitable motorised vehicle, when determining whether a non-catchment school qualifies as a nearer school. Of these:

- 9 mentioned concerns that 'safe' routes should be carefully identified, for example with safe walking areas, appropriate road crossings, and well-lit paths;
- 2 mentioned that a walking route distance may not recognise the complexity of a route, particularly for children with SEND; and
- 1 mentioned that children with disabilities should not be expected to use a walking route.

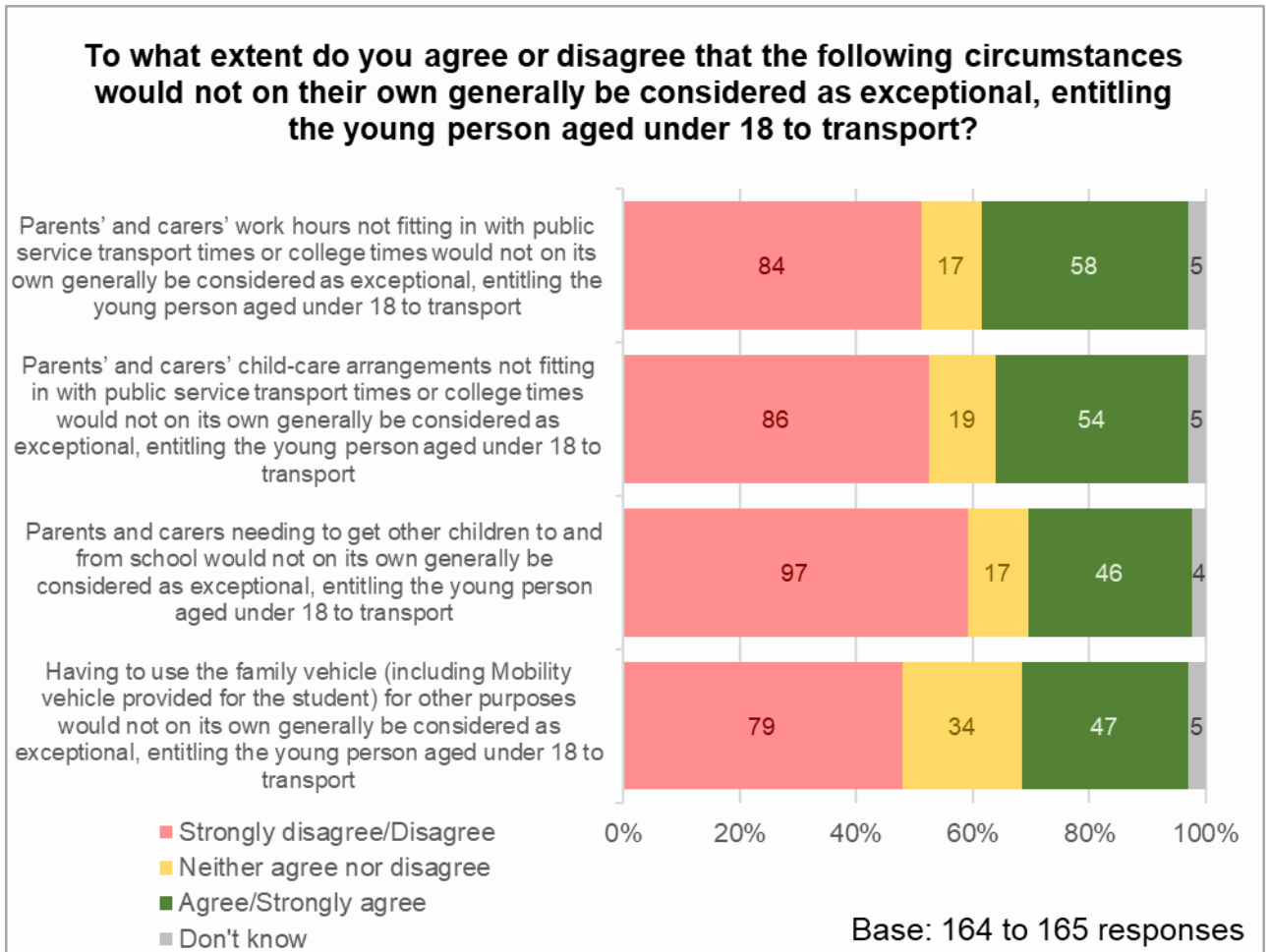
9 respondents commented on the proposal to clarify that the distance from a child's home to their school is calculated using the nearest available entrance from the child's home to the school grounds. Of these:

- 4 mentioned that the school's main entrance should be used as the point of measurement;
- 2 mentioned that there may be security risks if schools add entrances to their premises;
- 1 mentioned that the 'nearest entrance' should only be used if it is accessible by a disabled person;
- 1 mentioned a concern that this proposal would lead to new school entrances being installed as a cost saving measure; and
- 1 mentioned that the start and end points in measurements should be 'safe' locations.

2 respondents commented on the proposal to clarify that school transport would not be removed from children attending a non-catchment school if a place at their catchment school, or a school closer to their home, becomes available. Of these, 1 mentioned that this change should also apply to P16T offers to prevent any disruption of their education. The other 1 mentioned that the policy should be applied differently for children with and without SEND, as children with SEND require specialist provision that may not be met in mainstream education.

Proposed changes to the Post-16 Transport Policy

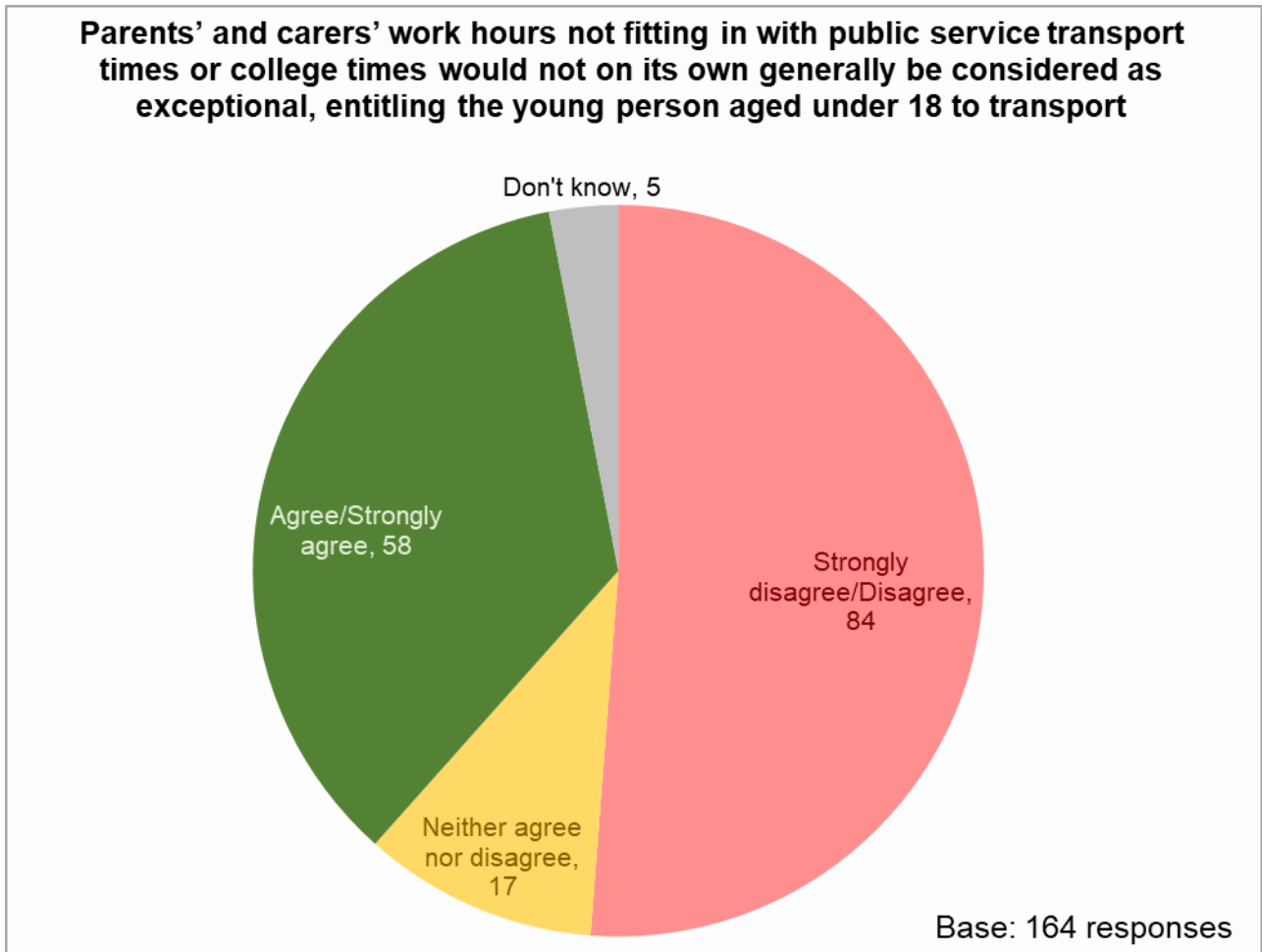
There was majority disagreement with three of the four proposed amendments to the P16T policy. Just under half of respondents (79 of 165) disagreed or strongly disagreed with the proposal that having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes would not on its own entitle the young person aged under 18 to transport.



Parents' and carers' work hours not fitting in with public service transport times or college times

The County Council proposed to amend the Post-16 Transport Policy to state that parents' and carers' work hours not fitting in with public service transport times or college times would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport

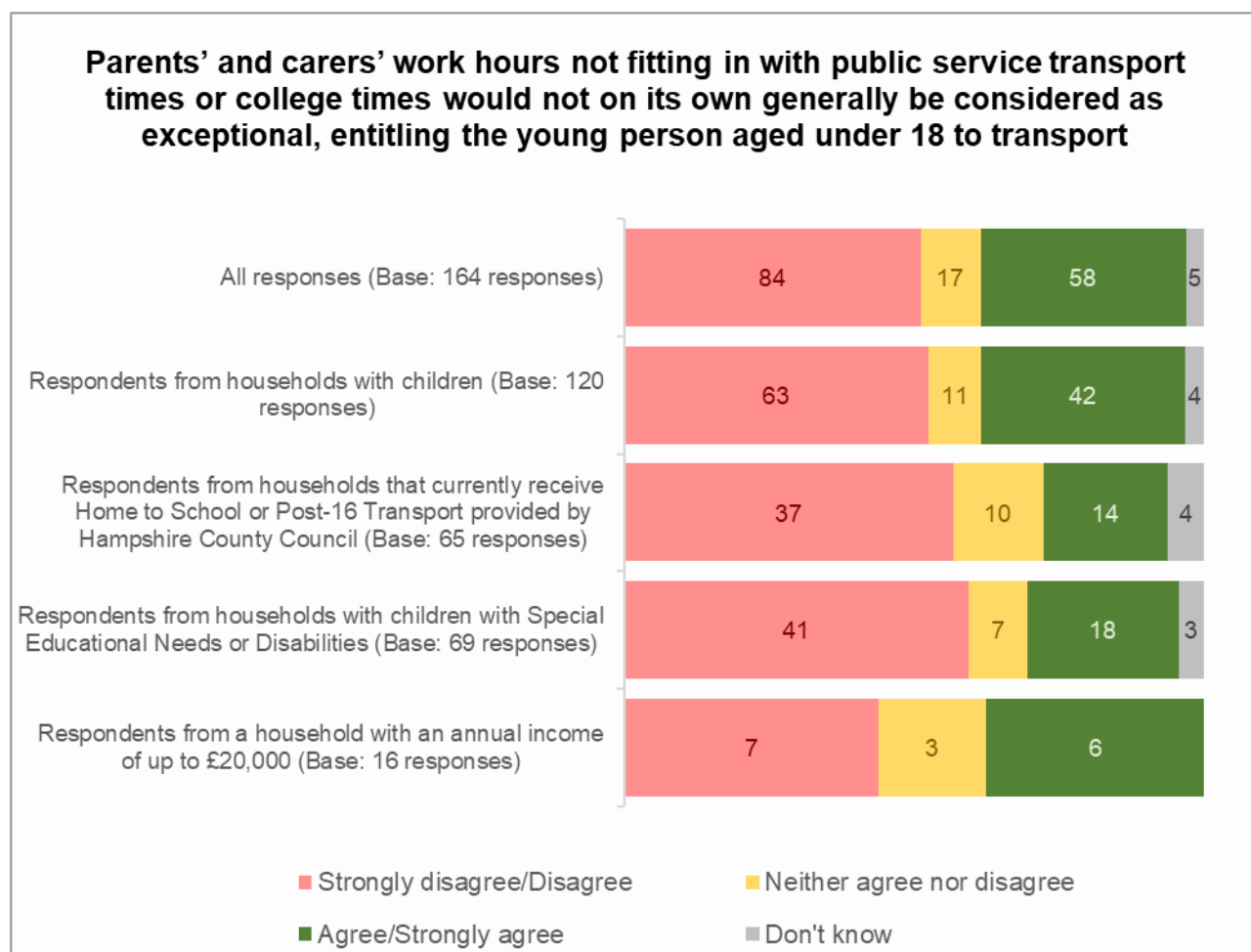
Overall, just over half of respondents disagreed or strongly disagreed with this proposal, whilst just over one third of respondents agreed or strongly agreed.



Groups that could be impacted by changes to the HtST and P16T policies, were also more likely to disagree with the proposal than agree.

The groups most likely to disagree with the proposal were respondents from households that currently receive HtST or P16T p, and those from households with children with SEND.

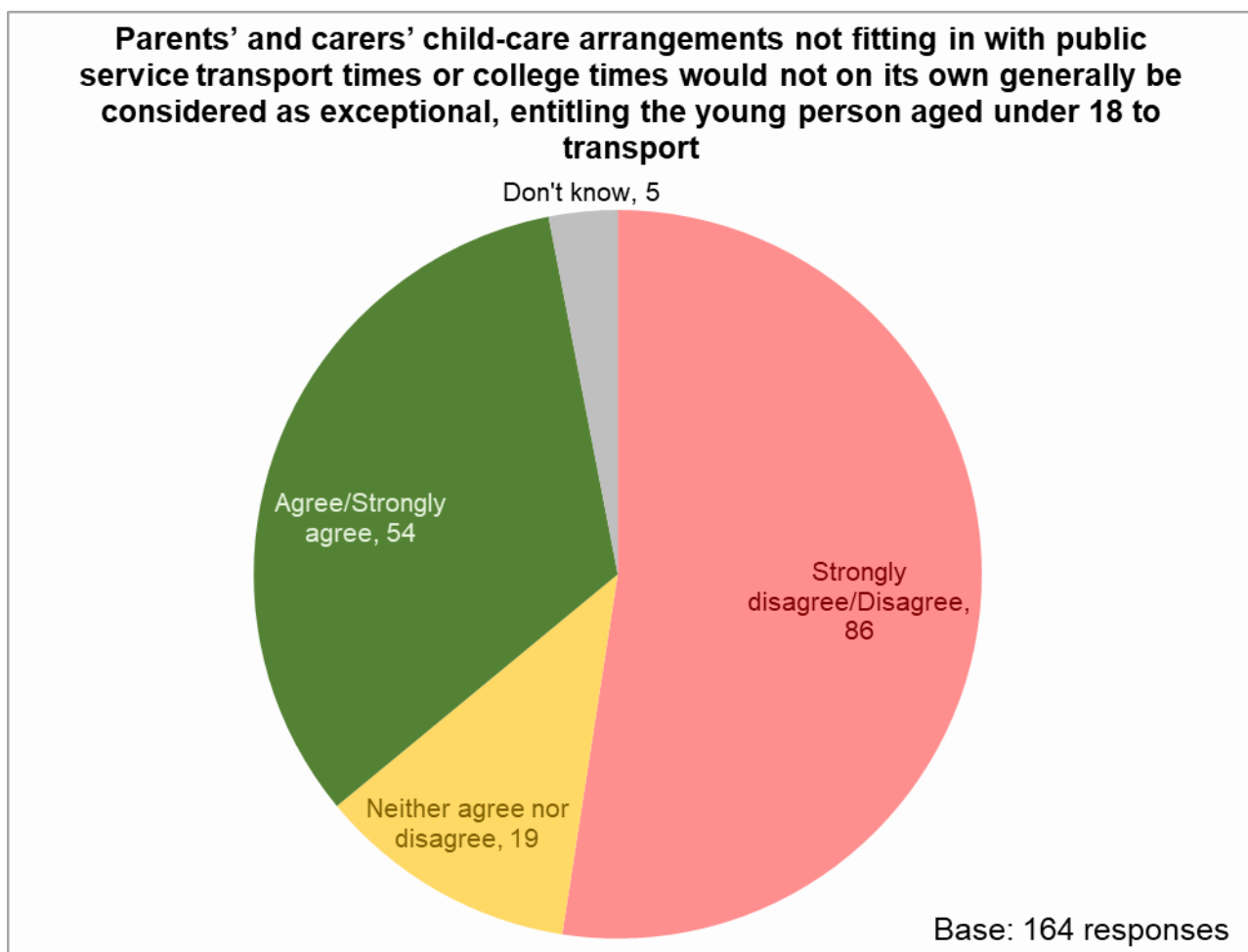
Households with an income of up to £20,000 had a more mixed view of the proposal. Just under half (7 of 16) disagreed or strongly disagreed, whilst a similar number (6 of 16) agreed or strongly agreed.



Parents' and carers' child-care arrangements not fitting in with public service transport times or college times

The County Council proposed to amend the Post-16 Transport Policy to state that parents' and carers' child-care arrangements not fitting in with public service transport times or college times would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport

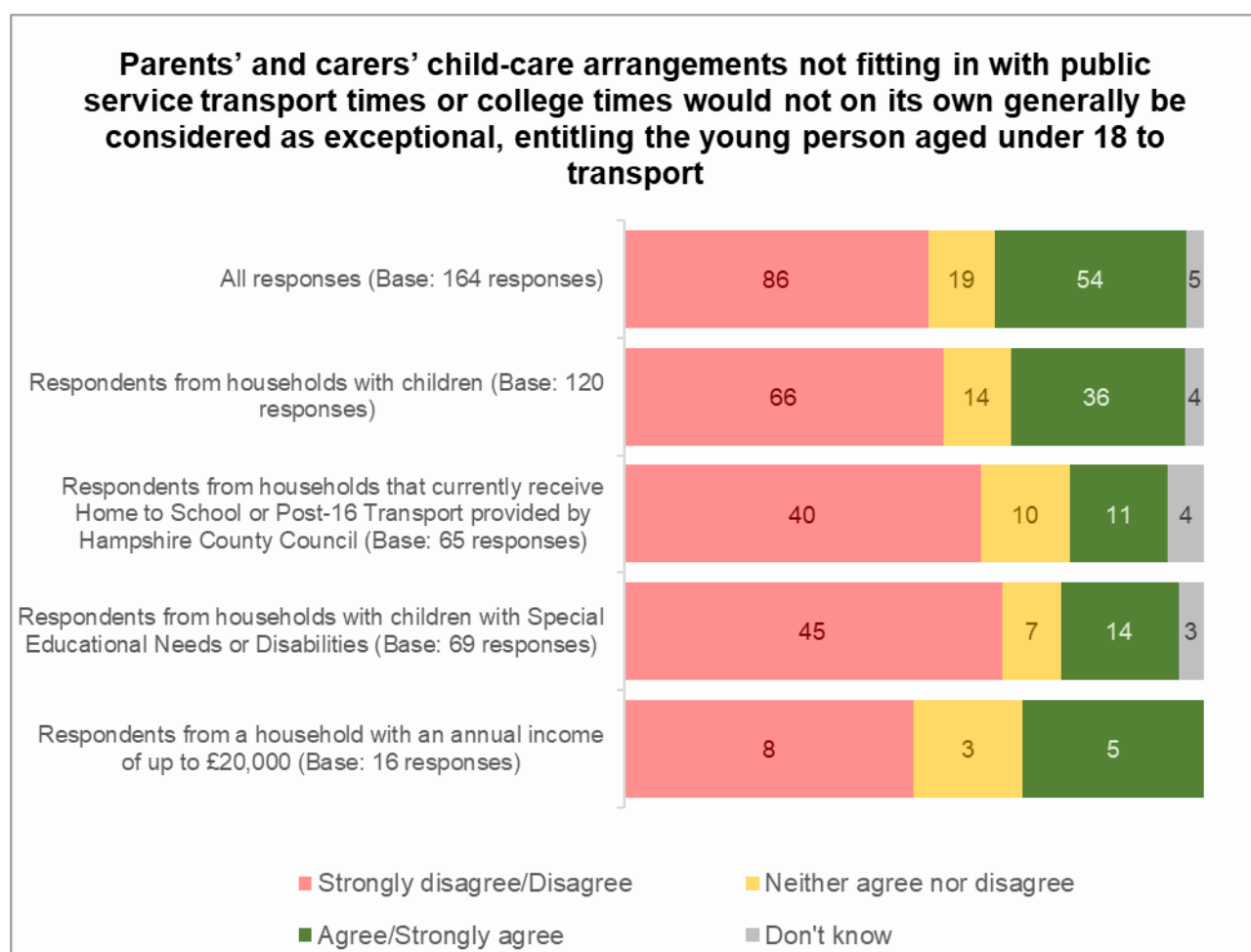
Overall, over half of respondents disagreed or strongly disagreed with this proposal, whilst one third of respondents agreed or strongly agreed.



When broken down by group, there was generally greater disagreement than agreement.

The groups most likely to disagree with the proposal were respondents from households that currently receive HtST or P16T, and those from households with children with SEND, where around two thirds of respondents disagreed or strongly disagreed with the proposal.

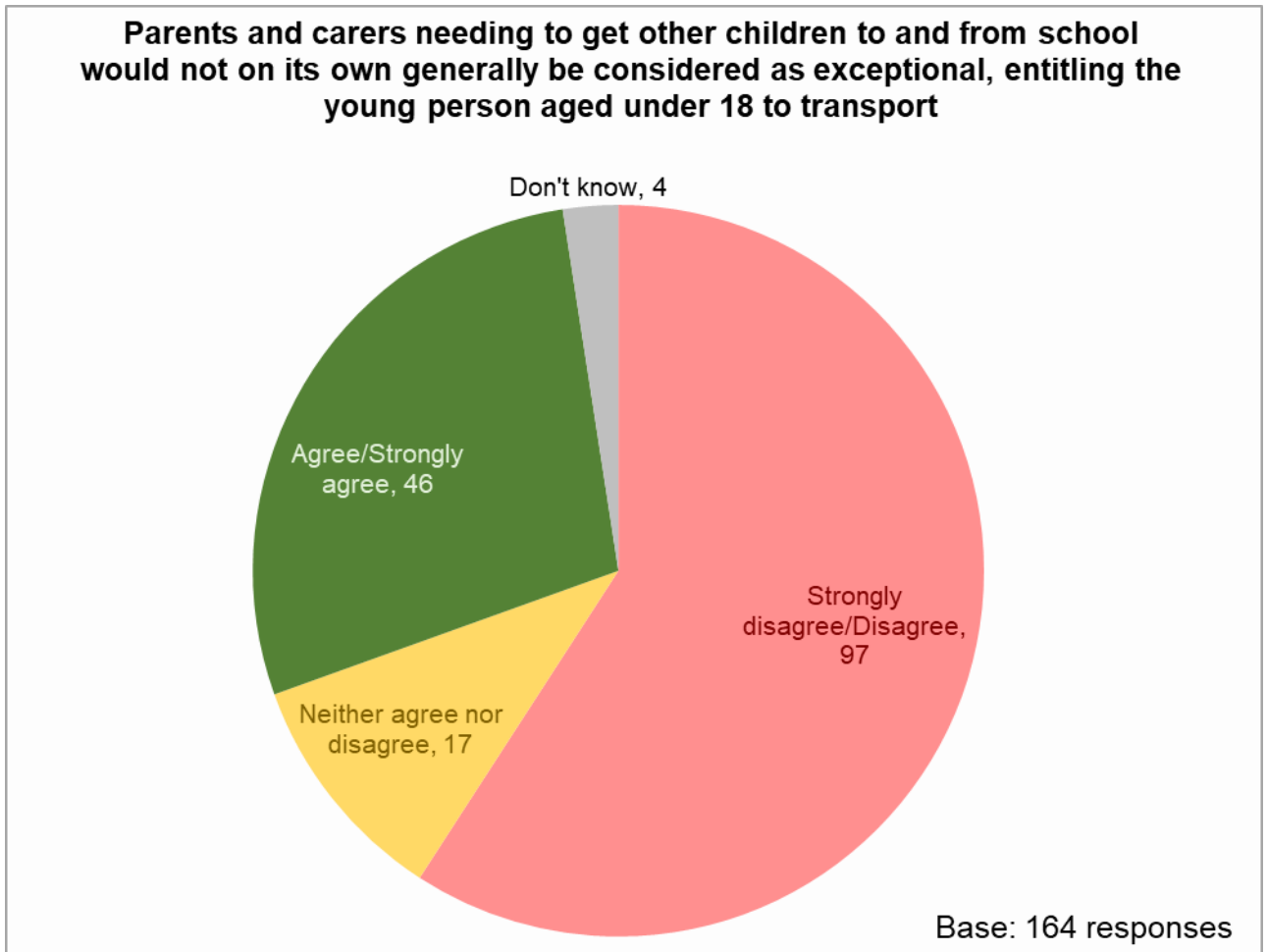
Half of respondents from households with an income of up to £20,000 disagreed or strongly disagreed with the proposal, compared to around 5 of the 16 who agreed or strongly agreed.



Parents and carers of Post-16 students with SEND needing to get other children to and from school

The County Council proposed to amend the Post-16 Transport Policy to state that parents and carers needing to get other children to and from school would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport.

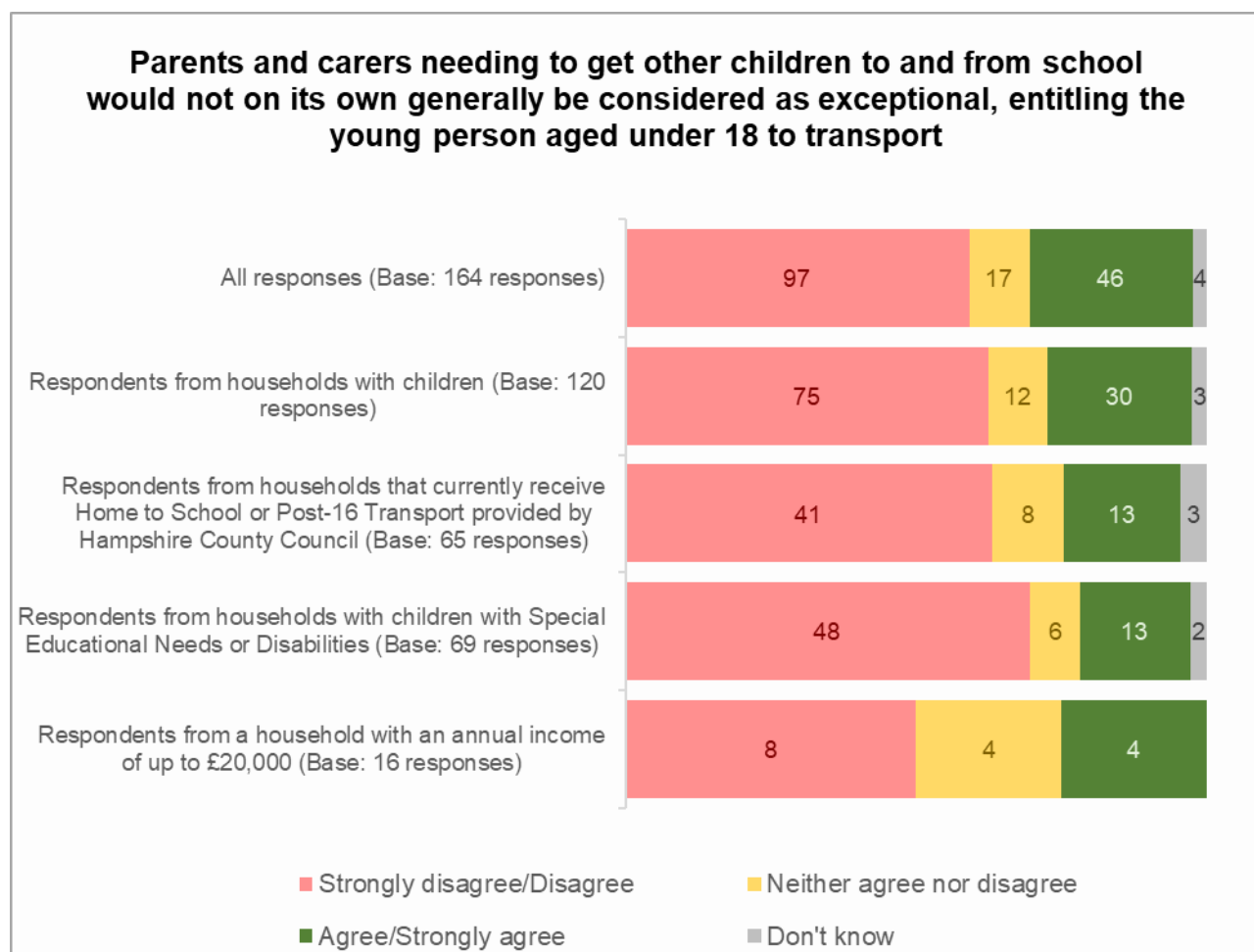
Overall, around six in ten respondents disagreed or strongly disagreed with this proposal, whilst around three in ten respondents agreed or strongly agreed.



When broken down by group, there was generally greater disagreement than agreement.

The groups most likely to disagree with the proposal were respondents from households with children with SEND, where seven in ten respondents disagreed or strongly disagreed with the proposal.

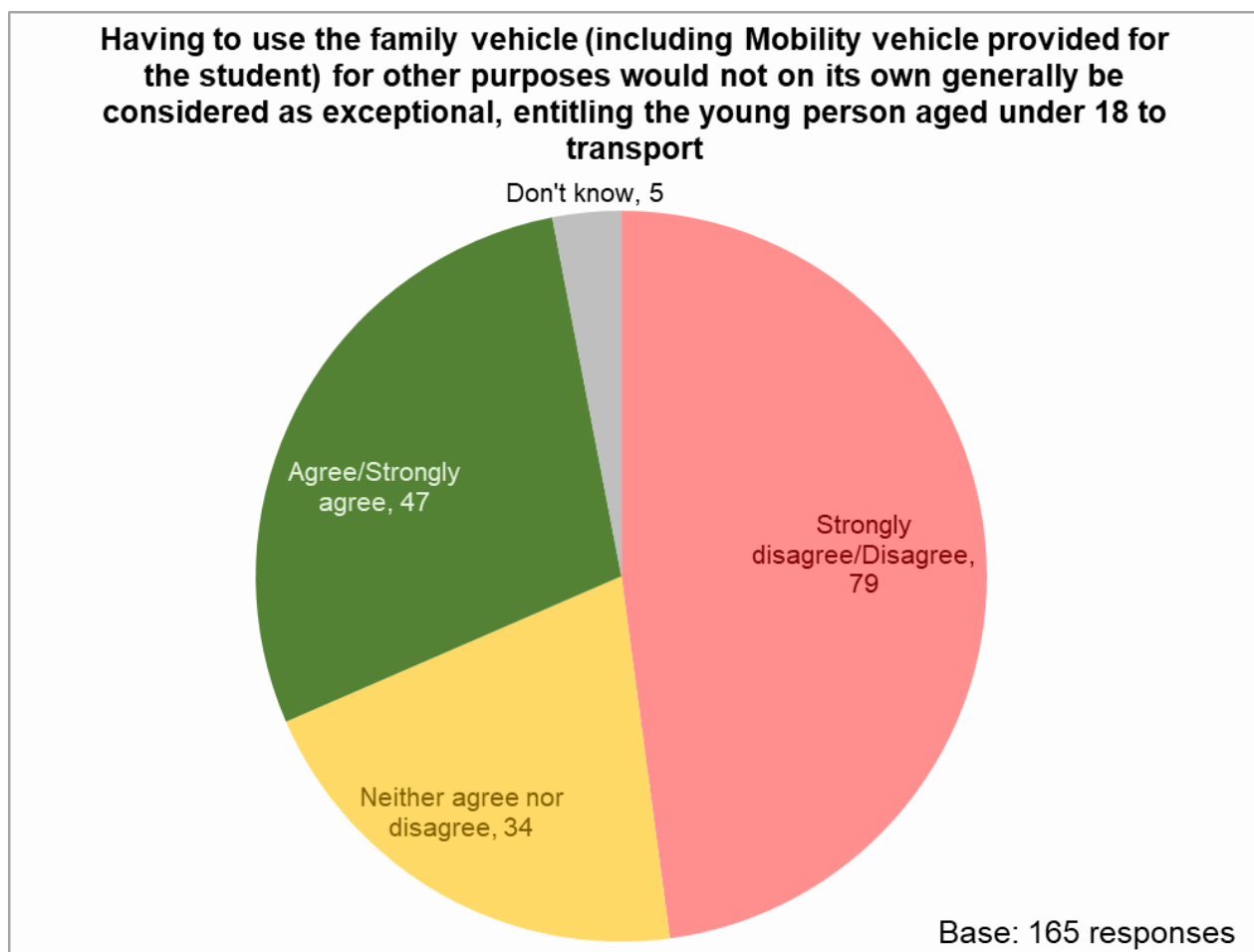
Half of respondents from households with an income of up to £20,000 disagreed or strongly disagreed with the proposal, a quarter agreed or strongly agreed, and a quarter neither agreed nor disagreed.



Parents and carers of Post-16 students with SEND having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes

The County Council proposed to amend the Post-16 Transport Policy to state that having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport.

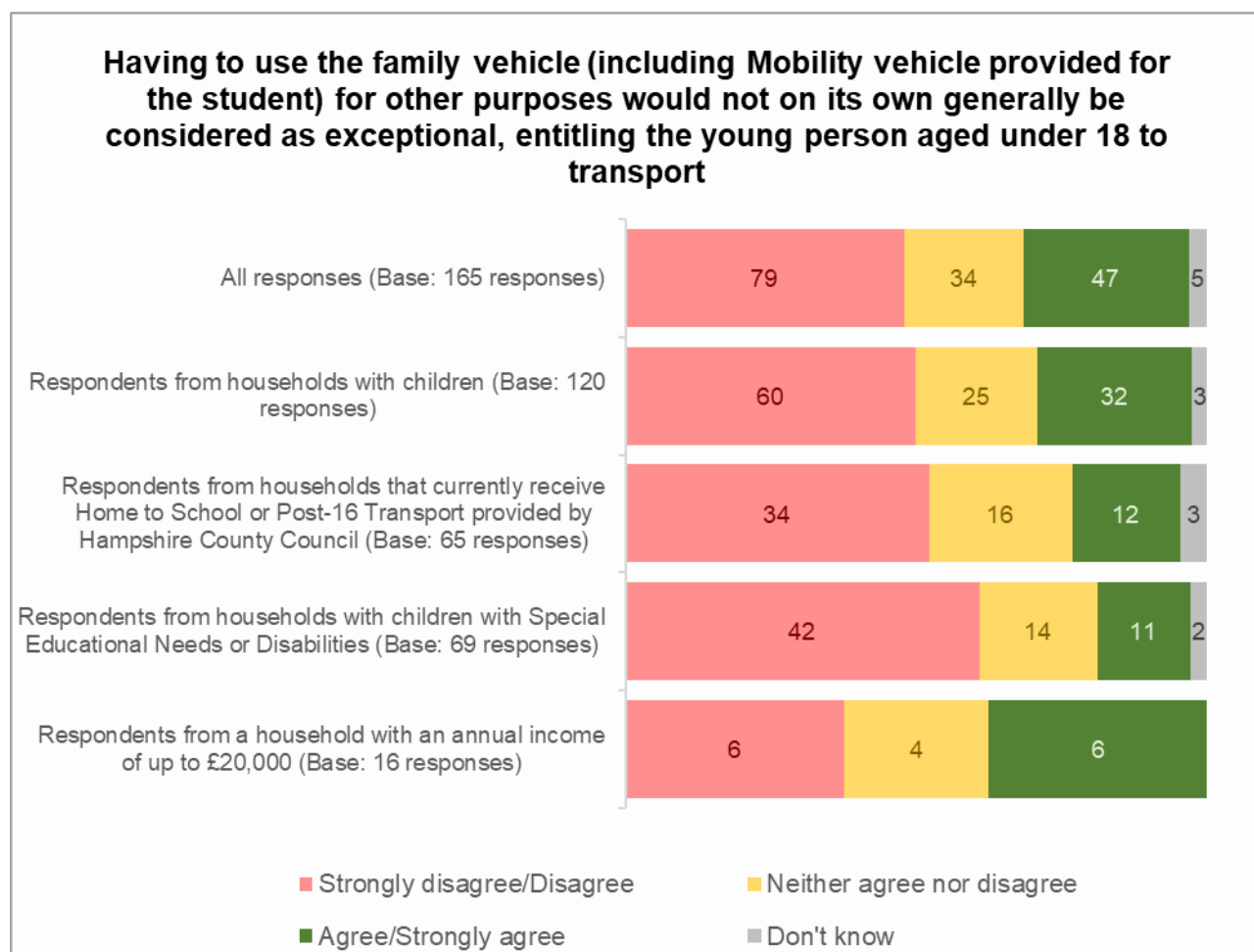
Overall, just under half of respondents disagreed or strongly disagreed with this proposal, whilst just under three in ten respondents agreed or strongly agreed.



Different groups that could be impacted were generally more likely to disagree with the proposal than agree.

The groups most likely to disagree with the proposal were respondents from households with children with SEND, where six in ten respondents disagreed or strongly disagreed with the proposal.

Households with an income of up to £20,000 were mixed in their views. Of the 16 responses from this group, 6 disagreed or strongly disagreed with the proposal, 4 neither agreed nor disagreed, and 6 agreed or strongly agreed.



Suggested changes to the Post-16 Transport Policy

Respondents were asked *'If you have any other suggestions for changes to the Post-16 Transport Policy then please describe these below'*.

61 respondents provided an answer to this question.

19 comments described additional criteria that should be classed as 'exceptional' circumstances when deciding on eligibility for P16T. These included:

- 9 mentioned the working hours and commitments of parents and carers,
- 8 mentioned parents and carers having additional carer responsibilities,
- 3 mentioned situations where there is no suitable public transport available in the area,
- 2 mentioned the distance travelled to Post-16 education, and
- 1 mentioned the journey time to Post-16 education.

12 respondents mentioned that all children and young people with SEND should receive transport for Post-16 education.

11 respondents mentioned that, when applying for P16T, no circumstances should exempt from being classed as 'exceptional' reasons necessitating the need for transport.

5 respondents mentioned that P16T should only be offered to children and young people who need to travel a distance that is too far for them to walk.

2 respondents mentioned that transport should not be removed from children or young people already in Post-16 education.

2 respondents mentioned that family vehicles and mobility vehicles should be used to transport children and young people to Post-16 education wherever possible.

2 respondents mentioned that the criteria used to decide on P16T applications should focus on the mobility of the children and young people in question.

2 respondents mentioned that they did not feel that the County Council should tell services users' parents and carers that mobility vehicles should be used to transport children and young people to Post-16 education.

2 respondents mentioned that criteria for eligibility should be based on individual need.

1 respondent expressed surprise that income level was not used as a criteria for assessing the need for P16T.

1 respondent mentioned that disability should not be the sole measure of whether a child or young person requires P16T.

1 respondent mentioned that the charge for P16T for families with more than one child using the service is expensive.

1 respondent mentioned that services should look at how transport to education is managed in other countries around the world, where these services are provided.

16 respondents commented on the potential impacts of the proposed changes to the P16T policy. These included:

- 15 mentioned the ability for parents and carers to meet their working commitments if the new policy clauses were introduced, and
- 5 mentioned that young people may struggle to access Post-16 education if the new policy clauses were introduced.

12 respondents mentioned that they found the proposal on the change to the P16T policy, or the question relating to it, confusing.

Impacts of the proposed changes

Respondents were asked: *'Please describe what, if any, impact the proposals in this consultation could have on you or your family, or people you know or work with'*.

81 respondents provided an answer to this question.

16 comments related directly to the proposed changes to the HtST Policy. The themes of these responses are shown below:

- 7 mentioned the potential impacts on parents and carers, specifically:
 - 4 mentioned that parents and carers may need to give up their work or change their working hours,
 - 1 mentioned that it may require driving their child to school,
 - 1 mentioned that they may need to move home, and
 - 1 mentioned that it may be difficult to get their child to school on time.
- 5 mentioned impacts on children, in particular:
 - 3 mentioned that children may be unable to get to school,
 - 2 mentioned of an increased risk to children's safety if needing to walk on unsafe routes, and
 - 1 mentioned that children with SEND may not have the same opportunities as those without SEND.
- 2 mentioned that a change to measuring distances could have an impact, with 1 mentioned that there could be an impact on parents being able to send their child to Westgate school, and 1 mentioned that it is unreasonable to expect children to walk up to 3 miles to school.
- 2 mentioned that there could be a negative environmental impact, as a result of more people using cars to take their children to school.
- 2 mentioned negative financial impacts on families, as parents and carers may be forced to give up work to take their children to school.
- 1 mentioned that the changes would have no significant impact, as the respondent felt that parents or carers should be responsible for taking their child to school.

37 comments related directly to the proposed changes to the P16T Policy. The themes of these responses are shown below:

- 26 mentioned impacts on parents and carers, in particular:
 - 15 mentioned that parents and carers may need to give up work in order to take their child to their post-16 education,
 - 9 mentioned that the changes may have a negative impact on parents' and carers' mental health,

- 4 mentioned that parents and carers may need to change, or reduce, their working hours in order to take their child to their post-16 education,
- 3 mentioned that parents and carers may need to travel more to get their child to their post-16 education,
- 3 mentioned that parents and carers may find it difficult to get other children to school on time,
- 1 mentioned that parents and carers may become unemployable if they have to take on responsibility for taking their child to their post-16 education.
- 20 mentioned impacts on children and young people, specifically:
 - 12 mentioned that it may prevent children and young people from attending post-16 education,
 - 7 mentioned that it may offer children and young people with SEND fewer opportunities than available to those without SEND,
 - 3 mentioned that it may restrict the choice of colleges for children and young people with SEND, and
 - 2 mentioned that it would create a barrier to education to children and young people who are unable to take public transport independently.
- 11 mentioned financial impacts on families, where:
 - 9 mentioned the financial impact of parents and carers giving up work, and
 - 2 mentioned the financial impact of additional childcare needed to support families if the proposed changes to the P16T Policy are implemented.
- 2 mentioned that there would be no impact, or a minimal impact, to them as a result of the proposed changes to the P16T Policy.
- 3 mentioned risks to the safety of children and young people, as they were concerned that walking routes pose a risk to children and young people.
- 2 mentioned that the changes would penalise children and young people who live a significant distance from their place of post-16 education.
- 1 mentioned a negative environmental impact as a result of increased congestion if parents and carers were required to take their children to post-16 education.

29 comments did not specify whether they related to HtST or P16T. Of these:

- 11 mentioned potential impacts on parents and carers, including:
 - 5 mentioned that parents and carers may need to give up their jobs,
 - 3 mentioned potential impacts on parents' and carers' mental wellbeing,
 - 2 mentioned that parents and carers may need to reduce their working hours,

- 2 mentioned that parents and carers may struggle to get all of their children to school on time, and
- 1 mentioned that the changes may result in a loss of childcare arrangements if their childminder could not accommodate the changes.
- 8 mentioned potential impacts on children and young people, specifically:
 - 5 mentioned that it would make it harder for children and young people to attend education,
 - 2 mentioned that it would mean that children and young people with SEND would have fewer opportunities than those without SEND,
 - 1 mentioned that children and young people could suffer from a loss of continuity in their education, and
 - 1 mentioned that it would impact children and young people who are unable to use public transport independently.
- 4 mentioned that there would be no impact, or minimal impact, as a result of these changes.
- 4 mentioned a negative environmental impact, as a result of increased congestion and car usage.
- 3 mentioned a financial impact, where:
 - 2 mentioned that families would be under increased financial pressure if parents or carers needed to give up work, and
 - 1 mentioned that families with children or young people with SEND are already financially disadvantaged.
- 3 mentioned risks to children and young people's safety, of which:
 - 2 mentioned that it would be dangerous for children and young people to walk beside roads, and
 - 1 mentioned that they would need to take their child to and from school to ensure they were travelling safely.

Further comments and suggestions

Respondents were asked: *'If you have any further comments on the proposals in this consultation, or alternative suggestions on how the County Council could make savings from its Children's Services budget, then please provide these in the box below'*. 56 respondents provided an answer to this question.

12 comments mentioned that there should be no savings made to the services in question or the Children's Services Department.

10 comments mentioned impacts of the proposed changes to the P16T Policy, where:

- 4 mentioned that the changes could result in less independence for children and young people with SEND,
- 4 mentioned that there could be financial impacts as a result of giving up work or changing working patterns,
- 3 mentioned that it may be harder to get other children to school on time, and
- 2 mentioned that there could be environmental impacts if parents and carers need to use their own cars to get their child to post-16 education.

8 comments gave suggestions on how to deliver HtST and P16T services more efficiently, including:

- 3 mentioned a greater use of shared journeys to reduce costs,
- 2 mentioned renegotiating contracts with suppliers to reduce costs,
- 1 mentioned that paperwork and the EHCP process could be reduced,
- 1 mentioned that mainstream schools should take more children with SEND so that they would not need to travel so far,
- 1 mentioned making greater use of public transport, and
- 1 mentioned that the County Council should learn how these services are provided in other countries to see if a more efficient way is possible.

7 comments suggested additional considerations that should be made when deciding whether a child or young person is eligible for P16T, such as:

- 2 mentioned that parents' and carers' working commitments should be considered,
- 2 mentioned that consideration should be given to ensure that a child or young person has access to an education in the most appropriate setting for their needs,
- 1 mentioned that family commitments (such as childcare and taking other children to education) should be considered,
- 1 mentioned that use of accessible public transport should be considered, and
- 1 mentioned that decisions should be based on the child or young person's individual needs, reviewed annually.

4 comments mentioned that P16T provision for children and young people with SEND should be increased.

4 comments mentioned that charges could be introduced or increased, with 2 suggestions that charges be made for transport provided and 2 suggestions that parents and carers who use their cars to take children to school should be charged.

3 comments mentioned that savings should be made within the County Council, with two comments specifying that the staff pay budget should be targeted for efficiencies.

3 comments mentioned that child safety may be put at risk by the proposed changes.

2 comments mentioned that there should be income generation to reduce the need for service efficiencies, with specific suggestions that local businesses be asked to sponsor transport schemes (mentioned once), and that minibuses be used for other purposes as well as school transport (mentioned once).

2 comments mentioned the use of mobility vehicles, where:

- 1 mentioned that parents with mobility vehicles should be expected to take their child or young person to school or post-16 education, and
- 1 mentioned that the County Council should not tell mobility vehicle users that they should take their child or young person to school or post-16 education.

Each of the following comments was mentioned 1 time:

- Reducing the number of school buses could increase the number of cars on the road, affecting congestion and pollutions levels.
- Children with SEND should automatically be entitled to receive HtST.
- Children placed in schools outside Hampshire by the Local Authority should automatically be entitled to receive HtST.
- Children should not be charged if they travel to school or college by bus.
- The County Council should lobby Central Government for more funding.
- The savings would not generate savings, as costs would increase elsewhere.
- It is not fair for parents and carers to be asked to suggest ways that the County Council can make savings to its budget.
- There should be more engagement with the public to look for innovative ways for savings to be made.
- Savings could be made by reducing the use of direct payments.
- The walking route proposed for a specific school, Robert Mays, is not considered by the respondent to be a safe walking route.
- The respondent felt that what was being proposed in the consultation was unclear.

Responses from organisations and groups using the Response Form

There were four responses from organisations and groups using the Response Form. These responses are part of the collective analysis of responses in this report, and the free text responses provided by this group are also summarised below.

Regarding changes to the HtST Policy, these respondents mentioned that distance calculations should reflect more than simply the journey length, also considering rurality, local public transport facilities, and the complexity of journeys from the perspective of children with SEND.

When commenting on who should decide on appeals relating to offers of transport, the respondents mentioned the need for impartiality, transparency in the reasons for their decisions, and having a good understanding of both the needs of children with SEND and the legal framework in which the HtST Service operates. They also mentioned the need for decisions to be made without undue delay.

Respondents made suggestions for changes to the P16T Policy, where they mentioned that:

- there should be a understanding in the Policy of the needs of students with SEND;
- transport should be offered as a long-term commitment to the student, not as short-term provision; and
- the Policy should not contradict the County Council's statutory duty to provide transport for Post-16 students.

Respondents highlighted potential impacts on families where charges are applied, and risks to the independence of children and young people if they have less access to education as a result of the proposed changes. In addition, there was mention of risks to the safety of children and young people walking to school beside roads which may not have adequate footpaths or lighting, and the impact of increased congestion and pollution if more parents drive their children to school or college. The risks to students' mental health was also mentioned, if they were no longer to receive the support or supervision they require to travel to education.

When asked to provide further comments, organisations and groups mentioned the need to encourage independence and ensure equal access to education for all students. It was felt this was particularly important for families with children and young people with SEND as they can face greater challenges around transport compared to other families.

Comments also highlighted the waiting time during journeys and the additional support, and associated costs, needed to assist children and young people when waiting for transport, as well as when using it.

It was also commented that the County Council should be mindful of legislative requirements when planning savings to the Children's Services budget, and ensure that services for children with SEND have the funding they need when allocating resources.

Unstructured responses

The consultation received three 'unstructured' responses, all of which were submitted via email. These are responses that were made within the consultation period but were not submitted using the consultation questionnaire. One of these was submitted by an individual, and two were submitted by organisations.

The unstructured responses made the following comments:

- That the proposed changes to the P16T Policy were hard to understand in the Easy Read document.
- That the policies should be written in simple English to ensure that parents, carers and service users can understand them.
- That families in rural areas and on low incomes could be impacted by the proposed changes to the P16T Policy in addition to the impacts of reduced public transport services in rural areas and the introduction of Universal Credit.
- Families with children at different schools may find it hard to take their children to school if they no longer received HtST or P16T.
- In the event that transport was not offered and a child or young person was unable to access education, there would be impacts on other services and on the child or young person and their family.
- There was a concern that absenteeism could rise, and that parents or carers could be fined for their child or young person's non-attendance in education in this scenario.
- That it is important for all cases to be assessed on their individual merits.
- That impact assessments should be produced to understand the effects of the proposed changes at a local level.

Appendices

Appendix one – Research approach

The County Council carried out an open consultation designed to give all Hampshire residents and wider stakeholders the opportunity to have their say about proposed changes to the Home to School Transport Policy and Post-16 Transport Policy. The general public living outside Hampshire were also able to respond. In total there were 168 responses to the consultation, all of which were submitted online. The consultation ran between 13 January 2020 and 23 February 2020.

Responses could be submitted through an online Response Form, available at www.hants.gov.uk/aboutthecouncil/haveyoursay/consultations/schooltransport or as a paper form, which was made available on request. An Easy Read version was also produced. Alternative formats were also made available on request. Unstructured responses sent through other means, such as via email or as written letters, and received by the consultation's closing date were also accepted. A summary of these findings is included as part of the consultation findings.

An Information Pack was produced alongside the consultation, providing information about each of the options presented. The Information Pack was also available in Easy Read format.

In addition to being made available via the consultation web page (www.hants.gov.uk/aboutthecouncil/haveyoursay/consultations), the consultation was communicated via:

- a media release, forwarded to the media, Hampshire MPs, and all Hampshire County Councillors;
- an article published on hants.gov.uk (www.hants.gov.uk/News/Jan15HtSTConsultation2020);
- the County Council's newsletter to town and parish councils, which was distributed in January;
- social media posts on Twitter, Facebook and LinkedIn; and
- internal online channels at the County Council, and using digital screens in County Council premises, to inform the County Council's staff of this consultation.

Appendix two – Interpreting the data

The analysis only takes into account actual responses – where ‘no response’ was provided to a question, this was not included in the analysis. As such, the totals for each question may add up to less than 165 (the total number of respondents who replied to the consultation questionnaire). As the consultation was an open exercise, its findings cannot be considered to be a ‘sample’ or representative of the Hampshire population. All consultation questions were optional.

Of the 165 responses received to the consultation questionnaire, seven responded using the Easy Read Response Form and 158 responded using the non-Easy Read Response Form.

In addition, three responses were received during the consultation via email.

Open-ended responses were analysed by theme, using an inductive approach. This means that the themes were developed from the responses themselves, not pre-determined based on expectations, to avoid any bias in the analysis of these responses. These themes, brought together into code frames, were reviewed by the researchers throughout their analysis of the findings to ensure that they were accurate and comprehensive. The report refers to all codes that were produced through this analysis.

Publication of data

All data is processed according to the General Data Protection Regulations as detailed below:

Hampshire County Council adheres to the requirements of the UK Data Protection legislation. Hampshire County Council is registered on the public register of data controllers which is looked after by the Information Commissioner. The information that was provided through the questionnaire will only be used to understand views on the proposals set out for this consultation. All individuals’ responses will be kept confidential and will not be shared with third parties, but responses from organisations may be published in full. Responses will be stored securely and retained for one year following the end of the consultation before being deleted or destroyed.

Where the information provided is personal information, there are certain legal rights. Respondents to the consultation may ask us for the information we hold about you, to rectify inaccurate information the County Council holds about you, to restrict our use of your personal information and to erase your personal data. When the County Council uses your personal information on the basis of your consent, you will also have the right to withdraw your consent to our use of your personal information at any time.

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



Introduction

Hampshire County Council is seeking residents' and stakeholders' views on proposals to change its Home to School and Post-16 Transport policies.

Service users with existing transport arrangements would continue to receive the service that has been offered, unless there were to be a change in the circumstances of the service user (such as a change in school, moving home, or the transport meeting the end date that was set when the transport was offered). Any changes in policies would only affect new applications for transport following a change in policy.

The consultation opens on Monday 13 January 2020 and closes at midnight on Sunday 23 February 2020. Any responses received after the closing date will not be included in the findings report that will be presented to the Executive Member for Education and Skills later in 2020, along with a final recommendation on changes to the Home to School Transport Policy and Post-16 Transport Policy.

More information on these proposals and the consultation can be found on the web page at www.hants.gov.uk/school-transport-consultation. It is strongly advised that you read the information pack, which can be found on this web page, before completing this consultation.

If you have any questions about this consultation, please contact Hampshire County Council via email at school.transport@hants.gov.uk, or by telephone on 0300 555 1384.

When you have finished providing your response with this form, please return it to the County Council in the pre-paid envelope that you may have been provided.

If you do not have a pre-paid envelope, please post your response to: **Freepost HAMPSHIRE**

Please also write **School Transport Consultation** on the back of the envelope. You do not need to use a stamp.

You can request this consultation document in other formats, such as easy read, Braille, audio or large print, by emailing school.transport@hants.gov.uk, or by calling 0300 555 1384.

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



Your data

Privacy notice

Hampshire County Council is collecting information about you through this questionnaire in order to understand views on the proposals to change the Home to School Transport Policy and Post-16 Transport Policy. We will use the information to understand your views and the perceived impact of the proposed changes. All data will remain within the UK, and will not be shared with third parties. We will keep your personal information securely for one year, after which it will be deleted or destroyed.

You have some legal rights in respect of the personal information we collect from you. Please see our website Data Protection page at www.hants.gov.uk/aboutthecouncil/strategiesplansandpolicies/dataprotection for further details. You can contact the County Council's Data Protection Officer at data.protection@hants.gov.uk. If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns>.

About this consultation

This questionnaire is divided into four sections:

Section 1: Proposed changes to the Home to School Transport Policy

Section 2: Proposed change to the Post-16 Transport Policy

Section 3: Further comments

Section 4: About You

The consultation results and analysis of the findings will be published and presented to the Executive Member for Education and Skills later in 2020, along with a final recommendation on changes to the Home to School Transport Policy and Post-16 Transport Policy.

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



Section 1: Proposed changes to the Home to School Transport Policy

The County Council is proposing changes to the Home to School Transport Policy, to provide greater clarity on how eligibility for transport is assessed and to bring the policy in line with expected changes in legislation.

These proposed changes are explained on pages 8 to 13 of the consultation Information Pack, which can be found at www.hants.gov.uk/school-transport-consultation.

Question 1: Please indicate how strongly you agree or disagree with the following proposed changes to the School Transport Policy:

Please select one option for each proposal

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
To amend the Home to School Transport policy to clarify that the distance from a child's home to their school is calculated using the nearest available entrance from the child's home to the school grounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To amend the Home to School Transport policy to clarify that the route to a school is measured using the nearest available road route, passable for a suitable motorised vehicle, when determining whether a non-catchment school qualifies as a nearer school (if all of the routes to the schools in question are beyond statutory walking distances)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To amend the Home to School Transport policy to clarify that school transport would not be removed from children attending a non-catchment school if a place at their catchment school, or a school closer to their home, becomes available	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Question 2: If you have any other suggestions for changes to the Home to School Transport Policy then please describe these below:

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



Section 1: Proposed changes to the Home to School Transport Policy

The County Council is proposing that a senior officer outside of the School Transport Team, for example a Principal Admissions Officer, would make decisions on appeals against offers of transport.

This proposed change is explained on page 14 of the consultation Information Pack, which can be found at www.hants.gov.uk/school-transport-consultation.

Question 3: To what extent do you agree or disagree with the proposal to amend the Home to School Transport Policy to reflect a change in the administration of how appeals are processed?

Please select one option

Strongly disagree

Disagree

Neither agree nor disagree

Agree

Strongly agree

Don't know

Question 4: If you have any suggestions on who should make decisions on appeals against offers of transport, please describe them below:

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



Section 2: Proposed change to the Post-16 Transport Policy

The County Council is proposing to add new clauses to the Post-16 Transport Policy, clarifying the responsibilities of parents and carers to for arrange transport for their children to their place of Post-16 education or training up until they become an adult at 18.

These proposed new clauses would set out what the County Council would consider when making decisions about whether to provide transport.

This proposed change is explained on pages 15 to 16 of the consultation Information Pack, which can be found at www.hants.gov.uk/school-transport-consultation.

Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport?

Please select one option

	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Parents' and carers' work hours not fitting in with public service transport times or college times	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parents' and carers' child-care arrangements not fitting in with public service transport times or college times	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parents and carers needing to get other children to and from school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Question 6: If you have any other suggestions for changes to the Post-16 Transport Policy then please describe these below:

**Consultation on proposed changes to the
Home to School Transport Policy and
Post-16 Transport Policy**



Section 3: Further comments

Question 7: If you have any further comments on the proposals in this consultation, or alternative suggestions on how the County Council could make savings from its Children's Services budget, then please provide these in the box below.

Please do not include any personal details in your response

Question 8: Please describe what, if any, impact the proposals in this consultation could have on you or your family, or people you know or work with.

Please do not include any personal details in your response

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



Section 4: About you

Hampshire County Council is committed to improving its services, eliminating unlawful discrimination, and promoting equality of opportunity for all people.

We would be grateful if you could answer the following questions so that we can analyse the results overall and by different groups of people. This will help us to understand the impacts of the consultation proposals and the views on them by different groups.

Is this a personal response, or are you responding on behalf of an organisation or group that you represent?

Please select one option

This is a personal response.....

This response is on behalf of an organisation or group that I represent.....

If this is a personal response, please now go to the next page and ignore the remainder of the questions on this page.

If this response is on behalf of an organisation or group that you represent, please answer the questions below.

Please tell us a little bit about the organisation or group that you represent

The name of the organisation or group

The address of the organisation or group

Your name

Your position in the organisation or group

If this response is on behalf of an organisation or group that you represent, please go to last page of this response form.

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



How old are you?

Please select one option

Under 18.....	<input type="checkbox"/>	35 to 44.....	<input type="checkbox"/>	65 to 74.....	<input type="checkbox"/>
18 to 24.....	<input type="checkbox"/>	45 to 54.....	<input type="checkbox"/>	75 or over.....	<input type="checkbox"/>
25 to 34.....	<input type="checkbox"/>	55 to 64.....	<input type="checkbox"/>	Prefer not to say.....	<input type="checkbox"/>

How would you describe your gender?

Please select one option

Female	Male	Other	Prefer not to say
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For 'other', please describe in the box below:

Are there any children or young people up to the age of 18 living in your household (including yourself)?

Please select one option

Yes	No	Prefer not to say
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?

Please select one option

Yes	No	Don't know	Prefer not to say
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Do any of the children or young people in your household have either of the following?

Please select all that apply

Special Educational Needs	Physical disabilities	Neither of these	Prefer not to say
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

What is your total annual household income, from all sources, before tax and other deductions?

Up to £10,000.....	<input type="checkbox"/>	£70,001 to £80,000.....	<input type="checkbox"/>
£10,001 to £20,000.....	<input type="checkbox"/>	£80,001 to £90,000.....	<input type="checkbox"/>
£20,001 to £30,000.....	<input type="checkbox"/>	£90,001 to £100,000.....	<input type="checkbox"/>
£30,001 to £40,000.....	<input type="checkbox"/>	£100,001 or over.....	<input type="checkbox"/>
£40,001 to £50,000.....	<input type="checkbox"/>	Don't know.....	<input type="checkbox"/>
£50,001 to £60,000.....	<input type="checkbox"/>	Prefer not to say.....	<input type="checkbox"/>
£60,001 to £70,000.....	<input type="checkbox"/>		

Consultation on proposed changes to the Home to School Transport Policy and Post-16 Transport Policy



Section 4: About you

Finally, to help us improve access to future consultations, please tell us where you first heard about this consultation:

Please select one option

- Online
- Consultation letter.....
- On social media (e.g. Facebook, Twitter, etc)
- Word of mouth.....
- Reported in the press (e.g. radio, newspaper)
- Other.....

For 'other', please describe in the box below:

End of questionnaire

Thank you for taking the time to complete this questionnaire.

This consultation closes at midnight on **Sunday 23 February 2020**. The consultation results and analysis of the findings will be published and presented to the Executive Member for Education and Skills later in 2020, along with a final recommendation on changes to the Home to School Transport Policy and Post-16 Transport Policy.

If you have any questions about this consultation, please contact Hampshire County Council via email at school.transport@hants.gov.uk, or by telephone on 0300 555 1384.

When you have finished providing your response with this form, please return it to the County Council in the pre-paid envelope that you may have been provided.

If you do not have a pre-paid envelope, please post your response to: **Freepost HAMPSHIRE**

Please also write **Transport Consultation** on the back of the envelope. You do not need to use a stamp.

You can request this consultation document in other formats, such as easy read, Braille, audio or large print, by emailing school.transport@hants.gov.uk, or by calling 0300 555 1384.

Appendix four – List of organisations or groups who responded to the consultation

The consultation questionnaire asked whether the respondent was responding on behalf of an organisation or group. There was a total of four responses to the consultation questionnaire on behalf of an organisation, group or community representative body, and two responses on behalf of an organisation as unstructured responses, via email.

Organisation or groups who responded to the consultation, that provided details, are listed below:

- Basingstoke and Deane Borough Council
- Eastleigh College
- Icknield School
- Queen Mary's College, Basingstoke
- Selborne Parish Council

Appendix five – Consultation participant profile

The breakdown of the 168 consultation respondents by category is shown below:

- Respondent type:
 - Individual: 161
 - Organisation or Group: 6
 - No response given to this question: 1

The breakdown of the 161 individuals who responded to the consultation is shown below:

- Age:
 - Under 18:0
 - 18 to 24: 4
 - 25 to 34: 9
 - 35 to 44:37
 - 45 to 54:62
 - 55 to 64: 29
 - 65 to 74: 1
 - 75 or over: 1
 - Prefer not to say/ No response given to this question: 6
- Gender:
 - Female: 104
 - Male: 38
 - Other: 0
 - Prefer not to say/No response given to this question: 19
- Did the respondent have any children or young people up to the age of 18 living in their household at the time of responding to the consultation (including themselves)?
 - Yes: 120
 - No: 30
 - Unsure: 1
 - Prefer not to say/No response given to this question: 10

- Of the 120 respondents with a child or young person up to the age of 18 living in their household at the time of responding to the consultation: Did any of children or young people in the respondent's household receive Home to School or Post-16 Transport provided by Hampshire County Council at the time of responding to the consultation?
 - Yes: 65
 - No: 44
 - Unsure: 1
 - Prefer not to say/No response given to this question: 10

- Of the 120 respondents with a child or young person up to the age of 18 living in their household at the time of responding to the consultation: Did any of the children or young people in the respondent's household have either of the following at the time of responding to the consultation: (multi choice)
 - Special Educational Needs: 65
 - Physical disabilities: 23
 - Neither of these: 43
 - Prefer not to say/No response given to this question: 8

- Total annual household income, from all sources, before tax and other deductions:
 - Up to £10,000: 4
 - £10,001 to £20,000: 12
 - £20,001 to £30,000: 17
 - £30,001 to £40,000: 8
 - £40,001 to £50,000: 8
 - £50,001 to £60,000: 11
 - £60,001 to £70,000: 8
 - £70,001 to £80,000: 8
 - £80,001 to £90,000: 3
 - £90,001 to £100,000: 4
 - £100,001 or over: 6
 - Don't know: 5
 - Prefer not to say/No response given to this question: 54

Appendix six – Data Tables

Please note that the data tables for the Easy Read and non-Easy Read Response Forms are presented separately, as different answer options were provided for the two formats to improve accessibility for Easy Read users.

Where sample sizes are below 10, these figures are suppressed in the results. This is to preserve anonymity, and because of the risks of interpreting small sample sizes as representative. Where figures are suppressed, these are shown as an asterisk (*) in the data tables.

Non-Easy Read response form data tables

	Base	Question 1: Please indicate how strongly you agree or disagree with the following proposed changes to the School Transport Policy: To amend the Home to School Transport policy to clarify that the distance from a child's home to their school is calculated using the nearest available entrance from the child's home to the school grounds					
		Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	155	22	17	22	54	38	2
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	151	22	17	22	51	37	2
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	9	*	*	*	*	*	*
35 to 44	36	7	3	3	13	8	2
45 to 54	61	8	8	11	19	15	-
55 to 64	29	4	4	5	10	6	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	97	13	13	12	36	21	2
Male	38	7	3	8	8	12	-
Other	-	*	*	*	*	*	*
Prefer not to say	11	2	1	2	4	2	-

	Question 1: Please indicate how strongly you agree or disagree with the following proposed changes to the School Transport Policy: To amend the Home to School Transport policy to clarify that the distance from a child's home to their school is calculated using the nearest available entrance from the child's home to the school grounds						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	148	22	17	22	49	36	2
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	111	19	11	17	38	24	2
No	30	-	5	5	9	11	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	60	15	7	12	19	5	2
No	44	3	3	5	16	17	-
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	60	8	5	11	23	11	2
Physical disabilities	21	4	3	3	11	-	-
Neither of these	42	9	5	5	11	12	-
Prefer not to say	5	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	1	-	5	3	3	-
£20,001 to £30,000	17	1	2	2	10	2	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	-	-	-	5	6	-
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	7	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	53	11	11	5	15	9	2

	Question 1: Please indicate how strongly you agree or disagree with the following proposed changes to the School Transport Policy: To amend the Home to School Transport policy to clarify that the route to a school is measured using the nearest available road route, passable for a suitable motorised vehicle, when determining whether a non-catchment school qualifies as a nearer school						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	154	13	14	20	70	34	3
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	150	13	13	20	68	33	3
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	8	*	*	*	*	*	*
35 to 44	36	3	4	3	17	6	3
45 to 54	61	4	4	12	26	15	-
55 to 64	29	4	5	2	12	6	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	97	9	8	13	46	19	2
Male	38	3	5	4	15	10	1
Other	-	*	*	*	*	*	*
Prefer not to say	11	1	-	3	5	2	-

	Question 1: Please indicate how strongly you agree or disagree with the following proposed changes to the School Transport Policy: To amend the Home to School Transport policy to clarify that the route to a school is measured using the nearest available road route, passable for a suitable motorised vehicle, when determining whether a non-catchment school qualifies as a nearer school						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	147	13	13	20	66	32	3
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	110	11	10	16	50	20	3
No	30	-	3	2	14	11	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	60	9	7	12	23	6	3
No	43	2	2	3	23	13	-
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	59	5	7	9	24	11	3
Physical disabilities	21	1	4	6	9	1	-
Neither of these	42	5	2	6	22	7	-
Prefer not to say	5	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	1	1	2	6	2	-
£20,001 to £30,000	17	2	1	3	8	3	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	-	2	-	4	5	-
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	7	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	52	5	6	10	20	8	3

	Question 1: Please indicate how strongly you agree or disagree with the following proposed changes to the School Transport Policy: To amend the Home to School Transport policy to clarify that school transport would not be removed from children attending a non-catchment school if a place at their catchment school, or a school closer to their home, becomes available						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	155	15	10	20	55	55	-
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	151	15	10	20	53	53	-
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	9	*	*	*	*	*	*
35 to 44	36	5	5	3	14	9	-
45 to 54	61	4	3	10	21	23	-
55 to 64	29	3	2	4	10	10	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	97	7	7	14	35	34	-
Male	38	5	3	5	11	14	-
Other	-	*	*	*	*	*	*
Prefer not to say	11	2	-	1	5	3	-

	Question 1: Please indicate how strongly you agree or disagree with the following proposed changes to the School Transport Policy: To amend the Home to School Transport policy to clarify that school transport would not be removed from children attending a non-catchment school if a place at their catchment school, or a school closer to their home, becomes available						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	148	14	10	20	52	52	-
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	111	10	6	17	39	39	-
No	30	4	4	2	10	10	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	60	6	4	10	23	17	-
No	44	4	2	7	13	18	-
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	60	3	2	7	26	22	-
Physical disabilities	21	-	-	4	7	10	-
Neither of these	42	5	3	8	10	16	-
Prefer not to say	5	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	1	-	2	4	5	-
£20,001 to £30,000	17	2	2	3	6	4	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	-	1	-	2	8	-
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	7	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	53	3	4	12	21	13	-

	Base	To what extent do you agree or disagree with the proposal to amend the Home to School Transport Policy to reflect a change in the administration of how appeals are processed?					
		Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	155	17	19	59	36	21	3
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	151	17	19	57	36	20	2
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	9	*	*	*	*	*	*
35 to 44	36	3	6	15	11	-	1
45 to 54	61	5	9	25	11	11	-
55 to 64	29	2	3	13	9	2	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	97	7	15	42	21	11	1
Male	38	4	2	11	13	7	1
Other	-	*	*	*	*	*	*
Prefer not to say	11	5	2	2	1	1	-

	Base	To what extent do you agree or disagree with the proposal to amend the Home to School Transport Policy to reflect a change in the administration of how appeals are processed?					
		Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	148	17	19	56	35	19	2
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	111	12	16	47	21	13	2
No	30	-	3	9	13	5	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	60	9	12	25	8	5	1
No	44	2	2	20	12	7	1
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	60	6	10	25	11	7	1
Physical disabilities	21	1	3	7	7	3	-
Neither of these	42	5	4	17	9	6	1
Prefer not to say	5	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	2	2	6	1	1	-
£20,001 to £30,000	17	1	5	3	7	1	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	-	-	6	3	2	-
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	7	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	53	9	9	17	8	9	1

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Parents' and carers' work hours not fitting in with public service transport times or college times would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	156	52	28	14	27	30	5
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	152	50	27	14	26	30	5
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	9	*	*	*	*	*	*
35 to 44	37	11	6	2	7	10	1
45 to 54	61	25	10	8	6	9	3
55 to 64	29	7	6	3	9	4	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	96	32	17	10	16	19	2
Male	38	9	7	3	8	9	2
Other	-	*	*	*	*	*	*
Prefer not to say	12	6	2	-	2	1	1

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Parents' and carers' work hours not fitting in with public service transport times or college times would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	149	49	26	13	26	30	5
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	113	39	20	9	17	24	4
No	29	7	5	4	8	5	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	61	26	9	8	6	8	4
No	44	10	9	1	9	15	-
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	61	26	10	5	9	8	3
Physical disabilities	21	9	4	2	2	3	1
Neither of these	42	10	8	3	6	14	1
Prefer not to say	6	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	5	2	2	2	1	-
£20,001 to £30,000	17	5	5	2	1	4	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	2	3	-	2	3	1
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	8	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	53	22	10	3	8	6	4

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Parents' and carers' child-care arrangements not fitting in with public service transport times or college times would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	156	47	33	18	26	27	5
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	152	45	32	18	25	27	5
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	9	*	*	*	*	*	*
35 to 44	37	9	10	2	7	8	1
45 to 54	61	23	10	10	6	9	3
55 to 64	29	7	7	3	8	4	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	96	28	20	14	15	17	2
Male	38	8	10	3	7	8	2
Other	-	*	*	*	*	*	*
Prefer not to say	12	6	2	-	2	1	1

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Parents' and carers' child-care arrangements not fitting in with public service transport times or college times would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	149	44	32	17	24	27	5
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	113	34	26	13	15	21	4
No	29	7	5	4	8	5	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	61	23	14	9	4	7	4
No	44	8	10	3	10	13	-
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	61	25	14	6	6	7	3
Physical disabilities	21	8	5	2	2	3	1
Neither of these	42	6	9	6	7	13	1
Prefer not to say	6	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	5	3	2	1	1	-
£20,001 to £30,000	17	4	5	2	2	4	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	2	2	-	3	3	1
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	8	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	53	19	11	6	7	6	4

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Parents and carers needing to get other children to and from school would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	156	55	37	16	13	31	4
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	152	53	36	16	12	31	4
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	9	*	*	*	*	*	*
35 to 44	37	12	8	3	3	10	1
45 to 54	61	26	12	9	3	9	2
55 to 64	29	9	8	2	5	5	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	96	32	24	10	7	21	2
Male	38	12	9	5	3	8	1
Other	-	*	*	*	*	*	*
Prefer not to say	12	6	2	-	2	1	1

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Parents and carers needing to get other children to and from school would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	149	52	35	15	12	31	4
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	113	42	28	11	6	23	3
No	29	7	6	4	5	7	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	61	30	8	7	3	10	3
No	44	9	17	3	3	12	-
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	61	31	11	5	2	10	2
Physical disabilities	21	10	4	1	1	4	1
Neither of these	42	8	14	4	4	11	1
Prefer not to say	6	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	6	2	2	1	1	-
£20,001 to £30,000	17	7	2	1	-	7	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	3	5	-	1	2	-
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	8	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	53	21	11	5	5	7	4

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	157	47	29	30	19	27	5
Is this a personal response, or are you responding on behalf of an organisation or group that you represent?							
This is a personal response	153	46	28	30	18	27	4
This response is on behalf of an organisation or group that I represent	4	*	*	*	*	*	*
How old are you?							
Under 18	-	*	*	*	*	*	*
18 to 24	4	*	*	*	*	*	*
25 to 34	9	*	*	*	*	*	*
35 to 44	37	10	9	4	4	9	1
45 to 54	62	22	11	18	3	6	2
55 to 64	29	6	6	2	8	7	-
65 to 74	1	*	*	*	*	*	*
75 or over	1	*	*	*	*	*	*
Prefer not to say	6	*	*	*	*	*	*
How would you describe your gender?							
Female	97	27	20	21	11	16	2
Male	38	10	6	6	6	9	1
Other	-	*	*	*	*	*	*
Prefer not to say	12	7	1	1	1	1	1

	Question 5: To what extent do you agree or disagree that the following circumstances would not on their own generally be considered as exceptional, entitling the young person aged under 18 to transport? Having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes would not on its own generally be considered as exceptional, entitling the young person aged under 18 to transport						
	Base	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	Don't know
Total	150	46	27	28	18	27	4
Are there any children or young people up to the age of 18 living in your household (including yourself)?							
Yes	113	35	22	22	11	20	3
No	30	7	5	5	7	6	-
Prefer not to say	6	*	*	*	*	*	*
Do any of the children or young people in your household currently receive Home to School or Post-16 Transport provided by Hampshire County Council?							
Yes	61	23	9	14	4	8	3
No	44	10	11	5	7	11	-
Don't know	1	*	*	*	*	*	*
Prefer not to say	3	*	*	*	*	*	*
Do any of the children or young people in your household have either of the following?							
Special Educational Needs	61	25	13	11	3	7	2
Physical disabilities	21	9	5	3	1	2	1
Neither of these	42	7	6	10	6	12	1
Prefer not to say	6	*	*	*	*	*	*
What is your total annual household income, from all sources, before tax and other deductions?							
Up to £10,000	4	*	*	*	*	*	*
£10,001 to £20,000	12	4	2	2	2	2	-
£20,001 to £30,000	17	4	3	4	2	4	-
£30,001 to £40,000	7	*	*	*	*	*	*
£40,001 to £50,000	8	*	*	*	*	*	*
£50,001 to £60,000	11	2	3	1	1	4	-
£60,001 to £70,000	8	*	*	*	*	*	*
£70,001 to £80,000	8	*	*	*	*	*	*
£80,001 to £90,000	3	*	*	*	*	*	*
£90,001 to £100,000	4	*	*	*	*	*	*
£100,001 or over	6	*	*	*	*	*	*
Don't know	5	*	*	*	*	*	*
Prefer not to say	54	22	7	9	6	6	4

Easy Read response form data tables

	Base	Question 1 – Do you agree or disagree with the following idea? How far it is from a child's home to their school should be measured from their home to the nearest school entrance.			
		Agree	Not sure	Disagree	Don't know
Total	7	-	2	5	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 1 – Do you agree or disagree with the following idea? How far it is from a child's home to their school should be measured from their home to the nearest school entrance.			
		Agree	Not sure	Disagree	Don't know
Total	7	-	2	5	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

	Base	Question 1 – Do you agree or disagree with the following idea? How far it is from a child's home to their school should be measured using the nearest road that most cars can use.			
		Agree	Not sure	Disagree	Don't know
Total	7	4	1	2	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 1 – Do you agree or disagree with the following idea? How far it is from a child's home to their school should be measured using the nearest road that most cars can use.			
		Agree	Not sure	Disagree	Don't know
Total	7	4	1	2	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

	Base	Question 1 – Do you agree or disagree with the following idea? School transport should not be stopped if a place is available at a school nearer to the young person's home.			
		Agree	Not sure	Disagree	Don't know
Total	7	6	1	-	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 1 – Do you agree or disagree with the following idea? School transport should not be stopped if a place is available at a school nearer to the young person's home.			
		Agree	Not sure	Disagree	Don't know
Total	7	6	1	-	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

	Base	Question 3 – Do you agree or disagree that the Home to School Transport Policy should change to explain how appeals are now made?			
		Disagree	Not Sure	Agree	Don't know
Total	7	-	-	7	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 3 – Do you agree or disagree that the Home to School Transport Policy should change to explain how appeals are now made?			
		Disagree	Not Sure	Agree	Don't know
Total	7	-	-	7	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reason could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer's working hours do not fit in with public transport times or college times.			
		Agree	Not sure	Disagree	Don't know
Total	7	1	2	4	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reason could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer's working hours do not fit in with public transport times or college times.			
		Agree	Not sure	Disagree	Don't know
Total	7	1	2	4	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reason could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer's child care hours do not fit in with public transport times or college times.			
		Agree	Not sure	Disagree	Don't know
Total	7	-	1	6	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reason could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer's child care hours do not fit in with public transport times or college times.			
		Agree	Not sure	Disagree	Don't know
Total	7	-	1	6	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reasons could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer needs to take other children to and from school.			
		Agree	Not sure	Disagree	Don't know
Total	7	1	1	5	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reasons could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer needs to take other children to and from school.			
		Agree	Not sure	Disagree	Don't know
Total	7	1	1	5	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reason could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer have other reasons to use the family car.			
		Agree	Not sure	Disagree	Don't know
Total	7	1	3	3	-
Have you completed this survey:					
For yourself?	7	*	*	*	*
For an organisation?	-	*	*	*	*
How old are you?					
Under 16	-	*	*	*	*
16-24	-	*	*	*	*
25-34	-	*	*	*	*
35-44	1	*	*	*	*
45-54	6	*	*	*	*
55-64	-	*	*	*	*
65-74	-	*	*	*	*
75-84	-	*	*	*	*
85+	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Are you?					
Male?	-	*	*	*	*
Female?	7	*	*	*	*
Other	-	*	*	*	*
Prefer not to say	-	*	*	*	*

	Base	Question 5 – Do you agree or disagree that this reason could give under 18-year-olds the chance to use school transport? A young person may not get transport if their parent or carer have other reasons to use the family car.			
		Agree	Not sure	Disagree	Don't know
Total	7	1	3	3	-
Do any children or young people aged up to 18 years old live in your household?					
Yes	7	*	*	*	*
No - no-one under 16 years old live in my household.	-	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any of the children or young people in your household currently use Hampshire County Council's school transport?					
Yes - they get school transport for free	3	*	*	*	*
Yes - they pay for school transport	1	*	*	*	*
No	3	*	*	*	*
Prefer not to say	-	*	*	*	*
Do any children or young people in your household have:					
Special Education Needs	4	*	*	*	*
A disability, illness or problem that makes it difficult for them to walk.	2	*	*	*	*
None of the above	1	*	*	*	*
Prefer not to say	-	*	*	*	*
Do you know the total income of your household?					
Yes	1	*	*	*	*
I do not know	1	*	*	*	*
Prefer not to say	5	*	*	*	*

Education Provider Consultation Findings & Analysis

SUMMARY OF PROVIDER CONSULTATION

Responses to the consultation with Post 16 Education Providers

Who responded?

There were 6 responses to the consultation questionnaire sent directly to 21 Post 16 Education Providers.

A copy of the consultation questionnaire is provided in Appendix one.

Findings from the consultation with Post 16 Education Providers

Summary of Key Findings

There was overall agreement with proposed statement that the listed scenarios should not ordinarily warrant the award of transport if this was the only scenario being presented when applying for support with transport, scenarios included:

- Parents' and carers' work hours not fitting in with public service transport times or college times;
- Parents' and carers' child-care arrangements not fitting in with public service transport times or college times;
- Parents' and carers' needing to get other children to and from school;
- Having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes, e.g. travel to and from work, or transporting siblings to school/college;

Although not formally requested, respondents provided an additional unstructured response which confirmed that although the scenarios may not be considered as warranting transport support on their own, they should however be taken into consideration alongside other circumstances to establish if transport support is necessary for the individual and that assessments should be undertaken on a case by case basis.

Responding Education Providers also identified that some of their learners would not be able to access their provision if support with transport was not

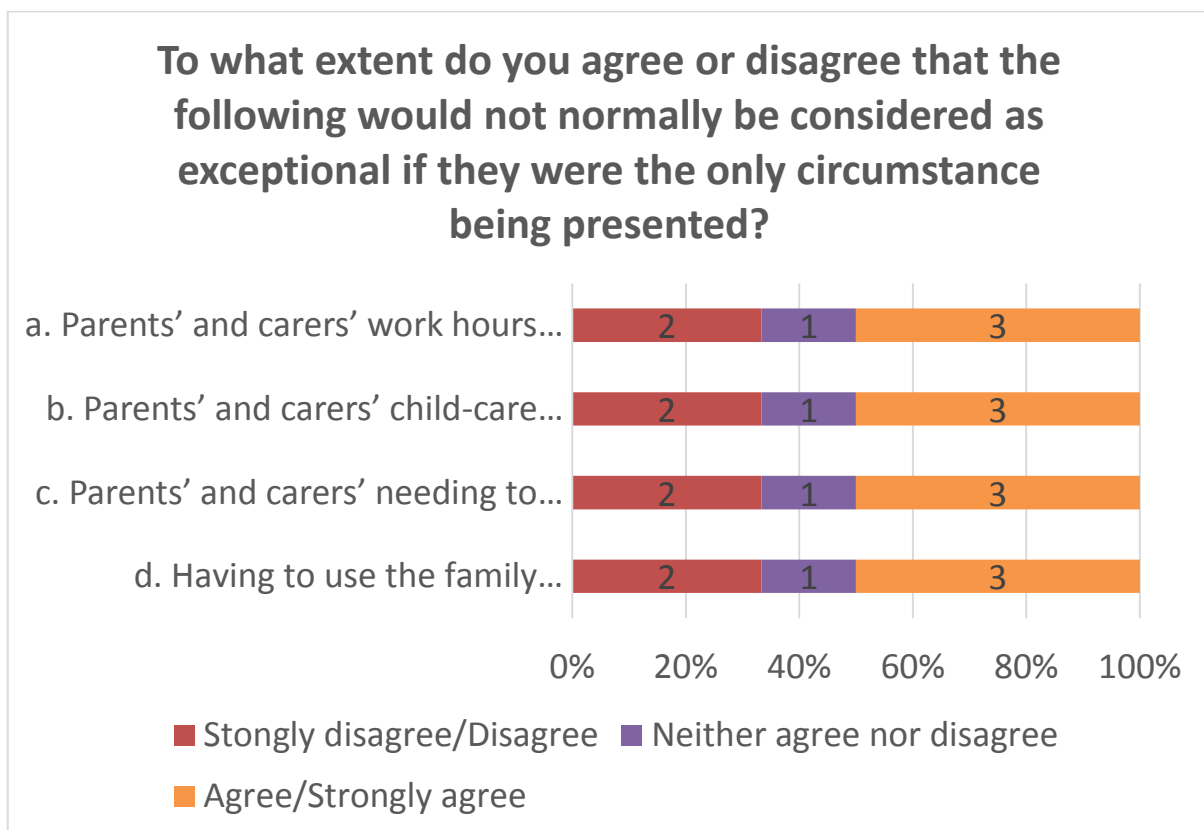
provided by the Council. Confirming that transport can be a significant barrier to some young learners. For many young learners, either the distance they were expected to travel or their vulnerability in the community would mean travelling independently on public transport was not a reasonable option and that in general, learners with SEND typically have to travel further than learners without SEND to access education appropriate and as a result the financial impact to support/facilitate education was higher.

Most of the respondents identified that comprehensive training to enable a young person to travel independently would be beneficial, supporting the development of their independence and reducing pressure on budgets to meet future growing demand.

It was also identified that improved support in the community at evenings and weekends would also reduce pressure on educational services as young learners have limited options to access services in the evenings or weekends, whilst adult day services have been significantly reduced. This could be a significant factor in relation to the growing demand for education services post 19.

Analysis of Consultation Responses

There was majority agreement that the presented scenarios should not automatically warrant support with transport on their own but should be considered alongside other scenarios/circumstances presented in a learners application for support with transport.



Post 16 Education Provider Consultation Questionnaire

The Council expects the majority of young people aged over 16 to make their own travel arrangements in order to attend their education placement. The Council acknowledges that there will be some young people (exceptions) where they are unable to make their own travel arrangements (even if they are supported by a parent/carer), the Council, in these circumstances it would provide assistance.

Q1 - When assessing the needs & circumstances of young people to identify if exceptional circumstances exist and warrant assistance with their travel arrangements, to what extent do you agree or disagree that the following would not normally be considered as exceptional if they were the only circumstance being presented? Please put a X against your response.

- a. Parents' and carers' work hours not fitting in with public service transport times or college times
 - Strongly Disagree
 - Disagree
 - Neither Agree Nor Disagree
 - Agree
 - Strongly Agree
 - Don't Know

- b. Parents' and carers' child-care arrangements not fitting in with public service transport times or college times.
 - Strongly Disagree
 - Disagree
 - Neither Agree Nor Disagree
 - Agree
 - Strongly Agree
 - Don't Know

- c. Parents' and carers' needing to get other children to and from school.
 - Strongly Disagree
 - Disagree
 - Neither Agree Nor Disagree
 - Agree
 - Strongly Agree
 - Don't Know

- d. Having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes, e.g. travel to and from work, or transporting siblings to school/college
 - Strongly Disagree
 - Disagree
 - Neither Agree Nor Disagree
 - Agree
 - Strongly Agree
 - Don't Know

Q2 – The Post-16 Transport Policy Statement has focused the Council’s support on LDD students, usually they have an EHCP. Please provide any comments on their transport needs when attending your setting.

Q3 – The cohort of students aged over 19 for whom the Children’s Services Department provides transport, is increasing in numbers. Please provide any comments on their transport needs, if different from above, when attending your setting.

Q4 - The forecast growth in the Post 16 sector, particularly over 19 students, is bringing unprecedented pressure on the service and its budget. Do you have any comments on how providers and the Council can work together to generate efficiencies and savings for both providers and the service?

Equality Impact Assessment

Name of project or proposal (required): Proposed Changes to Post 16 Transport Policy Statement 2020

Is this project a Transformation project? (required): Neither

Name of accountable officer (required): Martin Goff

Email (required): martin.goff@hants.gov.uk

Department (required): Children's Services

Date of assessment (required): 29/06/2020

Is this a detailed or overview EIA? (required): Detailed

Describe the current service or policy. This question has a limit of 700 characters; approximately 100 words (required): The Post 16 Transport service provides transport for about 330 users each day and costs £1.3m p.a. The policy statement details when and how the Council will support attendance in Post 16 education where travel/transport is perceived as a barrier. It allows parents/carers and users to understand how young people aged over 16 and in education may be eligible for a local authority funded transport service.

Geographical impact (required): All Hampshire

Describe the proposed change. This question has a limit of 700 characters; approximately 100 words (required): To amend the Post 16 Transport Policy Statement and provide greater clarity through improved wording and understanding so that those reading the policy are able to identify who may be eligible to benefit from the service. It details the duty to provide transport where necessary to facilitate assistance but explains to parents that for those young people under 18 the Council has an expectation that parents will provide transport assistance themselves.

Who does this impact assessment cover? (required): Service users

Has engagement or consultation been carried out? (required): Yes

Describe the consultation or engagement you have performed or are intending to perform. This question has a limit of 700 characters; approximately 100 words (required): The Council carried out an open consultation designed to give Hampshire residents and wider stakeholders including those living outside Hampshire the opportunity to have their say about proposed changes to the Home to School Transport Policy and Post-16 Transport Policy. In total there were 165 responses to the consultation, including paper and online responses. The consultation ran between 13 January 2020 and 23 February 2020. 21 Education Providers of Post 16 education were also consulted directly with 6 responses being received. The feedback from both Post 16 Education Providers and the public in relation has been reflected in the amended policy statement that is being recommended.

Age (required): Medium

Impact (required): The established policy and legislation affect learners at specific ages differently, particularly those aged 16 on 1st September 2020 and those aged 17 on that date, although only until their 18th birthday. Therefore, the impact on age identified here is in respect to the legislative requirements and the subsequent considerations made by the Council when deciding on what support is necessary in relation to travel and transport to facilitate a young person's attendance at their place of education. As a young

person becomes a Post 16 learner, the Council considers transport support is only necessary if it is essential to enable them to attend their programme of study. If the young person is able to access other forms of travel, support/funding, and has the available means to access their education setting, then they would be expected to use these in the first instance.

Mitigation (required): Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each young person will be considered on a case by case basis to ensure provision reflects actual need.

Disability (required): Medium

Impact (required): The vast majority of young people over the age of 16 in education will attend placements which are accessible from their home address. However, where a young person or a family member (with responsibility for the young person) has SEND, a health issue/concern, or disability this may make accessing an education placement difficult or impossible without the Council providing support with travel/transport arrangements. The proposed policy concerns provision for this cohort of learners (and their families) who fall into this category and ensures support is available if it is considered necessary in order for the young person to attend their education placement / training. Where possible and where appropriate, the Council will support young people to use public transport and make their own journeys independently, and will expect parents to provide transport assistance.

Mitigation (required): Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each young person will be considered on a case by case basis to ensure provision reflects actual need. Where support is necessary to facilitate attendance due to the needs/circumstances of the young person and or their families, then appropriate provision will be made. The possible savings identified allows for 70% of 16 year olds still retaining access to LA funded transport support.

Sexual orientation (required): Neutral

Race (required): Neutral

Religion or belief (required): Neutral

Gender reassignment (required): Neutral

Gender (required): Neutral

Marriage or civil partnership (required): Neutral

Pregnancy and maternity (required): Neutral

Poverty (required): Neutral

Rurality (required): Medium

Impact (required): Families living in rural areas often face a longer journey and journey time to access post 16 provision. Public transport may be a more restricted offer. The longer journey and restricted public transport may limit families' capacity to support their child's travel.

Mitigation (required): Where transport is necessary to facilitate attendance, the Council will provide transport assistance. Each young person will be considered on a case by case basis, including the proposed journey and any limitations on infrastructure, to ensure provision reflects actual need.

Any other brief information which you feel is pertinent to this assessment (optional): The changes to the Policy Statement are designed to explain to parents / carers that when the Council considers whether it is necessary to provide transport assistance to a young person aged under 18, the Council expects that parents

will provide transport assistance unless the specific circumstances mean that the Council need to provide transport assistance to facilitate attendance. The changes also make it clear that when a young person is aged 18, parents will not be expected to provide transport assistance.

Please confirm that the accountable officer has agreed the contents of this form (required): Yes

2020 Transport policy statement for students in further education aged 16–18 and continuing students aged 19.

Name of LEA : Hampshire

Department Responsible: Education

Hampshire County Council 2020/2021 Transport policy statement for students in further education aged 16-19, continuing students and young people aged 19-24 with learning disabilities

1. Commitment

Hampshire County Council (HCC) and its post 16 providers are committed to ensuring transport is available to enable students to access education and training as set out in this policy statement. Support is provided either by the County Council or post 16 providers. This policy statement applies for 2020/2021 only and sets out the support available.

There is no automatic entitlement to free home to school or college transport once a student is over 16. The County Council has considered its resources and the travel to college opportunities for students. Students can attend a college of choice and, if needed, apply to their college's student support for assistance. The cost and mechanical process of transporting young people with special educational needs is greater and more complex. HCC recognises that families may need a transport service to ensure that 16+ special needs or disabled students can access a place that is suitable for their needs and so do offer, under discretionary powers, a transport service that requires an annual parental contribution.

2. General transport available

There are a number of public transport service providers in Hampshire. Colleges and schools in Hampshire have their own transport arrangements but the situation does vary. Students should check with their setting about the transport arrangements and ticketing prices that can apply to both bus and train travel. The following link provides the information supplied by colleges and sixth form establishments.

College and School Details

Other transport support

Post 16 education providers and other agencies provide support with transport in certain cases, for example:

- Cycle schemes
- Care to Learn - <https://www.gov.uk/care-to-learn/overview>
- Wheels to Work - <http://www3.hants.gov.uk/wheels-to-work>
- Brain in Hand - <http://braininhand.co.uk/>

3. Qualification for support from Hampshire County Council for students attending colleges and

schools with sixth forms (including academies)

HCC will assist with travel expenses for post-16 students with special educational needs or a disability. A parental contribution towards the cost of this transport will be required; the cost will be decided by applying the following charging schedule:

Distance to travel	Annual charge
Up to 5 miles	£600
5.01 miles to 7.5 miles	£831
7.51 miles to 10 miles	£1,164
Over 10 miles	£1,330

Transport will normally only be offered if the student has an Education, Health and Care Plan (EHCP) or if the student has a disability which means he/she requires transport arrangements to be provided. The student or their parents will need to apply for transport and evidence that HCC must provide transport to facilitate attendance, and evidence that without transport assistance, the student will be unable to attend the educational placement.

When assessing an application, HCC will refer to the criteria provided in Appendix 1.

4. Post 16 training providers and apprenticeships

The same qualifications as set out in paragraph 3 apply for students attending post 16 training providers. Students in apprenticeships with employed status do not qualify for any assistance with travel costs.

5. Qualification for support from colleges and schools with sixth forms including academies

In addition to the support available from HCC, post 16 providers may also provide financial support towards transport costs for certain students such as young parents, those from low income families, those at risk of being Not in Education, Employment or Training (NEETs). This is determined by the provider and is often based on how they have locally determined to use 'hardship' funds.

Please follow the link below to information provided by post-16 providers regarding transport services.

[College and School Details](#)

6. Assistance with transport for students over the age of 19 with learning difficulties or disabilities

Students over the age of 19 may qualify for transport assistance if they are subject to an Education, Health and Care Plan.

It will then be provided either up until the age of 24 or until the student completes the course, whichever is the earliest.

The student or their parents will need to apply for transport and evidence that HCC must provide transport to facilitate attendance and evidence that without transport assistance, the student will be unable to attend the educational placement.

When assessing an application for transport assistance, the Council will refer to the criteria provided in Appendix 1.

7. Independent Travel Training

The County Council provides some mobility/independence training for students with learning difficulties or disabilities. Children in special schools will be subject to transition plans in year 9 and independence training can form part of that plan. Some colleges also provide mobility/independence training.

8. Students attending providers outside Hampshire

The County Council may provide assistance with transport to support students attending providers outside of the county, but students need to qualify for support against the criteria outlined in paragraph 3. The provider attended may also be able to provide some support, see paragraph 5

9. Students attending providers in Hampshire but living outside the county

Such students should apply to their home Local Authority for assistance. However, providers themselves may provide assistance and are not bound by county boundaries.

10. Applying for assistance with transport

Students wishing to apply for help with transport can do so by accessing the HCC website where further details are available:

<http://www3.hants.gov.uk/yourfuture.htm>

Students may also wish to apply to colleges direct for help. Paragraph 12 provides details of the colleges and their contact details together with an outline of the assistance they provide.

11. Appeals/Complaints

Complaints regarding any aspect of the policy statement must first be taken up with HCC. If these do not result in a satisfactory outcome, young people or their families may complain to the Secretary of State for Education.

Students wishing to make an appeal regarding a transport entitlement decision, or subsequent transport arrangements or a requirement to make a contribution to the cost of travel should write to the Head of Information Transport and Admissions, Children's Services Department, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UG. The appeals process is provided in [Appendix 2](#).

12. College and School Details

To be added

Appendix 1.

Criteria applied to determine eligibility to transport to a Post 16 provider.

1. The following criteria apply to all students:

Necessity: The Council will provide transport assistance when it is necessary to facilitate the student's attendance at their educational setting.

Minimum distance: The journey from home to school/college must be more than three miles, measured by the nearest available walking route.

Eligible but living within walking distance? Transport may be provided within the walking distance if it is necessary to facilitate attendance. Factors that may be taken into account, include:

- The student's ability to walk
- The student's need to be accompanied by an adult.

Which college or school? Travel assistance will be given to the nearest school or college considered to be the most suitable placement for the student and which offers a course or programme which is designed specifically to meet the special needs of the student concerned. If the course or programme is not specifically designed to meet the needs of those with SEN, travel assistance will be given to the nearest college offering an appropriate course. A course is deemed appropriate where it enables a student to meet his or her career objectives.

A student attending their nearest special school or school with a sixth form named in his or her EHCP may qualify, subject to the other criteria detailed in this Appendix.

Pick-up and drop-off points: Where the distance between a nearest pick-up or drop-off point and home or college is less than 1.5 miles, HCC will not normally provide transport for that part of the journey. However, transport may be provided for students within these distances where this is recommended following an assessment of their individual needs. The criteria used to determine entitlement within walking distance apply in these circumstances.

Journeys to and from other destinations: Transport is not offered to or from points other than the college and home.

Waiting Time: where appropriate, the transport arrangement may include a waiting time at the start or end of the day.

Residential Placements: Some students with complex and/or severe needs are placed in a residential out of county special school or college because there is no appropriate provision available locally. Such students will receive transport at the start and end of each term, half term and at other school/college closures. Any additional transport will be the responsibility of parents/carers.

2. The following apply additionally to students aged 16 or 17 in September 2020:

- (a) **Parental Assistance:** The Council expects that parents and carers take responsibility for facilitating their child's attendance in education where they are able to do so.

Families/Applicants may apply for transport and explain their circumstances which make support from HCC with transport necessary to enable their child to attend their place of education or training. All requests for transport will be considered on a case by case basis.

(b) Charges: If transport is provided by HCC, a parental contribution may be levied.

When the student's parents are in receipt of Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, support under Part VI of the Immigration and Asylum Act 1999, the guaranteed element of State Pension Credit, Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190), Working Tax Credit run-on - paid for 4 weeks after you stop qualifying for Working Tax Credit, or Universal Credit, the charge will be waived. Families in receipt of free school meals (due to low income) are not required to pay the contribution.

Families with a low income, but not in receipt of the above benefits, where the imposition of the charge would reduce their income to around £16,190; or those with exceptional circumstances, may apply for a discretionary waiver or reduction in charge.

3. The following apply to student's aged 18 when the transport starts in September 2020 or already 18 at the time of application or 19 or over and continuing on a course that they started before their 19th birthday:

a) Parental assistance: There will be no expectation that a parent will assist with their adult child's transport arrangement, although parents who wish to do so will be welcome to support their adult child's transport arrangement.

b) Charges: If transport is provided by HCC, a parental contribution may be levied.

When the student's parents are in receipt of Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, support under Part VI of the Immigration and Asylum Act 1999, the guaranteed element of State Pension Credit, Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190), Working Tax Credit run-on - paid for 4 weeks after you stop qualifying for Working Tax Credit, or Universal Credit, the charge will be waived. Families in receipt of free school meals (due to low income) are not required to pay the contribution.

Families with a low income, but not in receipt of the above benefits, where the imposition of the charge would reduce their income to around £16,190; or those with exceptional circumstances, may apply for a discretionary waiver or reduction in charge.

4. The following applies to students aged 19 or over and starting a new course:

Charges: If transport is provided, no contribution towards the cost of transport applies.

Appendix 2

5. Home to School Transport - Review/Appeals Process

Parents and /or Young People who wish to challenge a decision about:

- the transport arrangements offered;
- their own or their child's eligibility;
- the distance measurement in relation to minimum distances; and
- the safety of the route
- cost

may do so by writing to The Transport Team, Elizabeth II Court North (2nd Floor), Children's Services Department, Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UG.

In the first instance a case will be reviewed by a Senior Officer of HCC.

In cases against refusal of a transport service, there is recourse to a further appeal to an Independent Appeal Panel.

For concerns about the transport arrangement offered, a senior officer outside of the School Transport Team and who holds a comprehensive understanding of the transport policy and legislative framework will make decisions on appeals.

The full Review/Appeals Process in relation to assistance with travel and eligibility is detailed within Hampshire County Council's Home to School Transport Policy, a link to which is included below:

[Home to School Transport Policy](#)

The process by which Home to School Transport appeals are handled for a young person attending a Post-16 provision matches that detailed in this Policy.

Appendix E: The pre-action protocol letter of 2 June 2020

Your Ref:
Our Ref:

Legal Services
Hampshire County Council

Address: Brunel House, 21 Brunswick Place, Southampton, SO15 2AQ

2 June 2020

FORMAL LETTER BEFORE CLAIM
PURSUANT TO THE JUDICIAL REVIEW PRE-ACTION PROTOCOL

Dear Madam

OUR CLIENTS:

Please note that due to the need to work from home in response to the coronavirus pandemic, this letter has been sent by email only. We request a formal response by email only.

This is a formal letter before action under the pre-action protocol for judicial review and a response is requested within 7 days, i.e. **by 12 noon on 9 June 2020**. We accept that this date for a response is an abridgment of the normal period provided for under the pre-action protocol for judicial review. We submit that this abridgment is reasonable in light of the urgency of the case. Applications for transport for September 2020 are now open and HCC will shortly be making decisions under the policy. There is insufficient time to provide for 14 days for a formal response and then issue a claim for judicial review, as a substantive hearing would not be reached until long after the academic year begins. Our clients require transport from September 2020 to access an education. As set out in section 8 below, we intend to apply for an expedited rolled up hearing due to the urgency of this case.

1. Proposed Defendant

Hampshire County Council ("HCC").

2. The Claimants

We are instructed by the following four clients:

We have also been contacted by numerous other families concerned about HCC's post-16 transport policy for 2020/21, who are prepared to instruct us if necessary.

3. Details of the matter being challenged

We seek to challenge:

- a. The lawfulness of HCC’s ‘2020 Transport policy statement for students in further education aged 16–18 and continuing students aged 19’ (the “Policy”); and
- b. The decision by the Director of Children’s Services to approve the Policy on 27 May 2020.

4. Limitation

It is our position that the limitation dates for a claim for judicial review are as follows:

- a. The Policy is a continuing act and for limitation purposes we are treating it as an ongoing breach; and
- b. Limitation to challenge the decision by the Director of Children’s Services to approve the Policy is 26 August 2020.

5. Background

Our clients

[Redacted]

[Redacted] is 17 years old and lives at home at [Redacted] with family. [Redacted] attends [Redacted] School, [Redacted] School is 10 miles away from home and is the nearest school that can provide the appropriate support and subjects to study.

[Redacted] Due to [Redacted] diagnoses, [Redacted] requires full time support [Redacted]

Due to the nature of [Redacted] disabilities, [Redacted] is unable to travel independently to school. There is no direct public transport available for [Redacted] to travel from home to school. Even if there was direct public transport, [Redacted] mean that [Redacted] is unable to plan or manage how to travel to school safely.

[Redacted]

[Redacted]

[Redacted] is 17 years old and lives at home [Redacted] with family. [Redacted] College [Redacted] College is 13 miles from home and is the nearest college that can provide the appropriate support and subjects to study.

cannot use public transport because of [redacted] disabilities, [redacted]

[redacted]

[redacted]

[redacted] is 17 years old and lives at home [redacted]
[redacted] attends [redacted] College, which is
9 miles away from home. [redacted] College is the nearest college that can provide the appropriate support
and subjects to study.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] is 17 years old and lives at home [redacted]
[redacted] attends [redacted] College,
[redacted] College is 4 miles away from home and is the nearest college
that can provide the appropriate support and subjects to study.

[redacted]

[redacted]

Background

Post-16 transport policy for 2019/20

As you are aware, we exchanged pre-action correspondence with HCC on behalf of a group of clients to challenge the post-16 policy for 2019/20. At that time, HCC set out that it was only implementing

changes that were introduced in 2018. However, many families who were granted transport in 2018 were denied transport for 2019. After receiving a letter before action on behalf of our clients, HCC agreed to withdraw the new policy. Instead, decisions regarding transport for 2019/20 were made under the 2018/19 policy. Families were subsequently granted transport.

2020 consultation process

HCC conducted a consultation between 13 January and 23 February regarding its proposed home to school transport policy and post-16 transport policy for 2020/21. Only the latter policy is under challenge in this claim.

The public consultation information pack summarises the changes to the (post-16) Policy as follows: *“The County Council proposes to update its Post-16 Transport Policy Statement to set out the responsibilities of parents and carers of children and young people who receive Post-16 transport. It is anticipated that this update could result in potential savings to the County Council of approximately £680,000 per year”* (page 2).

We note that the “necessity” test is set out on page 6: *“In law, the County Council is required to provide the support that it deems necessary to facilitate the attendance of young people of sixth form age who are in education or training.”* At pages 6 and 15, HCC sets out that currently transport is provided where “necessary”. It goes on to say that the changes to the Policy are to “clarify” the expectations on parents to arrange transport for their children and to evidence where there is not possible. Then it sets out HCC’s proposals that *“the County Council would not consider that the following circumstances are likely to be exceptional on their own:*

- *parents’ and carers’ work hours or child-care arrangements not fitting in with public service transport times or college times; or*
- *parents and carers needing to get other children to and from school; or*
- *Having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes”.*

The above is a proposal to apply an “exceptional circumstances” test, as opposed to a “necessity” test. However, the “necessity” test is referred to immediately afterwards: *“Transport would only be provided where it was necessary to facilitate attendance”* (page 15).

In the paragraphs justifying the changes on page 16, HCC again sets out anticipated savings: *“It is anticipated that this change could deliver an estimated saving of £680,000 per year, as a result of fewer offers for transport being made for students aged under 18”* (page 16). It is clear that these changes do not just provide clarity as to HCC’s existing policy but will mean that fewer families will be offered transport: *“Some service users may not be eligible for transport to their Post-16 provision under the new policy, as their parent or carer would be expected to arrange their transport until the age of 18”* (page 16).

We note that the total current cost of post-16 transport is £1.3m. Savings of £680,000 would amount to a massive 52.3% reduction.

The consultation document sets out questions as to whether particular circumstances should on their own be considered as “exceptional”, thereby “entitling” the young person to transport. The circumstances consulted on are those set out above, i.e. parent carers’ working hours, parent carers’ child-care arrangements, parent carers needing to get other children to and from school, and having to use the vehicle for other purposes. The consultation document therefore presumes the introduction of an exceptional circumstances test for 16 and 17 year olds and consults on what circumstances amount to “exceptional”. There are no questions within the consultation document about changes to the Policy for 18 year olds.

On 18 March the Executive Lead Member for Children’s Services and Young People took the decision to approve the home to school transport policy. However, no decision was taken regarding HCC’s post-16 transport policy. Instead, HCC set out that further stakeholder engagement was required.

The only “stakeholder engagement” which took place after the public consultation was approaching 21 post-16 education providers to request their views. The same questions in the public consultation were put to providers. In the same way as above, HCC presumes the application of an exceptional circumstances test. Six providers responded, three of which agreed *“that the presented scenarios should not automatically warrant support with transport on their own but should be considered alongside other scenarios/circumstances presented in a learners application for support with transport”* (page 86 of the Officer Decision Report).

The Policy

The changes to the Policy material to this challenge are those within Appendix 1.

At the top of the Appendix, it is set out that the necessity test applies to all students: *“The Council will provide transport assistance when it is necessary to facilitate the student’s attendance at their educational setting.”*

Whilst there is a distinction in the Education Act 1996 between sixth formers (learners over compulsory school age but under 19 or who began the course under the age of 19) and adult learners (learners aged 19 or over starting a new course), HCC’s Policy also distinguishes between 16 and 17 years on the one hand and 18 year olds on the other.

All four of our clients are sixth formers.

It appears that our clients [REDACTED] and [REDACTED] will be negatively affected by the changes to the Policy regarding 16 and 17 year olds at paragraph (c). In this section of Appendix 1, despite inserting the word “necessity” HCC has introduced an exceptional circumstances test:

“(c) Necessity: The Council expects, for children, that their parents and carers take responsibility for facilitating their child’s attendance in education unless there are exceptional circumstances which make support with transport necessary for their child to attend their place of education or training. All requests for assistance will be considered on a case by case basis. While they may be challenging for parents, the Council does not consider that the following circumstances are likely to be exceptional on their own:

- parents’ work hours or child-care arrangements not fitting in with public service transport times or college times; or*
- parents needing to get other children to and from school; or*
- Having to use the family vehicle (including Mobility vehicle provided for the student) for other purposes.”*

It appears our clients [REDACTED] and [REDACTED] will be affected by the changes to the Policy regarding 18 year olds, which is set out at paragraph (d). Here a contradictory policy is set out, which is that HCC expects parents to arrange transport, but HCC does not expect parents to arrange transport:

“(d) Necessity: The Council expects that parents and carers take responsibility for facilitating their child’s attendance in education. However, the authority will take into account that the authority cannot expect a parent to support their adult child’s transport arrangement.”

EIA

The EIA for the 27 May 2020 decision sets out that the proposed changes provide: *“greater clarity and understanding through improved wording.”*

In respect of disability, the impact is assessed as “low” because transport will be provided where “necessary”: *“This ensures that those that fall under this category are not adversely impacted by the proposed policy and are still able to access their education setting.”*

It is very difficult to reconcile this impact assessment with anticipated savings of 52.3%. There is no reference to an anticipated reduction in transport provision for families and no attempt to consider the impact this might have on disabled teenagers.

The EIA does not reflect the comments made by respondents in the consultation about potential negative impact, such as those summarised at para 24 of the Officer Decision Report. The feedback included, for example, concerns that: *“the proposed changes may prevent children and young people from attending post-16 education; may offer children and young people with Special Educational Needs or Disabilities (SEND) fewer opportunities than available to those without SEND; may restrict the choice of colleges for children and young people with SEND; and may create a barrier to education for children and young people who are unable to take public transport independently”*.

The EIA does not set out how to mitigate against potential negative impact because no negative impact is identified.

Officer Decision Report

The changes to the Policy are characterised in the report as:

- *“More detail and improved clarity for how the Council will consider applications and the type of travel support available for young persons under 18 years of age, those aged 18, and those 19 year of age and older (and considered under adult duty)*
- *The Council will only provide transport assistance where the child is aged under 18 and parents and carers evidence that there is no other means by which their child could get to their place of education.*

... the Council will not consider that the following circumstances are likely to be exceptional on their own:

- *Parents and carers work hours or childcare arrangements not fitting in with public service transport times or college times; or*
- *Parent and carers needing to get other children to and from school; or*
- *Having to use the family vehicle (including mobility vehicle provided for the student) for other purposes” (para 2 and 3)*

The report therefore sets out an exceptional circumstances test.

The report identifies the targeted savings of making these changes but does not explain how the figure of £680,000 has been arrived at. It is not clear in the report that transport provision will be reduced by the changes. Rather, it says that *“The proposals for changes to the Post 16 Transport Policy Statement were to include clauses that clarified the responsibility of parents/carers to arrange transport for their child to their Post-16 education setting until they become an adult”* (para 19).

The report conflates the necessity and the exceptional circumstances tests throughout. The necessity test is referred to numerous times, but the changes to the policy relate to exceptional circumstances. Nowhere in the report is the statutory framework referred to, the Education Act 1996, which sets out the necessity test. Whilst there is a link to the statutory guidance for post-16 transport, there is no explanation within the report as to what considerations apply under that statutory guidance.

Paragraphs 29 and 30 of the report fail to accurately summarise the EIA. The EIA does not actually identify that families could lose access to transport due to these changes.

Executive decision

On 14 May 2020 the Executive Lead Member for Children’s Services and Young People was due to take a decision regarding the implementation of this Policy, however it was postponed due to the coronavirus pandemic.

On 27 May 2020 the Director of Children’s Services took the decision as recommended to approve the proposed Policy. The reasons for the decision are set out as follows:

“2.1. The proposed 2020 Policy Statement sought to clarify the circumstances which would normally not be considered as exceptional, and therefore would not warrant transport being provided.

2.2. A consultation on the proposed statement ran from January 2020 until April 2020. Based on the responses to the consultation it has been understood that the circumstances presented may, in some cases, be justified in warranting assistance with transport and that these should be considered on a case by case basis. This is reflected in the proposed Post 16 Transport Policy Statement.

2.3. The proposed Post 16 Transport Policy Statement for September 2020 also reflects the feedback from respondents for the policy to be clear and easy to understand. Phrasing and wording have been improved from previous policy statements to provide that clarity.

2.4. The Post 16 Transport Policy Statement recommended for approval ensures that Hampshire County Council would continue to meet its statutory requirements.”

The reasons for the executive decision relate mostly to the need for clarity. There is no reference here to the necessity tests, to potential detrimental impact, or a reduction in the provision of transport.

COVID-19 pandemic

It appears there is no reference to the coronavirus pandemic within any of the decision papers or within the Policy.

One family we are in contact with forwarded an email by a social worker setting out the following in response to their enquiry about transport for September 2020: *“all colleges/transport e.t.c are looking at how transport can fit in line with social distancing rules. This is across the board and is currently being examined as it stands at the moment transport would not be provided on the basis of the risk of transmission.”*

6. Relevant law

Part 3 of the Children and Families Act 2014 created a single SEN and disability system for children and young people aged 0-25.

Whilst there is a duty to provide school transport to “eligible” children aged 5-15 under section 508B and Schedule 35B of the Education Act 1996 (the “Act”), there is a power to provide school transport to other children under section 508C.

Section 15ZA(1) of Act requires *“A local authority in England must secure that enough suitable education and training is provided to meet the reasonable needs of—*

- (a) persons in their area who are over compulsory school age but under 19, and*
- (b) persons in their area who are aged 19 or over and for whom an EHC plan is maintained.”*

Under section 509AC(1) a person is of sixth form age if he is over compulsory school age but—

- “(a) is under the age of 19, or*
- (b) has begun a particular course of education or training at the establishment before attaining the age of 19 and continues to attend that course.”*

Section 508F(9) confirms that *“relevant young adult”* means an adult [for whom an EHC plan is maintained] and *“adult”* means a person who is neither a child nor a person of sixth form age.

Section 509AA(1) of the Act creates a mandatory requirement on local authorities to prepare a transport statement for those of sixth form age. Implicit within this duty is a discretion that the local authority will provide transport from home to school where it deems necessary.

Sub-section (2) prescribes that the statement “shall specify the arrangements for the provision of transport or otherwise that the authority consider it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training...”

Sub-section (3) provides “The statement shall specify the arrangements that the authority consider it necessary to make for the provision of financial assistance in respect of the reasonable travelling expenses of persons of sixth form age receiving education or training at any establishment such as is mentioned in subsection (2).”

Sub-section 7(b) provides that “The authority shall... make, and secure that effect is given to, any arrangements specified under subsections (2) and (3).”

The above can be termed the “necessity” statutory test.

Section 509AB deals with the application of section 509AA to pupils who have disabilities or learning difficulties. It proscribes under sub-section (1) that “A statement prepared under section 509AA shall state to what extent arrangements specified in accordance with subsection (2) of that section include arrangements for facilitating the attendance at establishments such as are mentioned in that subsection of disabled persons and persons with learning difficulties or disabilities.”

Sub-section (2) requires “A statement prepared under that section shall (a) specify arrangements for persons receiving full-time education or training at establishments other than schools maintained by the local authority which are no less favourable than the arrangements specified for pupils of the same age attending such schools.”

Sub-section (3) and (3A) then set out a list of factors the local authority must have regard to when “considering what arrangements it is necessary to make for the purposes mentioned in subsections (2) and (3) of section 509AA.” These are as follows:

- (a) “the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made,
- (b) the need to secure that persons in their area have reasonable opportunities to choose between different establishments at which education or training is provided,
- (ba) what they are required to do under section 15ZA(1) in relation to persons of sixth form age,
- (c) the distances, and journey times, between the homes of persons of sixth form age in their area and establishments such as are mentioned in section 509AA(2) at which education or training suitable to their needs is provided, and
- (d) the cost of transport to the establishments in question and of any alternative means of facilitating the attendance of persons receiving education or training there.
- (3A) In considering whether or not it is necessary to make arrangements for those purposes in relation to a particular person, a local authority in England shall have regard (amongst other things) to the nature of the route, or alternative routes, which he could reasonably be expected to take.” (our emphasis)

Sub-section (5) proscribes that “In preparing a statement under section 509AA a local authority shall have regard to any guidance issued under this section by the Secretary of State.”

Statutory Guidance

Statutory guidance was published in January 2019 by the Department of Education entitled “Post-16 transport and travel support to education and training: Statutory guidance for local authorities” (the “Guidance”).

This states “Local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport, or otherwise that the authority considers necessary, to make to facilitate the attendance of all persons of sixth form age receiving education or training” (paragraph 4).

In goes on to set out that “*The legislation therefore gives local authorities the discretion to determine what transport and financial support are necessary to facilitate young people’s attendance. The local authority must exercise its power to provide transport or financial support reasonably, taking into account all relevant matters*” (paragraph 16, our emphasis).

The Guidance provides “*In assessing what transport arrangements or financial support may be required, the local authority has flexibility over the decisions it makes but must have regard to the following:*

- a. *The needs of those for whom it would not be reasonably practicable to access education or training provision if no arrangements were made*” (paragraph 29)

Public Sector Equality Duty – section 149 of the Equality Act 2010

“Disability” is a “protected characteristic”, pursuant to s 6(1) Equality Act 2010, which defines a disability as a physical or mental impairment which has a substantial and long term adverse effect on an individual’s ability to carry out normal day to day activities. All four of our clients have disabilities.

The essential elements of the PSED as contained in section 149 are as follows:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- (3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- (4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons’ disabilities.”

In *R (Bracking) v Secretary of State for Work and Pensions* [2013] EWCA Civ 1345, the Court of Appeal reviewed what the case law demonstrates to be the central requirements of the PSED at [25]. These included:

- a. “*The relevant duty is upon the Minister or other decision maker personally. What matters is what he or she took into account and what he or she knew. Thus, the Minister or decision maker cannot be taken to know what his or her officials know or what may have been in the minds of officials in proffering their advice*
- b. *A Minister must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy and not merely as a “rearguard action”, following a concluded decision*
- c. *[G]eneral regard to issues of equality is not the same as having specific regard, by way of conscious approach to the statutory criteria.”*

In *Bracking*, the Court of Appeal held that the decision to close the Independent Living Fund was unlawful because the Minister had not properly understood the likely consequences of this decision

when she reached her decision, and that there had not been sufficient focus on the precise statutory requirements under the PSED, for example the need to advance equality of opportunity for disabled people.

Section 11 of the Children Act 2004

Section 11(2)(a) of the Children Act 2004 sets out that “*Each person and body to whom this section applies must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children*”.

7. Grounds of claim

We set out below our proposed grounds of challenge.

Misdirection as to applicable statutory test

We contend that the Officer Decision Report misdirected the decision maker, the Director of Children’s Services, as to the correct legal test for post-16 transport, rendering the decision of 27 May unlawful. The same error is set out in the Policy itself in respect of 16 and 17 year olds, rendering it unlawful.

As set out above the correct legal test under section 509AA(2) of the Act is to make transport provision “*that the authority consider it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training*”. The officer’s report refers at times to the correct legal test, which is whether HCC considers it necessary to provide transport in order to facilitate the sixth former’s to access an education. However, the report is misleading in that it also refers continually to exceptional circumstances and to “clarifying” what will not normally amount to exceptional circumstances. This confusion runs through the whole report, Appendix 1 of the Policy in respect of 16 and 17 year olds, and contaminates the decision take on 27 May by the Director of Children’s Services.

On 27 May the Director of Children’s Services, Mr Steve Crocker, had to reach a view as to whether he agreed with the views of officer as set out within the report, i.e. that the specified circumstances do not amount to exceptional circumstances on their own, thereby rendering the applicant ineligible for post-16 transport. However, “exceptional circumstances” is the wrong legal test.

This fundamental flaw in the report misled the executive decision maker, as is evident by the reproduction of the same confusion as to the legal test in the Officer Decision Record.

Given that this confusion regarding the correct legal test is present in the report, the executive decision, and within the Policy itself, it is impossible for families to know how the Policy will be applied in their individual cases. Will a necessity test be applied, or an exceptional circumstances test? It is also difficult to see how officers within HCC’s transport team will be able to take lawful decisions under this Policy to decide transport applications for 16 or 17 year olds in light of this fundamental confusion. Therefore there is a real risk that 16 and 17 year olds who require transport because it is necessary in order to access an education will be wrongly refused transport.

Failure to have regard to a mandatory consideration

Section 509AB sets out a list of mandatory considerations HCC must have regard to when considering what transport arrangements are necessary. At section 509AB(3)(a) the following mandatory consideration is set out: “*the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made*”.

All four of our clients fall within this category, in that it would not be reasonably practicable for them to attend their colleges to receive an education if no transport arrangements were made by HCC.

The following consideration at section 509AB(3)(ba) is also mandatory: “*what they are required to do*”

under section 15ZA(1) in relation to persons of sixth form age". Section 15ZA(1) sets out the duty on local authorities to secure suitable educational provision for sixth formers with SEND. Without transport, our clients will not be able to access an education.

Nowhere in the papers for the decision are the mandatory considerations at section 509AB(3)(a) set out. Nor is there any explanation of the considerations set out within the Guidance, which also requires HCC to consider "*The needs of those for whom it would not be reasonably practicable to access education or training provision if no arrangements were made*" (paragraph 29).

We consider that if the decision maker, the Director of Children's Services, had known about these mandatory considerations, and if his attention was drawn to the Guidance, he may have made a different decision regarding the changes to the Policy on 27 May.

Failing to promote the objects of the Act

HCC's Policy failing cuts across the objects of the 1996 Act (as per *Padfield v Minister of Agriculture* [1968] AC 997) by assuming that parents of 16 and 17 year olds should provide transport even if this would interfere with their ability to work or transport siblings to school, despite there being no legal duty on parents to do so once their children are above compulsory school age. This ignores the necessity test as imposed by statute, because where parents are unable or unwilling to provide transport (for any reason) then it will be necessary for the local authority to do so.

Paragraph 6 of the Guidance summarises the purpose of the Act: "*The overall intention of the sixth form age transport duty is to ensure that:*

- *learners of sixth form age are able to access the education and training of their choice; and*
- *if support for access is requested, this will be assessed and provided where necessary."*

Rather than ensuring that all learners are able to access an education, and providing transport where necessary to access this education, HCC's Policy renders 16 and 17 years olds as ineligible for transport in many common circumstances, such as where parents cannot provide transport due to their working hours. Whilst HCC is entitled to reach its own view as to what transport is necessary to provide in individual cases, the Policy and decisions made under it must be compatible with the statutory scheme.

Irrationality

In *R (Law Society) v Lord Chancellor* [2018] EWHC 2094 (Admin), the Divisional Court described irrationality as follows (at [98]): "*The second ground on which the Lord Chancellor's Decision is challenged encompasses a number of arguments falling under the general head of "irrationality" or, as it is more accurately described, unreasonableness. This legal basis for judicial review has two aspects. The first is concerned with whether the decision under review is capable of being justified or whether in the classic Wednesbury formulation it is "so unreasonable that no reasonable authority could ever have come to it": see Associated Provincial Picture Houses Ltd v Wednesbury Corpn [1948] 1 KB 223 , 233–234. Another, simpler formulation of the test which avoids tautology is whether the decision is outside the range of reasonable decisions open to the decision-maker: see e g Boddington v British Transport Police [1999] 2 AC 143 , 175, per Lord Steyn. The second aspect of irrationality/unreasonableness is concerned with the process by which the decision was reached. A decision may be challenged on the basis that there is a demonstrable flaw in the reasoning which led to it—for example, that significant reliance was placed on an irrelevant consideration, or that there was no evidence to support an important step in the reasoning, or that the reasoning involved a serious logical or methodological error. ..."*

There are therefore two key aspects of irrationality / unreasonableness in public authority decision making for present purposes:

1. Taking a decision which is outside the range of reasonable decisions open to the decision maker; and
2. Taking a decision where there is a demonstrable flaw in the reasoning which led to it.

We contend that both aspects of irrationality / unreasonableness are present in this case. The Policy

presumes that parents have a responsibility to provide transport to their children even though there is no legal duty on them to do so (i.e. for children above compulsory school age) and in circumstances where they are in fact unable to do so (e.g. due to work commitments). The Policy applies the wrong legal test in respect of 16 and 17 year olds, which is unlawful for the reasons set out above. In *R (B) v Worcestershire CC* [2009] EWHC 2915 (Admin), a case concerning a local authority's decision to close a day care centre, at [98] the Judge (again Stadlen J) held that "*when this decision was taken the Council was not in a position at the time it took the decision to reach a rational conclusion that the staff availability and facilities under the new arrangement would be sufficient as reasonably to lead to the conclusion that they would meet the needs of the claimants. That being so, in my view, the decision should be quashed.*" The same applies in the present case, because without transport our clients cannot access their education. It is irrational to take the position that parent carers' work and/or other commitments will not alone make the 16 or 17 year old eligible for transport. The work and other commitments of parents is patently a critical consideration when determining whether it is necessary for HCC to provide transport and yet the Policy expressly excludes these circumstances.

The decision of 27 May was also irrational in that HCC failed to ask the right questions and take reasonable steps to gain the relevant information to answer them, breaching the well-known principle from *Secretary of State for Education and Science v Tameside MBC* [1977] AC 1014. HCC failed to ask a highly relevant question, which is whether without the provision of transport sixth formers will still be able to attend college. For the reasons set out above, this question goes to the heart of the legal framework regarding post-16 transport, and yet HCC failed to ask itself this question when the new Policy was adopted.

Breach of the Public Sector Equality Duty under the Equality Act 2010

HCC anticipates that the changes introduced by the Policy will result in the cost of post-16 transport reducing by more than half. It is clear that savings of this magnitude will not be achieved without many of the approximately 300 families who currently access transport losing that provision. Yet HCC has failed to identify any possible negative impact on disabled young people.

The executive decision to approve the Policy on 27 May 2019 is in breach of HCC's duty to have due regard to the needs mandated under the PSED, being the need to "*eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act*" and to "*advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it*" (sections 149(1)(a) and (b) of the Equality Act 2010).

Whilst HCC gathered relevant information from students and families as to how the changes would impact them through its consultation process, there was no attempt in the EIA (or anywhere else in the report) to quantify or analyse the impact of the Policy on disabled students or set out how this detrimental impact could be mitigated.

No analysis has been conducted regarding how many students will be affected or how they will be able to access an education without transport. Due to the failure by HCC to identify detrimental impact on disabled teenagers, on 27 May 2020 the Director for Children's Services did not have any of the information he required regarding what detrimental impact the Policy would have on disabled students.

As a result of the failings detailed above, the 27 May 2020 decision was in clear breach of the requirements of the PSED.

Failure to discharge section 11 of the Children Act 2004

HCC has a duty to comply with section 11 of the Children Act 2004 in respect of sixth formers who are under 18 (i.e. our first two clients).

In taking the decision on 27 May the Director for Children's Services failed to discharge his duty under section 11 of the 2004 Act given the omission to consider the impact on children's welfare of the changes to the Policy.

Section 11 of the 2004 Act requires HCC to ensure that its “*functions are discharged having regard to the need to safeguard and promote the welfare of children*”. It is not merely a target duty. As the Supreme Court has clarified, it applies “*not only to the formulation of general policies and practices, but also to their application in an individual case*” (Lady Hale at [24] in *Nzolameso v Westminster City Council* [2015] UKSC 22 at [37]). This requires that the welfare of children is “*actively promoted*” through decision-making (see Lady Hale in *R (HC) v Secretary of State for Work and Pensions* [2017] UKSC 73 at [46]).

Further, it is clear from *R (E) v Islington LBC* [2017] EWHC 1440 (Admin) (applying *Nzolameso*) that discharge of the duty in section 11(2)(a) must be properly evidenced, with the relevant public body “*required to record and provide evidence of the factors they have taken into account, and the process by which their decision was made*” (at [107]); similarly, it: “*must be in a position to demonstrate, by reference to written contemporaneous records, the process of reasoning by which it reached its decision. A court should not assume in favour of a local authority that it has performed its functions in a conscientious and lawful manner. Judicial scrutiny requires an objective and evidence-based analysis of the decision-making process*” (at [114] – Ben Emmerson QC sitting as a Deputy High Court Judge).

In this case there is no evidence whatsoever, whether in the decision-making documentation or otherwise, that any consideration was given to the implications for children’s welfare of the changes to the Policy. The likely effect of the changes to Appendix 1 of the Policy is to reduce transport provision to sixth formers with SEND. This can only have a negative impact these learners with SEND and their welfare. In order to discharge the duty in section 11 of the 2004 Act HCC was required to have regard to, and therefore acknowledge, this negative impact and consider how it might be addressed. HCC did not do so.

Failure to conduct a lawful consultation

We contend that the 8 May 2019 decision was unlawful because it was taken pursuant to an unfair and unlawful consultation process.

The Defendant conducted a consultation on the Policy and therefore it was obliged to consult fairly; see *R (Moseley) v LB Haringey* [2014] UKSC 56 per Lord Wilson at [23] where, as here, the proposal is to withdraw a benefit the requirements of fairness are higher; see *Moseley* at [26].

We contend that HCC’s consultation process was unfair and unlawful because the questions put to respondents concerned the wrong legal test. Families and SEND providers were asked to comment on what circumstances would not alone amount to exceptional circumstances. However the correct legal test for post-16 transport is that of necessity. The policy changes consulted on are unlawful for all the reasons set out in this letter before action, and a consultation process regarding an unlawful policy cannot itself be lawful.

HCC also failed to consult on the changes to Appendix 1 in respect of 18 year olds. There were no questions at all in the consultation document about these changes. Furthermore, the consultation information pack is misleading in that at page 15 it is said: “*When a child turns 18, they would be able to apply for transport to attend their place of education or training, with no expectation that their parent or carer would assist with arranging their transport.*” However, Appendix 1 of the Policy sets out in respect of 18 year olds that “*The Council expects that parents and carers take responsibility for facilitating their child’s attendance in education.*” Families affected by this change, such as our clients [REDACTED] and [REDACTED] were not consulted about this change at all.

Unlawful policy due to uncertainty

HCC’s Policy is unlawful due to the fundamental uncertainty created by the changes approved on 27 May, applying *R (Grogan) v Bexley NHS Care Trust* [2006] EWHC 44 (Admin) at 91, 94.

In the book ‘Judicial Review: Principles and Procedure’ by Jonathan Auburn, this error of law is described as follows “*A policy is likely to be unlawful if it is so uncertain that no ascertainable meaning can be ascribed to it or if it is so unclear in effect that it is incapable of certain application in any case*”

(page 475).

We contend that HCC's Policy in respect of 18 years is so unclear that it is incapable of certain application in any case. The Policy amounts to two sentences which are contradictory in meaning. The first sentence sets out an expectation that parents should provide transport, and the second sentence sets out that HCC does not expect parents to provide transport:

"(d) Necessity: The Council expects that parents and carers take responsibility for facilitating their child's attendance in education. However, the authority will take into account that the authority cannot expect a parent to support their adult child's transport arrangement."

Despite the subheading 'necessity' this is not a description of the legal test of necessity.

This Policy is so unclear that families reading it would have no idea whether or not HCC would be likely to provide transport to their 18 year old child.

8. Steps which the defendant is required to take

In view of these submissions, we request that within 7 days, i.e. **by 12 noon on 9 June 2020**, the local authority provides a formal response under the pre-action protocol for judicial view, confirming that the local authority will:

1. Review the 2020/21 Policy and take a new decision on an urgent basis so that decisions for transport for September 2020 will be taken under a lawful post-16 transport policy;
2. Confirm that a copy of this letter before action will be provided to the executive decision maker when he/she comes to review HCC's post-16 transport policy;
3. Confirm whether and how the coronavirus pandemic will impact on HCC's post-16 transport provision.

If the above is not agreed, please confirm whether HCC agrees to an expedited court timetable for this matter including a rolled up hearing, so that the judicial review claim is determined as quickly as possible. We consider that this matter is very urgent as applications for transport for 2020 are now open and our clients require transport in order to access an education from September.

9. Details of information sought and documents considered relevant and necessary

Please provide the following information in accordance with the pre-action protocol:

- a. Any information or documents relating to the impact of the coronavirus pandemic on the Policy; and
- b. Any other document on which the local authority intends to rely.

10. Alternative dispute resolution

We confirm that we are willing to consider any form of ADR the local authority proposes, subject to legal aid funding being available for our clients and the local authority agreeing to take all the steps listed at 8 above.

11. Details of the legal advisors dealing with this matter and the address for reply and service of court documents

Brunel House
21 Brunswick Place
Southampton
SO15 2AQ



12. Proposed reply date

12 noon on 9 June 2020

In the absence of a satisfactory response within the above timescale, we may be instructed to take steps to issue judicial review proceedings and may seek interim relief. Should such steps be necessary, we also place you on notice of our intention to seek to recover our costs in accordance with the guidance in *M v London Borough of Croydon* [2012] EWCA Civ 595.

Yours faithfully



For and on behalf of Irwin Mitchell LLP

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Children and Young People Select Committee
Date:	08 July 2020
Title:	Special Educational Needs and Disabilities (SEND) 0-25 Reforms update report – SEN performance and joint working
Report From:	Steve Crocker, Director of Children's Services

Contact name: Tracey Sanders, County Education Manager Inclusion, Hampshire County Council
Matthew Powell – Associate Director Isle of Wight and Designated Clinical Officer for SEND

Tel: 01962 847123
07387 257473

Email: tracey.sanders@hants.gov.uk
matthew.powell7@nhs.net

Purpose of this Report

1. The Committee received a Special Educational Needs (SEN) update report, on 08 May 2019, setting out progress following the implementation of the SEND Reforms. The purpose of this report is to provide an annual update on progress.

Recommendations

2. For the Children and Young People Select Committee to note the following update.

Executive Summary

3. This report covers the updates on:
 - SEN Service Education Health and Care assessments and reviews;
 - Implementation of the digital Education, Health and Care (EHC) hub;
 - The work of Hampshire Parent Carer Network
 - SEN Support and Inclusion within mainstream education settings;
 - SEN out-county placements;
 - The SEN Capital Place Planning Strategy (specialist provision);
 - SEND Hampshire Area Preparation for Adulthood work;
 - The work of the Independent Futures Team

- The role of Designated Clinical Officer and Health Services;
- The First-Tier Tribunal and the Single Route of Redress
- The Hampshire Local Offer <https://fish.hants.gov.uk/localoffer>;
- The outcome of the SEND Ofsted Care Quality Commission (CQC) Inspection

Background information

4. The SEND Reforms have been undergoing implementation since September 2014 following the Children and Families Act 2014. This has been a journey for all Local Authorities and in Hampshire the key changes have been:
 - A strengthened focus on parent carer and children and young people's strategic and individual engagement with all agencies and partners;
 - The introduction of Education, Health and Care Plans (EHCPs) 0-25 for those with the most complex needs replacing statements of SEN and Learning Difficulty Assessments;
 - The establishment of a 'SEND Local Offer' and improved impartial information, advice and support.
 - A strengthened focus on SEN Support and the graduated response particularly around the early identification of needs and how effectively needs are met to improve outcomes for Children and Young People (CYP) with SEN;
 - Increased joint planning and commissioning of services to ensure close co-operation across education, health and social care 0-25;
 - A strong focus from year 9 on preparation for adulthood to ensure that young people can live their lives as an adult as independently as possible. A key element here is raising aspirations around employment.
5. A five-year joint Ofsted and Care Quality Commission (CQC) SEND Inspection framework was introduced from May 2016 to assess how well Local Authorities has responded to the new statutory duties. Hampshire was inspected in March 2020 under this inspection framework. The inspection highlighted a number of areas where the Local Authority has been successful in meeting the needs of children and young people with SEND and noted that the Local Authority knows itself well and has robust plans in place to progress work further. The inspection report can be found in Appendix 1.
6. While the reforms have been welcomed in Hampshire they have led to a steady rise in the number of EHCPs maintained within the Local Authority. This in part is due to a rise in requests for assessments for an EHCP. In the academic year 2017/18 there were 1,577 new requests; in 2018/19 there were 2,184 new requests received (38.5%). This is significantly higher than the national average which was 12% rise in 2019.

7. However, between 01 September 2019 – 31 May 2020 there have been 1,579 requests for an EHCP, which is an 10% decrease on the same period last year. This figure has been influenced by school closures following the COVID 19 outbreak and therefore reflects a temporary change in the trend. It is not clear whether this figure will even out again as the year continues
8. There has also been a rise in the number of plans being maintained. As at 31 May 2020 there were 9,379 EHCPs being maintained, an 11% increase on the same time last year. This is in line with national level of a 10% increase. The growth in EHCPs across the age ranges is varied, with all age ranges seeing a significant rise in numbers and particular growth for the post 16 age ranges. Overall, since the reforms took effect in 2015 there has been a 85% increase in the number of EHCPs being maintained.

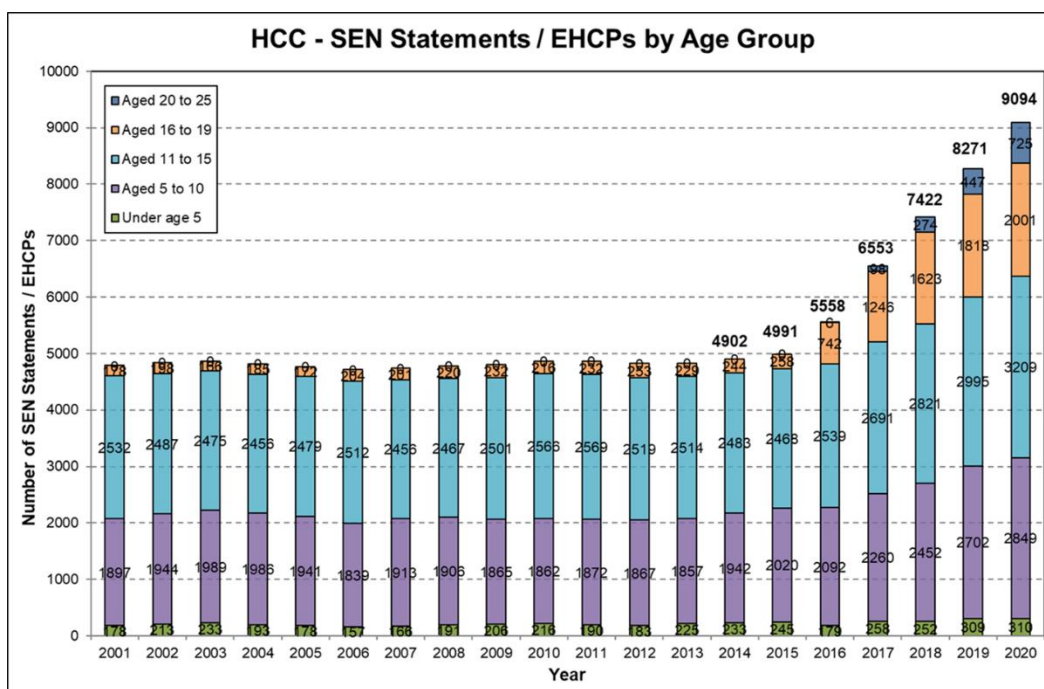


Chart 1: Number of statements/EHCPs being maintained (as at January census date) by age group

9. The large increase in post 19 young people reflects the extension of the age range from 19-25 years. This means that we will see an increase in plans as the 19 year old cohort fully evolves by 2025. Typically, around 90% of post 19 year olds continue with plans year on year.
10. The increase in plans places a pressure on the high needs budget which is part of the dedicated schools grant funding provision for pupils with special educational needs and disabilities. The budget for 2019/20 was £110 million but there was an overspend of £15 million. The overspend not only reflected an overall increase in plans, the extension of EHCPs for post 19 young people (which was not additionally funded), but also reflects a growing need to place children and young people in the independent non-maintained sector. Both the rise of the number of EHCPs and the difficulties placing pupils has also placed pressure on the SEN Service.

SEN Service Education Health and Care Assessments and reviews

11. The SEN Service is required to complete EHCP reviews for Years 2, 6 and 11 to ensure that the appropriate provision is in place ready for the next stage of education. The deadline for these to be completed for Years 2 and 6 is 15 February. 98% of Year 2 reviews (83% in the previous year) and 96% of Year 6 reviews (78% in the previous year) were completed by the deadline. At 31 May, 59% Year 11 phase transfers had been finalised and 84.5% had either been finalised or were in draft which is now an improvement compared with the same time the previous year and stand the service in a good position to secure provision for young people ready for September.
12. The SEN Service is also required to complete the EHCPs within a 20 week timescale. The Hampshire performance has risen in 2018 to 55%, however, fell to 5.9% for 2019. This is an average of the performance over the calendar year and does not reflect months where performance was well above national levels. The national average for 2019 was 60.4%.
13. The decrease in timeliness of the delivery of EHCPs is disappointing and has mostly been caused by the cessation of the pilot SENSAs scheme. Schools Forum established a scheme called Special Educational Needs Support Allowance (SENSA). The aim of the scheme was to provide funding rapidly to schools to support pupils needs without the requirement for an EHCP. The scheme did not have the desired outcome of reducing the number of requests for EHC assessments. Schools tended to go onto apply for an EHC assessment for most of the pupils with a SENSA regardless of receiving the SENSA funding. Schools Forum chose to cease the pilot scheme as it had not met its aims which resulted in 435 additional EHC assessment requests in a short-term bulge between November 2018 and March 2019. This placed extra pressure on the system which was already being stretched by an overall increase in assessment request. This pressure was anticipated and a recovery plan put was quickly in place providing funding for additional SEN staff (£0.9 million rising to £1.3 million); and supporting the Educational Psychology service who needed to prioritise their statutory work over their traded work. The backlog of assessments is nearly cleared and the service is on track to begin to meet timescales from September.
- 14.

Strengths	Phase transfer reviews have been successfully completed in the majority of cases for Year 2 and Year 6 and Year 11s are on track for completion for placement in September .
Areas of focus	Completing the backlog of work where plans are not yet finalised. Ensure that new requests are dealt with in a timely manner to improve delivery of plans within 20 weeks.

	Improve communication, in-coming and out-going with parents and schools.
What we are doing about it	<p>A backlog team was set up to clear the assessment requests that came into the SEN service due to the cessation of the SENSA scheme.</p> <p>The backlog team has managed to reduce the number of requests in the backlog from 1,500 requests to just under 900 by the end of May 2020.</p> <p>There has also been an increase in staffing since November 2019 to meet the overall workload increase that has arisen due to the rising trend in assessment request. These staff have completed a robust training package and are now fully functional.</p> <p>The average number of days for the first decision as to whether to proceed to an assessment or not was 50 in November 2019. Now those staff are more experienced the average number of days is 37. The deadline is 42 days. Demonstrating that the service is on track to complete assessments in a timely way moving forward.</p>

Digital EHCP Hub

15. The EHC Hub is a software programme which covers the entire workflow of the statutory SEN processes which include:
 - Requesting and carrying-out the statutory education, health and care (EHC) assessment;
 - Drafting and finalising the EHC Plan;
 - Conducting and concluding the EHCP Annual Review.
16. In September 2018 Hampshire County Council began processing EHC assessment requests in the EHC Hub. The following services have subsequently been brought onto the hub:
 - In February 2019 the County Council brought all SENCOs onto the EHC Hub, so that they could request EHC assessment through it.
 - In summer 2019 the County Council brought all Educational Psychologists onto the EHC Hub, so that they could provide their advice for EHC assessment through it.
 - In November 2019 Hampshire County Council launched the EHC Hub to families.

- Bringing Social Care and NHS advice givers into the EHC Hub was interrupted by Covid 19 priorities. Work is nonetheless progressing. Social Care's Children's Record Team is anticipated to be engaged in September 2020, with further work on-going to bring further Social Care teams on-board throughout 2020; NHS Community Paediatricians and Community Therapy Teams are anticipated to be engaged from September 2020.
17. To complement the digital EHC hub there is a focus on person centred approaches. This is a requirement within the SEND Code of Practice which sets out how professionals should co-ordinate the development of the EHCP with parents, children and young people at the heart of the process from the outset, and as part of the graduated response in education settings. Training has been delivered to a small number of schools across the county with more planned.

18.

Strengths	<p>Although at a relatively early stage of development, early indications show that the system is improving the timeliness of the completion of assessments.</p> <p>The first EHC plans have now been produced from the system and in the recent Ofsted/CQC inspection these were noted to be high quality plans.</p>
Areas of focus	<p>Greater embedding of person-centred ways of working across the SEND workforce and greater satisfaction of families about the quality of plans.</p>
What we are doing about it	<p>Providing person centred planning training, including ongoing support, across the workforce.</p> <p>Monitoring impact over time to triangulate training, person centred working and reductions in requests, complaints and appeals.</p>

Hampshire Parent Carer Network

19. Hampshire Parent Carer Network (HPCN) is a charitable organisation working throughout Hampshire. Members of the organisation are parents/carers of children and young people with special educational needs and/or disabilities aged 0-25 years, associated professionals, and affiliated groups. The organisation supports and trains parent carer representatives to work alongside the professionals who provide health, education, adult and social services to children and young adults. HPCN representatives sit on many of the groups and boards associated with work within SEND services.
20. HPCN send a newsletter to the membership each month to keep them updated with what the parent carer forum have been doing and what

meetings have been attended. There is a steering group of 12 parents and carers who support the parent carer forum strategically that meets once a month. They are a wide range of parents and carers that have received training on co-production and attend meetings on behalf of the wider voice of parents and carers in Hampshire.

21. HPCN also facilitate ‘Meet the Parents’ events across the county. This gives parents/carers of children and young people with SEND, the opportunity to meet in an informal way with their local SEN Teams, Health leaders and other professionals. They also hold ten ‘Get Together’ sessions every month covering all areas in Hampshire. These are sessions are for parents and carers to come along and meet other parents and carers but also ask for support and feedback on what has been going well and not so well for them. This is then passed onto the local authority and also HPCN can signpost families for further support. Hampshire SENDIASS are also present at these meetings and offer support.

22.

Strengths	<p>The ‘Future in Mind’ meetings have been a real success. These are held at five Child and Adolescent Mental Health Service (CAMHS) clinics across Hampshire. At these sessions parents and carers of children and young people who are on the waiting list for a service or intervention from CAMHS are invited to join us each month, and a clinician from CAMHS will talk to the group on subjects such as Anxiety, self-harm, ASD/ADHD pathway.</p> <p>HPCN feel they support empowering parents and carers with knowledge and resilience so they can get the best outcomes for their children and young people.</p>
Areas of focus	<p>HPCN want to increase their reach in harder to reach areas such as ethnic minority families or where English is the second language. They have found it hard to engage in some areas of Hampshire, namely the New Forest and Havant.</p> <p>HPCN would like to focus on improving their communication with all parents about what work they have been doing and</p>
What we are doing about it	<p>They are working towards improving their presence in the New Forest and Havant and engaging with harder to reach families.</p>

SEN Support and Inclusion within mainstream education settings

23. The focus of the SEND Ofsted/CQC inspections is on all children with SEN, not solely those with the most severe and long-term educational needs that necessitate an EHC plan. In 2019, children with SEND outperformed the national average in the Early Years Foundation Stage for both SEN Support, 34% (national 29%) and those with an EHCP, 11% (national 5%).
24. Children and Young People with SEND and with an EHCP performed higher than national in all other key stages, however at SEN Support level they just below national:
- Key Stage 2 Reading, Writing and Maths EHCP – 10% (national 9%)
 - Key Stage 2 Reading, Writing and Maths SEN Support – 21% (national 25%)
 - Basics 4 EHCP – 13% (national 11%)
 - Basics 4 SEN Support – 30% (national 32%)
25. SEN support has been made a focus of the Hampshire Inspection Advisory Service (HIAS) for their annual visits with mainstream schools to ensure that support is made available to the Hampshire school population who are deemed to be at SEN support.
26. This focus aims to establish that the provision for these children is both of a good standard and is appropriate to meet their needs within the context of a mainstream school, children and young people with SEN are kept at the forefront of discussions with schools and decisions about the educational offer available within Hampshire.
27. Specific work has been done with headteachers and SENCOs to ensure that the provision available reflects the graduated response promoted in the 2014 SEND Code of Practice. There has also been work with the SENCOs across Hampshire to ensure they are fully aware of all schools' obligations to make provision for children on SEN support, both with and without an EHCP.
28. The SEN Support Guidance for Schools document is being reviewed and co-produced with schools and parents, ready for publication in September 2020. The aim of redrafting the guidance is to develop it further and strengthen areas where it is felt the guidance is currently not clear enough. We will seek feedback and engagement in a variety of ways, including online, through focused meetings of both single stakeholder groups (e.g. parents) and multi-stakeholder groups, through workshop events with practitioners (e.g. SENCOs). This will also enable it to align with the Banding Framework for funding EHCPs which will also be consulted upon later in 2020.
- 29.

Strengths	Knowledge of SEN, both statutory and school based, is being strengthened within HIAS and schools.
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	The SEN Support Guidance for schools is being refreshed and being co-produced with parents and schools.
Areas of focus	Ensuring that children with SEN are at the forefront of thinking in any future developments. Ensure progress tracking is robust and rigorous so that no child or young person, regardless of ability is 'unchallenged' in their learning journey
What we are doing about it	Focus on Inclusion for those on SEN support in Hampshire's mainstream schools. Running area SENCO support groups to facilitate peer support and updates to develop/enhance the SENCO role in Hampshire. Refreshing the SEN Support Guidance for Schools.

SEN out-county placements

30. As at February 2020 there were 499 children and young people with SEN placed in independent/non-maintained schools (INMSS) or independent specialist colleges. This was 480 at the same point last year. Many placements are made on a residential basis because of home school distance. All the children and young people concerned have an EHCP.
31. The total annual cost 2019/20 to the High Needs Funding Block for the out-county placements was £29.7 million (this includes the SEN funded element of placements joint funded with health and social care). This is £3.8 million more than the annual costs for 2018/19.
32. The total number of children and young people in independent non maintained out-county placements and the average cost of these placements are at the highest levels to date.
33. Independent placements can be very effective and lead to positive outcomes for the child/young person through specialist provision which might not be available through local maintained special provision. However, educating children away from their local community can lead to the fracturing of the child/young person's support networks. The SEN Service typically has been unable to attend many out of county annual reviews which has meant children and young people remaining in their independent placement longer than necessary.
34. Since October 2017, there have been staff tasked specifically to attend annual reviews for children and young people educated in independent placements. Focusing specifically on Year 9 and above. The aim was to ensure improved transition planning for young people in independent placements and, where it was clearly in the interests of the child/young person, to bring them back to Hampshire provision.

35. In 2017/18 (academic year) 118 annual reviews were attended. There were 46 students where it was in their best interests to cease their education placement or move to a more cost effective in-house placement, resulting in a saving of £2.2m in 2018/19 (academic year). In 2018/19 (academic year), a further 180 annual reviews were attended and 60 placements were amended as a result. The net saving is estimated to be £2m. It is assumed that this work will continue to result in a new saving of £2m in each year. While the number of young people placed in INMSS continues to be high, this is being off set by the work to bring back young people whose needs are better met in their community.

36.

Strengths	60 placements were either ceased or amended by the end of the current Academic Year. These placement changes have led to a net saving of over £2m.
Areas of focus	<p>To utilise the additional staffing resource made available to the SEN Service to continue attendance at annual reviews in independent provisions from Year 9 onwards where expectations regarding the long-term plan for the young person are clarified with a view to the out of county placement ceasing and that a properly planned transition plan is in place for when the young person moves into adulthood.</p> <p>Negotiate with out of county providers in respect of more cost effective placements, for example through block purchasing arrangements.</p>
What we are doing about it	<p>The SEN Service has increased the number of caseworkers with the additional staffing resource enabling continued attendance at annual reviews at out of county placements in partnership with the Independent Futures Team (IFT) in Adult Health and Care Services.</p> <p>A specific workstream is in place to explore and negotiate with Independent providers with the intention of securing more cost effective placements.</p>

SEN Capital Place Planning Strategy (specialist provision)

37. As part of the statutory duty to ensure sufficiency of school places, including special school places, a comprehensive analysis of school places and forecast numbers has been undertaken. Forecasting for the growth in demand for specialist provision is complex; appropriately incorporating

recent trends in EHCP assessments, changes in needs of pupils and how they are best met by an evolving service.

38. The total number of SEND places available in specialist and resourced provision in Hampshire in 2018/19 is 1,480 primary places and 1,981 secondary places. A five year strategic plan is being developed identifying future requirements for specialist school place demand and provision across special and mainstream schools. See Appendix Two for a map of Hampshire SEND Provision.
39. The Department for Education (DfE) has allocated Hampshire £6.4m SEND capital grant for three years (2017-2020). Plans for this funding were initially published in March 2018 and will be updated annually and include a range of projects to increase specialist school places across the County at both primary and secondary level.
40. Hampshire's first Free Special School is due to open in 2021. This is a 125 place school in Basingstoke for pupils with Autism Spectrum Disorders (ASD) and social/communication difficulties school in Basingstoke with Catch 22 being the approved sponsor. Hampshire has also committed resources of up to £15m for additional provision of place for pupils with social, emotional and mental health (SEMH) needs – a 90 place provision for 10 – 16 year olds is being planned and a site sought for SEMH provision for secondary aged girls.
41. As part of the strategy, feasibility work is being undertaken to look at a number of condition issues across the Special Schools estate. As part of this work, a priority project for the remodelling of St Francis School, Fareham, for Severe Learning Difficulties (SLD) and complex needs has been approved. The scheme is costed at £4.5m including fees and due to be completed in Dec 2020. A review of Hampshire's other specialist provision is underway with an additional £5m budgeted for condition issues.
42. This work will help strengthen our provision offer for the growing number of children with EHCPs in our local area.
- 43.

Strengths	Countywide data available on projected growth and therefore strategic planning possible regarding specialist places.
Areas of focus	<p>To understand the uncertainties in our forecasting model and intelligently apply the daily experience of the SEN service and schools to ensure our forward strategy is responsive to evolving pressures.</p> <p>Work with key stakeholders to agree and progress the strategy.</p>

What we are doing about it	<p>Analysing projected growth data against actual data and building in flexibility to adjust agreed place numbers (APN) to reflect need.</p> <p>Project plan to take forward the priorities agreed and outlined in the SEND Sufficiency Strategy.</p>
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SEND Hampshire Area Preparation for Adulthood

44. It is our ambition to ensure that all young people have the aspiration, opportunity, and support to live fulfilling and independent lives, placing a clear emphasis on a strong education and training offer that provides a pathway to future employment. Applying a person-centred, strength-based approach, young people with SEND in Hampshire can – and do - access a broad range of services and provisions that support their successful transition to adulthood. We are making good progress against the following preparation for adulthood themes.
45. **Employment** - We have developed a county wide, joined up and high performing employability offer for SEND young people which focuses on maximising progression into sustained and paid employment. ‘All our Talents’ is the name given to the Hampshire SEND employability plan. It has been developed following direct consultation with young people and reflects what they told us was important to them to lead ‘a good adult life’. The underlining premise of the plan is that accessing employment (‘a good job’) supports strong outcomes across all four elements of the PfA framework – independent living, good health and wellbeing and community inclusion.
46. As part of the All our Talents action plan, four SEND Employability Hubs will be operational from Autumn 2020. Designed around a strong employment pathway, these are in Eastleigh, Basingstoke, Farnborough and Havant/Alton. Eighty places will be available in year 1. The programme will be extended in 2021, informed from the initial finding from the first four hubs. A supported employment provider, Ways into Work, have been appointed to support the pilot including employer engagement.
47. **Independent Living** – The primary enabler of independent living for young people with SEND is to secure paid employment (a good job’). In addition to the employment hubs the offer includes (but is not limited to):
- Embedded support of life skills within post 16 provision.
 - Person-centred travel training, supporting individuals to access and use public transport, included to access work-placements and employment.
 - Care Leaving team’s PROJECT-I initiative, supporting individuals to explore and address practical barriers that is preventing their transition to independence.
 - Independent Futures key workers attached to each schools/college to support transition to independent living.
48. **Community Inclusion** – Young people with SEND have the same aspiration as their peers. Again, in the context of supporting them to develop the skills,

knowledge, and experiences to live fulfilling and independent lives, we work with a range of organisations to ensure they the same opportunities and experiences as everyone else.

49. **Health and Well Being** – The offer in Hampshire is broad against this theme and includes (but is not limited to):

- Hampshire CAHMS outreach services and Fit-Fest, a festival-style event for children, young people, parents and professionals.
- NHS ‘ready, steady, go’ programme
- **No Limits** - targeted emotional health and wellbeing courses, Inc. culture/knife crime, cyber safety, child sexual exploitation and drug/alcohol misuse. LGBTQ+ children and young people will be able to access Breakout Youth.

50.

Strengths	Significant expansion of the young adult Extra Care supported living accommodation. This has facilitated an increase in supported living placements from x45 in 2017 to x91 in 2019.
Areas of focus	Finalising the Post 16 Strategy and setting up task groups. Development of post 16 and post 19 data to inform strategic commissioning Clarity of the Post 19 offer
What we are doing about it	‘All our Talents’ SEND employability plan approved- four pilot Hubs to be operational from Autumn 2020 (80 places in yr 1)

Independent Futures Team (IFT)

51. Adult Social Care provide statutory services to young adults aged 18 – 25. The Independent Futures Team (IFT) support young people and their families who are transitioning to adult hood. Adult Social Care and IFT are responsible for assessing Care Act Eligibility, providing Support plans for those who are eligible and supporting them to transition from Children’s to Adult Services. Adult Social Care and IFT provide signposting, information, and advice to those who do not meet eligibility criteria, both through face to face meetings and online advice and information service through our dedicated websites Connect to Support Hampshire and The Local Offer.
52. The IFT work with people from age 14 depending on need until they are 25 or settled. Settled is defined as a young person who has a support plan which has been in place for at least three months and that the person is not in residential educational and will not be in need of alternative accommodation in the next 12 months.
53. Hampshire Adults Social Care operates a Hampshire first policy, to ensure that young people maintain links with their networks and communities. This

includes a focus on reduction of young people being educated out of county and on ensuring young people are supported to return to their local communities when education has ceased.

54. The Learning Disability Plan Review 2018 was co-produced. People with learning disabilities and their carers said the most important things to them were relationships, employment and their own front door. Responding to the Learning Disability Plan Review 2018, a key strategy has been the focus on supported living ensuring that young people with complex learning disabilities have access to housing with security of tenure. This has included significant investment in specialist buildings which ensures maximum levels of independence can be achieved.

55.

Strengths	Technology Enabled care is embedded in Adults Services. This has resulted in innovative technology being delivered to children and young people prior and after their 18th birthday. This has included Brain in Hand and GPS enabled devices – both support greater independence and community access. Another example is technology reducing restrictive care in parental houses for example epilepsy sensors which mean parents no longer need to share a bed with their child.
Areas of focus	IFT have a target to ensure that 85% of 17.5 year olds known to the service have an agreed support plan in place for when they turn 18. During 2019/20 this has ranged between 85% and 58% of CYP. Hampshire has seen a sustained increase in the % of adults with a learning disability known to Social Care in paid employment. Hampshire remains below the national average.
What we are doing about it	Action plans are in place to address the delays (to having a support plan in place) which include EHCP decisions, provider identification, lack of engagement and unknown Continuing Health Care status. Changes have been made to the Ways into Work contract to improve the % of young people and adults with a learning disability into paid employment. Plans include working more closely with Hampshire Futures.

Role of the Designated Clinical Officer and Health Services

56. The Clinical Commissioning Groups (CCGs) and the Local Authority (LA) are committed to joining up services where possible, reducing duplication of effort, and improving the experiences of children and young people with SEND.
57. The five CCGs appointed a Designated Clinical Officer (DCO) in November 2019, following a period of no DCO. The post holder is also the Associate Director for SEND. Following the Ofsted/CQC inspection on the Isle of Wight, the capacity of the DCO role has been increased to include a part time Deputy DCO and a SEND Programme Manager.
58. The role of the DCO is a core leadership position within the Directorate Strategy and Partnerships and carries significant responsibility for the delivery of the position portfolio. The areas of responsibility currently include the following:
- Fulfil the Designated Clinical Officer function across the two local areas Quality assure the health element of Education, Health & Care Plans (EHCPs)
 - Work with community paediatricians, providers and the Council to ensure statutory timeframes are adhered to
 - Ensure that health providers are commensurate with their duties in early identification of SEND
 - Manage the interface between the NHS and the council so that there is a timely response for Tribunals requests and attend court as directed to represent the CCGs
 - Develop and maintain the Self Evaluation framework and commensurate improvement plans and ensure compliance for Ofsted / CQC inspections
 - Support the delivery of S117 care plans and Care Education Treatment Reviews
 - Lead for Transforming Care Partnership
 - Lead on the Procurement of Integrated Therapies
 - Lead on the Joint Commissioning Boards of the Hampshire and Isle of Wight Councils
 - Ensure local placed based commissioning activity is delivered within designated Integrated Care Partnership area.
59. The NHS 10-year plan supports the development of closer working relationships between health and social care and between service providers. The establishment of Integrated Care Systems enables us to deliver our vision of joint working quicker with the leadership of services operating closer together at local delivery system levels. The NHS 10-year plan also re-enforces the ambition of services operating across the 0-25 age range, removing the challenging transition stage at 18, where many traditional services ended.

60. Across all our services there are opportunities for improving the way we deliver our services. The CCGs are keen to strengthen our partnership working with the LA and have been working on a number of system transformation programmes:
- Aligned procurement programme between health, social care and education colleagues, we have been re-designing how services are commissioned, such as Health Visiting, School Nursing, immunisation and vaccinations, therapies and parenting.
 - Health and Social Care are transforming the way we provide Children’s Continuing Care Services, integrating the workforce, improving decision making and governance processes and joint funding of packages of care.
61. The NHS 10-year plan provides us with an opportunity to continue our transformation programme and focus on those children who are most vulnerable:
- Children with learning disability and Autism
 - Children with Eating Disorders
 - Children with mental health conditions

62.

Strengths	<p>Multi Agency Resource and Special Education Needs Panel in place and jointly attended by NHS and Local Authority</p> <p>Joint Hampshire and Isle of Wight Local Transformation Plan - priorities of the plan are governed and delivered through joint strategic priorities (Emotional Wellbeing and Mental Health Strategy for Children and Young People in Hampshire 2019-22).</p> <p>The County Council Primary Behaviour Service is jointly commissioned with Hampshire CCGs’ to identify and support children with distressed behaviour and neurodevelopmental presentations</p>
Areas of focus	<p>Improve support for emotionally vulnerable children – Mental Health Support Workers</p> <p>Improve waiting times for CAMHS</p>
What we are doing about it	<p>Strengthening our approach to improving waiting times for CAMHS through working closely with our main provider and looking at innovative solutions such as the use of technology.</p>

First-Tier Tribunal and the Single Route of Redress: Two year national trial and implications for Health and Social Care

- 63. Parents and young people can bring appeals to the SENDIST under the Children and Families Act 2014. Appeals can be made when there is a refusal to undertake an assessment, when an EHCP is issued, or following an annual review of the EHCP. Appeals can be brought but only in relation to special educational needs or the provision specified as necessary to meet those needs. Any decision of the Tribunal is legally binding on the LA.
- 64. The SENDIST Regulations 2017 came into effect from 3 April 2018 and now allow appeals regarding social care and health needs and provision, but there must be an educational basis to the appeal. The Tribunal will continue to issue Orders in respect of SEND but from 3 April 2018 was able to make recommendations in respect of social care and health. These recommendations are not legally binding but it is clear that there is an expectation they will normally be implemented.
- 65. In the financial year 2019/20 there were 233 tribunals open. This is 2.5% of the number of maintained EHCPs. In 2018/19 there were 234 tribunals open which was 2.8% of the number of maintained EHCPs. Over half of the registered appeals do not reach a tribunal hearing because Officers work with parents to resolve the case before hearing.
- 66.

Strengths	<p>Single route of redress reflects more closely the ambition that the EHCP would include identification and provision of health and care needs as well as special educational needs.</p> <p>Social care has produced some strong examples of position statements</p> <p>Decisions between social care and education have been faster.</p>
Areas of focus	<p>Colleagues in health and social care continue to need to familiarise themselves and participate with the Single Route of Redress and its implications for their services.</p> <p>Systems and processes within each service need to be brought in closer alignment to aid decision making and communication.</p>
What we are doing about it	<p>Key personnel in Children’s Services have already attended training on the single route of redress. Further training is planned.</p> <p>A SEN service review has also taken place to explore options regarding earlier intervention to prevent tribunals.</p>

Hampshire Local Offer

67. The Hampshire Local Offer provides information and advice about services and support available across education, health and social care for children and young people with special educational needs and/or disabilities (0-25) and their families. It is a statutory local authority responsibility.
68. Part of the Contact and Engagement Officer role is to ensure that the content is up-to-date, accessible and meets the needs of families, children and young people. A key part of this work is to undertake quality assurance of the website and this is through a peer review process with other local authorities.

69.

<p>Strengths</p>	<p>The breadth and depth of content on the Hampshire Local Offer, providing a central source for information.</p> <p>Overall increase of self-service access to the Family Information Services Hub from 2018 to 2019.</p> <p>The Young Peoples' dedicated section, which was co-produced with young people, within the Family Information Services Hub (within which the Local Offer sits).</p> <p>An established feedback mechanism, whereby feedback from users is received, acted upon, and used to identify gaps or concerns. Feedback is transparent through the Local Offer Annual Report.</p> <p>Accessible information through filter options / search results.</p>
<p>Areas of focus</p>	<p>Review and development of content on the Local Offer – ensure directory is up to date and that there is useful information available.</p> <p>Ensure continued co-production with partners, parents/carers and young people when making changes and improvements.</p> <p>Continue to raise awareness of the Local Offer.</p> <p>Bring the governance and administration of the Local Offer and FISH into line with the wider Children's Services Contact and Engagement Strategy.</p>

<p>What we are doing about it</p>	<p>Utilising existing networks to highlight improvement areas and forming a detailed Action Plan.</p> <p>Working with these groups to explore how we can continue to engage with parents, and better engage with young people with SEND.</p> <p>Supporting Hampshire schools and settings in reviewing and publishing their SEN Information Reports.</p> <p>Developing a communications and engagement plan for the Local Offer.</p> <p>Documenting the current process for FISH / Local Offer customer contact management so that it can be developed and streamlined. Understanding and improving monitoring data around the Local Offer.</p>
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SEND Ofsted CQC Inspection

70. The Hampshire local area was inspected under the joint Ofsted and CQC SEND Inspection framework in March 2020. The outcome of the inspection was that the Local Area was not required to produce a Written Statement of Action. This is a significant achievement as most large Local Authorities have received the requirement to produce a Written Statement of Action.
71. The inspection involved services from education, health and care across a wide variety of agencies including the local authority and the NHS. The five-day inspection took the form of various meetings with professionals, parents/carers and children and young people. In addition, a range of documents were submitted to the inspection team including the self-evaluation summary.
72. Following the successful inspection, the Local Area received a final report in the form of a letter which detailed the strengths of the local area and areas for development. The table below highlights the key points. A post-inspection action plan is being developed based on the areas for development and input from all those who took part in the inspection, including parents and carers. This will be monitored through the Lead Officers group and the SEND Board will have overall accountability for the plan.
- 73.

<p>Strengths</p>	<p>Leaders are highly ambitious for children and young people with SEND in Hampshire to succeed. Both leaders and practitioners are passionate about improving the lived experience for children and young people with SEND and their families.</p>
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	<p>Hampshire is an area that knows itself well. Leaders have honestly and accurately identified where improvements are needed and know what they need to do.</p> <p>Professionals work together effectively in the early years to identify young children's needs.</p> <p>There are many examples of strong collaborative working between professionals to support schools and settings to successfully include children and young people with SEND.</p> <p>Positive work is under way to prepare young people for adulthood. There are many strong examples of support for young people to promote employability. Leaders have well considered plans in place to broaden this work and promote wider preparation for adulthood outcomes.</p> <p>Overall children and young people with SEND achieve well in Hampshire.</p>
<p>Areas of focus</p>	<p>Communication between parents, schools and services need to improve. Ensure that parents are aware of changes made and that they can see the good work that is going on.</p> <p>Improve co-production with parents/carers and children and young people. Although some good examples, it is not consistent and also needs to improve in schools too.</p> <p>The number of children and young people with complex needs is continuing to increase. Therefore it is important that the capacity of the DCO team is subject to regular review to ensure that it can cope with increasing demand.</p> <p>The timeliness and quality of EHCPs needs to improve and plans are in place for this but the improvements have not yet embedded.</p> <p>Improve the Local Offer so parents/carers know that it exists and also can find the information they require more readily.</p> <p>Produce and deliver on the Joint Commissioning Strategy.</p> <p>Children and young people receiving SEN support do not achieve as well as the same group of children nationally in key stages 2 and 4 .</p>

	Some children and young people still waiting too long for neuro developmental assessments.
What we are doing about it	Action plan will be devised from the identified areas for development. This will be monitored through the Lead Officers group and the SEND Board will have overall accountability for the plan.

Consultation and Equalities

74. No consultation or equalities impact assessments have been undertaken as this is an information update.

Conclusions

75. There has been good progress with the implementation of the SEND Reforms across the Hampshire area which has been recognised during the recent Ofsted CQC inspection. As evidenced in this report, there remains a considerable volume of activity underway to further embed the requirements of the Code of Practice, across education, health and social care 0-25. This work aims to further improve how needs are met and outcomes improved for children and young people with SEND 0-25 in Hampshire.

Appendix One – Local Area SEND Inspection Letter

Ofsted
Agora
6 Cumberland Place
Nottingham
NG1 6HJ

T 0300 123 1231
Textphone 0161 618 8524
enquiries@ofsted.gov.uk
www.gov.uk/ofsted
lasend.support@ofsted.gov.uk



17 April 2020

Mr Steve Crocker
Director of Children's Services
Hampshire County Council
3rd Floor, Elizabeth II Court North
The Castle
Winchester
Hampshire
SO23 8UG

Alison Edgington, Director of Delivery – Hampshire and the Isle of Wight
CCGs Partnership
Tracey Sanders, County Education Manager (Inclusion), Local Area
Nominated Officer

Dear Mr Crocker

Joint local area SEND inspection in Hampshire

Between 2 March 2020 and 6 March 2020, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Hampshire to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.

The inspection was led by one of Her Majesty's Inspectors from Ofsted, with a team of inspectors including one of Her Majesty's Inspectors, an Ofsted Inspector and two children's services inspectors from the CQC.

Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND), parents and carers, and local authority and National Health Service (NHS) officers. They visited a range of providers and spoke to leaders, staff and governors about how they were implementing the SEND reforms. Inspectors looked at a range of information about the performance of the local area, including the local area's self-evaluation. Inspectors met with leaders from the local area for

health, social care and education. They reviewed performance data and evidence about the local offer and joint commissioning.

This letter outlines our findings from the inspection, including some areas of strengths and areas for further improvement.

Main findings

- Leaders are highly ambitious for children and young people with SEND in Hampshire to succeed. Both leaders and practitioners are passionate about improving the lived experience for children and young people with SEND and their families.
- The recently refreshed SEND strategy reflects leaders' aspirations unambiguously. Key themes of the SEND reforms are clear in the strategy, such as co-production, joined-up working and inclusion. Hampshire is an area that knows itself well. Leaders have honestly and accurately identified where improvements are needed and know what they need to do.
- Leaders are not afraid to try out new ideas and then adapt and change if needed. However, the scale of the local area and its partnership arrangements make it difficult to deliver changes on the ground as quickly as leaders desire, even when they know what needs to be done. Additionally, leaders do not explain their actions well enough to parents. As a result, some parents feel understandably frustrated and let down when they find it hard to get the right help at the right time for their child.
- Professionals work together effectively in the early years to identify young children's needs. This is a real strength in the local area.
- There are many examples of leaders and professionals working in coproduction with parents and carers to design and review strategies, provision and support for children and young people with SEND. However, this approach is not consistently experienced by all children and young people and their families. Furthermore, co-production with young people to plan strategic developments across the local area is not well developed.
- Providers highly value the quality of support, advice and training available to them. There are many examples of strong collaborative working between professionals to support schools and settings to successfully include children and young people with SEND. A parent commented, 'The reports received recently demonstrate how much all teams work together to get the best support for my son.'
- Designated Clinical Officers (DCOs) are passionate about their work to improve outcomes for children and young people with

SEND. Senior leaders recognise the value of the DCO role and have helpfully increased the capacity through the appointment of a deputy DCO and a project manager. As a result, this has increased their ability to promote the SEND agenda across the clinical commissioning group (CCG) partnership and to drive forward improvements. While the DCOs have clear priorities and intentions, they do not yet have a formalised workplan that aligns with the refreshed SEND strategy to bring even greater steer and focus to their work.

- The number of children and young people with complex needs is continuing to increase. Therefore, it is important that the capacity of the DCO team is subject to regular review to ensure that it can cope with increasing demand.
- Following a sharp spike in requests for education, health and care needs assessments, too many education, health and care (EHC) plans are now not completed within the statutory time frames. The quality of EHC plans is also too variable. Senior leaders recognise this and have a firm recovery plan in place to improve the quality and timeliness of EHC plans. Annual reviews are also delayed for some children and young people.
- The short-breaks offer has been co-produced with parents and carers effectively. The 'gateway card' and buddy scheme are helpful and popular initiatives within the short-breaks offer to promote community inclusion. However, the uptake of these schemes is relatively low and their availability is sensibly being extended.
- Positive work is under way to prepare young people for adulthood. There are many strong examples of support for young people to promote employability. Leaders have well-considered plans in place to broaden this work and promote wider preparation for adulthood outcomes. For example, leaders have accurately identified that they need to extend opportunities for independent or supported living.
- Although the local offer was originally co-produced with parents, it is now not well known or understood. Many parents told us that they find it hard to get the information they need.
- Parents connected to the Hampshire Parents Carer Network or the SEND information and advice support service (SENDIASS) typically feel well supported. However, for those who are not part of these networks, access to information and support can be patchy.
- The joint commissioning board has been in place for three months and replaces previous strategic joint commissioning arrangements. Commissioners are clearly ambitious for children and young people with SEND and have a number of joint strategic priorities.

However, there is currently no underpinning detailed joint commissioning strategy providing direction and focus to ensure that key priorities are achieved in a timely way.

- Overall, children and young people with SEND achieve well in Hampshire. However, children and young people receiving SEN support do not achieve as well as the same group of children nationally, in key stages 2 and 4. Pleasingly, outcomes for this group of children are improving rapidly. Schools receive a strong offer of support from the school improvement and specialist support teams, focused on raising achievement.
- Leaders are developing a helpful 'outcomes framework' to evaluate their strategic developments. Leaders are ambitious to ensure that this framework aligns with broad holistic outcomes across education, health and care for children and young people aged 0–25. Leaders have clear plans to link EHC plans to this useful framework. However, this positive initiative is at an early stage of development.
- Despite the local area seeking solutions to address long waits for neurodevelopmental assessments, some children and young people are still waiting too long to have their needs assessed and met. There is also a growing cohort of parents and carers who feel that there is a gap in sensory support for their children. The CCG partnership recognises this as an area of unmet need and is sensibly jointly commissioning provision to meet these needs.

The effectiveness of the local area in identifying children and young people's special educational needs and/or disabilities

Strengths

- Effective links between neonatal teams, midwifery teams and health visitors are supporting the identification of young children's needs. Health visitors consistently receive information about antenatal diagnostic tests, enabling them to provide anticipatory support and planning for families.
- Health and social care professionals have access to a 'child health information exchange' (CHIE) system that is promoting effective information-sharing and coordinated care for children, young people and families. Efficient use of flagging and alert systems within electronic records is usefully supporting the identification of children with SEND.
- Most professionals make proficient use of training, advice and support to successfully identify children and young people with SEND. Leaders are committed to identifying and meeting needs

through a child-centred approach which is not dependent on a diagnosis. Professionals work closely together to share their expertise and knowledge to identify children's needs in a timely and appropriate way.

- The 'early years advisory panel' enables professionals to share information successfully. Professionals work together well to coordinate assessments and secure consistent approaches across services to identify young children's additional needs.
- Leaders have wisely invested in speech and language therapy (SALT), recognising speech, language and communication as a primary area of need. An additional service, above that provided by the NHS, is offering useful, evidence-based packages of support.
- There is strong recognition across health that some families who are geographically and socially isolated find accessing clinics challenging. In response to this, leaders are strengthening their digital offer to improve access to services. For example, 'CHAT HEALTH' is an instant messaging service, launched for parents. This digital offer is very successful in helping health visitors to identify need which may not ordinarily be noted. Child and adolescent mental health services (CAMHS) have also co-produced a website with children and young people which provides information and advice to parents about where they can seek support for their mental health.

Areas for development

- Variations in capacity and high caseloads in some health visiting teams means that some mandated checks, in accordance with the Healthy Child Programme, are at times suspended, when staffing capacity is stretched.
- Leaders have not yet done enough work to understand the reasons why the proportions of children and young people identified with moderate learning difficulties are higher in the local area than the national average. They also do not fully understand why the identification of autism spectrum disorder (ASD) is lower than is seen nationally. Consequently, leaders do not know whether these variations link with any gaps in the processes for identifying children's needs.
- Not all parents in the area are positive about the effectiveness of early identification for children with needs that emerge as they get older. Several told us that they had experienced lengthy delays in the identification of their children's needs. Leaders acknowledge that there is more work to do to ensure consistency.

The effectiveness of the local area in meeting the needs of children and young people with special educational needs and/or disabilities

Strengths

- The portage service offers helpful support to pre-school children and their families. Knowledgeable staff work closely with pre-school children to provide tailored, holistic packages of support for use at home and in their early years settings. As a result, young children who have accessed this help are well prepared for starting school.
- Many children with SEND benefit from effective transitions into schools and settings. Teams work in partnership across education, health and care to provide this helpful support. For example, the early help team and health teams take a collaborative approach to support pre-school children with SEND. A parent typically explained, 'I can't speak highly enough of the support I have received. We have had everyone involved that we need, and they have been a lifeline.' 'Transition partnership agreements' help to coordinate support and plan transition onto the next school or setting.
- Sensible improvements have been made to transition arrangements for children with complex care needs, moving from children's to adults' social care. Last year, all 16-year-olds known to the disabled children's service had an allocated social worker. Increasingly, this group of young people have an agreed personal budget by the time they are 18 years old.
- SEN support materials provide schools with clear guidance about how to meet the needs of children with SEND who do not have an EHC plan. Area leaders check how well these materials are working and make appropriate changes to keep the guidance up to date.
- Schools value the quality of specialist support and guidance they receive from other professionals in the local area to help them meet the needs of children and young people with SEND. School special educational needs coordinators (SENCOs) keep themselves up to date through the 'SENCO Circles' networks. Educational psychologists are successfully helping schools to develop their expertise in person-centred planning (planning for children's individual needs).
- Most schools and settings in Hampshire are inclusive. Local area leaders are committed to ensuring that school systems and processes enable children and young people with SEND to thrive

in their settings. Strategic developments keep this commitment to inclusion at the forefront. For example, changes to SEND funding are under way to facilitate even greater inclusion in schools and settings.

- Children and young people with SEND whose circumstances make them additionally vulnerable benefit from helpful coordinated support. For example, professionals work well together to meet the needs of children and young people with SEND who are known to the youth justice system. This group of vulnerable children and young people receive useful therapeutic support for their social and emotional needs.
- Health teams are working tenaciously with some of the most vulnerable children, young people and families with SEND, such as those from travelling communities. Over time, one SALT team has built up trust and rapport with a group of travelling families and now are welcomed onto their site. As a result, some of the most vulnerable and transient children and young people are having their needs assessed and met.
- Joined-up work to identify and meet the needs of children in care who also have SEND is effective. There are several examples of innovative approaches that are supporting young people to actively participate in their care plans. 'Care ambassadors' and the digital health application, 'Give yourself a health CIC', are two helpful examples. Care leavers with SEND receive helpful and carefully planned support from the 'independent futures team' to assist transition planning from Year 9. The Virtual School provides helpful support and advice to promote positive outcomes for children looked after with SEND.
- Leaders keep a close eye on children and young people with SEND who are not educated in school. Information is shared well between professionals to support these children and their families. Leaders know that some parents home educate their child because they are worried that the school provision is not meeting their child's needs. Leaders monitor the data they collect to spot any trends or patterns with individual schools so that this can be followed up. This group of children also have access to the school nursing service. Information is shared with the school nursing team from both the local authority and local schools to ensure that school nurses have an oversight of those children and young people with SEND who are educated at home.
- Therapists take an effective coordinated approach to assessing children and young people who have multiple, comorbid therapeutic needs. This helpful way of working is supporting the 'tell it once' approach. As a result, therapists are working together to assess and meet children's needs successfully.

- We met with several parents who value the support their children receive and describe many examples of the school going above and beyond for their children. They gave examples of some schools taking a real interest in their child and tailoring support to meet their individual needs. They describe schools where children are known well and treated with respect and care. However, sadly, this is not the experience of all parents and carers in Hampshire.
- Many post-16 providers are successfully developing their curriculum offer for young people with SEND. Leaders ensure that young people can study courses that match their needs, interests, aptitudes and aspirations. In many cases, this now includes opportunities for high-quality work experience. Placements are carefully matched with interests and previous skills obtained. When this works well, young people have high aspirations for the future.
- Leaders have grasped the nettle of lengthy delays in the EHC needs assessment process and introduced a digital solution to tackle the issue. The EHC hub was co-produced and launched with parents in November 2019. Although at a relatively early stage of development, early indications show that the system is improving the timeliness of the completion of assessments. No EHC plans have been produced yet from the system but there is evidence that the assessments required to inform these plans are now being completed more efficiently.

Areas for development

- Leaders know that communication with parents needs to improve swiftly. Communication from the SEN team has been limited due to the capacity of the casework team. Leaders have recruited more staff and introduced a dedicated helpline for parents to use to access information. The helpline is busy, receiving approximately 140 telephone calls and 400 emails each day. Despite leaders' positive efforts, many parents still feel highly frustrated and find it difficult to get a timely response from the team.
- Despite many examples of co-production working well, several parents also told us that they do not always feel as involved as they would like to be in reviewing and designing support for their children and young people with SEND in schools and settings. Parents say that the quality of co-production is too dependent on the attitudes of the individual school rather than being a consistent approach across the local area as a whole. Many parents are frustrated and disappointed with the level of service they receive. A parent typically explained that 'we want to be part of the solution'.

- Despite being commissioned to provide a service for children aged from birth to 18, CAMHS is providing little support for children with social, emotional and mental health needs who are under five years old. Although the service is receiving a number of referrals for children under five, it is typically not providing assessments and interventions for this cohort.
- Children and young people who require physiotherapy for musculoskeletal conditions in Hampshire are not benefiting from an equitable service offer. While some children and young people in the south-east of the local area are benefiting from support and intervention, there is no commissioned offer elsewhere.
- A significant proportion of parents and carers told us that due to lengthy waiting times, they felt they had no option but to seek private health assessments. Parents believe that some health provision is not available, although this is not always the case. The local offer does not reliably provide up-to-date information about the health services available. Leaders have more work to do communicate with parents and carers effectively.
- Despite much positive work in the local area, several parents still feel that they have a battle to get the right help and support for their child. Parents feel understandably let down by lengthy waiting lists for some services. Parents told us that there is a lack of appropriate specialist educational provision in some areas. As a result, there are some children who have not been at school for some time. A number of parents feel that their only course of redress is to make an appeal to the SEND tribunal.
- The completion of initial and review health assessments for some children in care with SEND, in accordance with statutory timescales, is variable. Capacity issues within the children in care health team and the geographical size of the county have presented challenges. Recent changes in commissioning arrangements have also resulted in a backlog of assessments. Despite clear plans being in place to address this issue, health assessments for some children and young people are delayed.
- Waiting times for neuro-developmental assessments are too long. While there are a range of pre- and post-diagnostic support services for parents and carers, access to this support is variable around the county. Many parents we spoke with told us that they did not know where to access support. Although leaders know this is a priority, there is currently no formalised National Institute for Health and Care Excellence (NICE)-compliant post-diagnostic pathway in place.
- Access to therapy services is too variable. Capacity within staffing teams has resulted in some children and young people experiencing delays in having their needs assessed and met. The

high rates of tribunals in the county have further exacerbated capacity issues in therapy teams. Leaders have clear recruitment plans to increase staffing and vacancies are currently being advertised.

- School nurses are not commissioned to provide training to staff in mainstream education settings to safely support children and young people with health needs. While the local area provides courses for education staff to access, the data shows a relatively low uptake of this training. More work is needed to ensure that schools have sufficiently trained and competent staff to meet the increasingly complex medical needs of their student populations.
- The proportion of EHC plans completed within the statutory 20 weeks is currently below that seen nationally, although until recently, it was above the national figure. The volume and timeliness of EHC needs assessments have been adversely affected by changes to the local funding system for children receiving SEN support. Leaders are acutely aware that EHC plans are not being completed swiftly enough. They have made sensible changes to improve efficiency. Timeliness is tightly monitored by the director for children's services. However, communication with parents about how the situation is being tackled has not been clear enough. As a result, many parents remain angry and justifiably dissatisfied about how long they have had to wait.
- Overall, the quality of EHC plans is weak, although there are positive signs that quality is improving. However, too often, EHC plans are heavily education-focused, rather than providing a holistic view of the child or young person across education, health and care. Many EHC plans do not reflect person-centred approaches and outcomes are typically too generic rather than specific. As a result, EHC plans are not yet making a strong enough contribution to improving the lives of children and young people with SEND.
- Annual reviews are not reliably completed for all children and young people on an annual basis. Leaders recognise this issue and are starting to tackle the issue. Currently, the most vulnerable groups are targeted to ensure that their annual reviews are completed. Furthermore, amendments to EHC plans following an annual review are not routinely made. Consequently, some children and young people's EHC plans are several years out of date and no longer reflect their needs accurately.
- Children and young people with SEND who receive support from social care teams get the right help. However, the wider family support needs of children and young people who are not known to social care are not always considered carefully enough. Therefore,

this group of children and young people do not always get the help they need.

The effectiveness of the local area in improving outcomes for children and young people with special educational needs and/or disabilities

Strengths

- Community children's nurses are providing effective child-specific, competency-based staff training to enable children with complex medical needs to safely remain in their educational settings. Furthermore, training and support are being provided to the parents and carers of children and young people to enable them to safely meet their child's needs at home. This practice is helping to promote positive health outcomes by facilitating early discharges from hospital and preventing readmissions.
- Children with SEND achieve well in the early years. In 2019, the proportion of children with EHC plans and those receiving SEN support reaching a good level of development by the end of Reception was above the national average. Effective joint working and inclusive approaches in early years settings enable children to succeed.
- Most children with SEND build on their strong start in the early years and continue to achieve well in school. Educational outcomes for children with EHC plans are above that seen nationally.
- Many young people with SEND continue to participate in education or training after statutory school age. The proportion of young people with SEND, over the age of 16, who are not in education, employment or training (NEET) is below national figures.
- The number of children and young people with SEND who are permanently excluded from school is low. School staff have access to a wide range of support and advice to help them support children's social, emotional and mental health and keep them in school.
- The number of children and young people in Hampshire requiring in-patient hospital admission for their mental health needs has decreased. CAMHS inreach teams are helping to support children and young people who are at risk of in-patient admission to remain at home and in their communities. Leaders recognise that capacity of the in-reach teams is fragile due to increased demand for the

service. Well-conceived plans are in place to increase the capacity of in-reach home treatment provision by July 2020.

- Supporting young people to make a positive transition into adulthood is a top priority for the local area. Colleges and the council offer a number of different supported internship programmes. Careful planning helps to ensure that young people are on a programme that matches their skills and interests. Independent travel training is often included within the planning to help increase independence. Pleasingly, the number of supported internships is starting to increase, and leaders are committed to securing further employment opportunities for young people with SEND.

Areas for improvement

- Some children and young people with SEND are not receiving their entitlement to a full-time education in Hampshire. Several parents told us that they worry about their children receiving reduced hours provision at school. Some said that they feel that they have to agree to these arrangements to prevent their child from being excluded from school. Leaders have identified this issue and provide clear guidance to schools with the aim of reducing the prevalence of reduced hours provision. Leaders know that there is more work to do to bring about the improvements that are needed.
- Outcomes for children and young people receiving SEN support are improving rapidly. However, they remain below that seen nationally for the same group of pupils in key stage 2 and 4.
- The quality of person-centred planning to prepare young people for adulthood is patchy. Annual reviews and EHC plans are not always being used effectively to support young people's smooth transition to the next stage in their lives. Frequently, plans focus on education and employment and do not consider wider health and social outcomes that will enable the young person to have a good life.
- Some children with social, emotional and mental health needs do not reliably achieve positive outcomes. Difficulties in accessing timely support is leading to a deterioration of their condition in some cases. Parents told us that despite their children having significant mental health needs, CAMHS are not always able to provide support until children reach crisis point.
- Transition between children's and adult's health services do not always work smoothly enough. Despite the community children's nursing team having effective arrangements with adults' services, transition for some young people with complex and enduring

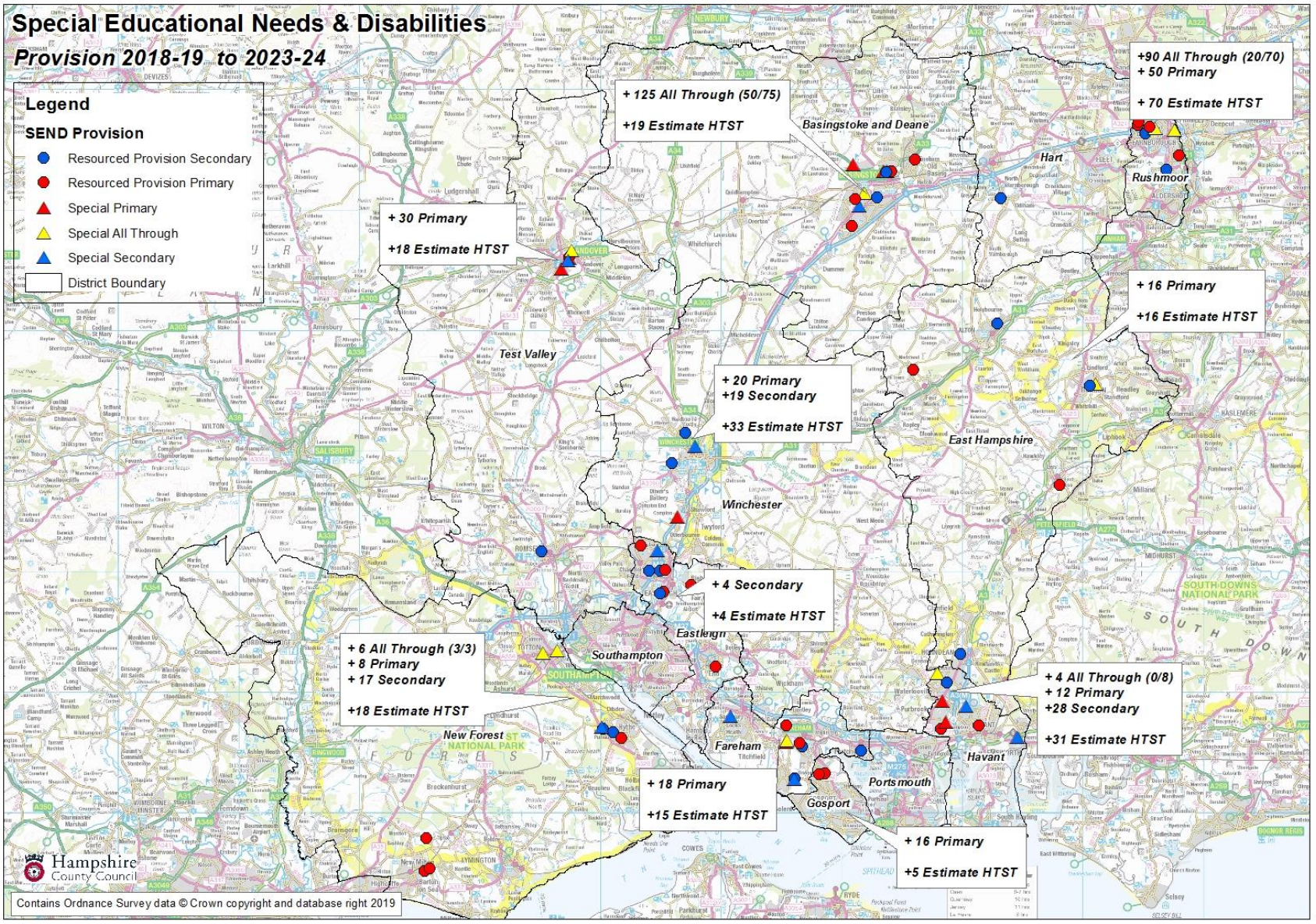
health needs remains an area of challenge. While plans are in place to tackle this, they are at an early stage.

Yours sincerely

Ofsted	Care Quality Commission
Christopher Russell SE Regional Director	Ursula Gallagher Deputy Chief Inspector, Primary Medical Services, Children Health and Justice
Claire Prince HMI Lead Inspector	Nikki Holmes CQC Inspector
Phil Minns HMI	Rebecca Hogan CQC Inspector
Julie Killey Ofsted Inspector	

Cc: DfE Department for Education
Clinical commissioning group(s)
Director Public Health for the local area
Department of
Health NHS
England

Appendix Two - Special Educational Needs & Disabilities Provision 2018-19 to 2023-24



REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	no
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> SEND Reforms Implementation	<u>Date</u> 16 Sept 2015
Hampshire SEND Reforms Implementation Programme (Ofsted and CQC feedback)	25 May 2016
Special Educational Needs and Disabilities (SEND) Reforms Hampshire area post implementation update	8 Nov 2017
Direct links to specific legislation or Government Directives	
<u>Title</u> Children and Families Act [Part 3 SEND] 2014 http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted	<u>Date</u> September 2014
Statutory Guidance: SEND Code of Practice 0-25 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf	January 2015
Local area SEND inspection framework (Ofsted and CQC) https://www.gov.uk/government/publications/local-area-send-inspection-framework	April 2016

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

This report is an information update for the Children and Young People Select Committee and therefore no impact has been identified.



Hampshire
County Council

CYP Select Committee

SEND Update

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Tracey Sanders, County Education Manager (Inclusion)

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- SEN out-county placements
- SEN Capital Place Planning Strategy – sufficiency of specialist provision
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- Independent Futures Team
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SEND Reforms Context

- Children and Families Act [Part 3] September 2014
- Strengthened focus on parent/carers, children and young people collaboration
- Introduced Education, Health and Care Plans (EHCPs) 0-25 for most complex
- Statutory 'Local Offer' <https://fish.hants.gov.uk/localoffer>
- Strengthened the focus on SEN Support and the graduated response
- Joint planning and commissioning of services across education, health and care 0-25
- A strong focus from year 9 on preparation for adulthood to build independence and expectation of employment.
- New Ofsted/CQC inspection framework introduced

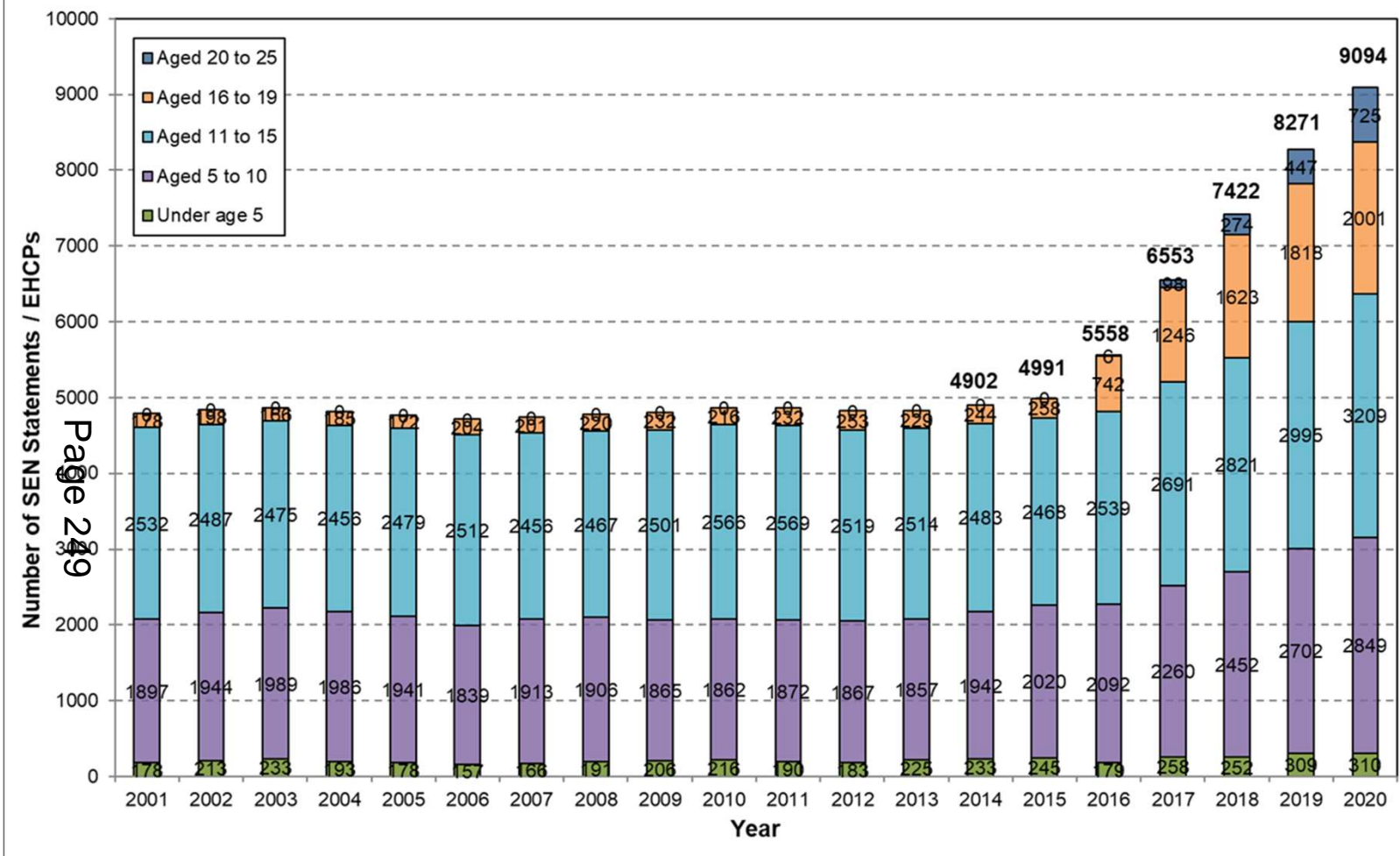
Ofsted/CQC inspection

- Inspection took place in March 2020
- Outcome was positive – no written statement of action required
- Leaders are highly ambitious for children and young people with SEND in Hampshire to succeed and the SEND strategy mirrors the reforms
- Both leaders and practitioners are passionate about improving the lived experience for children and young people with SEND and their families.
- Good outcomes for children with SEND through inclusive school provision which benefits from strong LA support offer from early years to pathways to employment work
- Good multiagency working and investment in provision where needed
- Communication and co-production between parents, schools and services need to improve. Ensure that parents are aware of changes made and that they can see the good work that is going on.

Impact of the Reforms

- Welcomed by Local Authority and parents
- Significant rise in number of EHCPs of 85% since Reforms in 2014
- Currently maintaining 9,379 EHCPs (31 May 2020)
- Growth in all age ranges but uneven
- Requests continue to rise – academic year 2017/18 1,577 new requests; in 2018/19 2,184 new requests received (38.5% increase)

HCC - SEN Statements / EHCPs by Age Group



Growth in EHCPs by year (snapshot in January of each year) and by age group

Some Key Figures

- 5,658 of school age CYP have an EHC Plan (Autumn census)
- 3.1% of school age population with an EHCP (Autumn census) v 3.1% nationally (SEN2 2019)
- 40.3% pupils with EHCPs in special schools (maintained and independent) v 38.6% nationally
- 19,496 of school age CYP on SEN Support (Autumn census)
- 10.8% of school age population on SEN Support (Autumn census) v 11.9% nationally (SEN2 2019)

The impact of SENSA removal

- Schools Forum set up a scheme called Special Educational Needs Support Allowance (SENSA)
- Aimed to get finance out rapidly to support need without the need for recourse to an EHCP application
- It was a considered pilot which didn't have the desired outcome
- Schools Forum ceased the scheme – resulted in 435 additional EHCP requests in a short term bulge
- Timeliness has been temporarily affected (6.5% on time end of 2019)
- Recovery plan in place – additional staff funded and appointed (£0.9 million rising to 1.3 million), EP team prioritising advice giving over traded work
- Recovery expected by the end of this academic year



SEN Service Performance

- 98% of Year 2 phase transfers completed by the deadline (96% last year)
- 96% of Year 6 phase transfers completed by the deadline (82% last year)
- 59% of Year 11 phase transfers completed end of May 2020 higher than last year (44%)

Digital EHC Hub

- In February 2019 the County Council brought all SENCOs onto the EHC Hub, so that they could request EHC assessment through it.
- In summer 2019 the County Council brought all Educational Psychologists onto the EHC Hub, so that they could provide their advice for EHC assessment through it.
- In November 2019 Hampshire County Council launched the EHC Hub to families.
- In late Autumn 2020, Hampshire County Council will bring on remaining health and social care advice writers (delayed due to Covid-19)

Hampshire Parent Carer Network

- HPCN has a membership of 1,353
- Social media presence followed by 1,915 on the main Facebook page
- Monthly newsletter sent to membership to keep them updated with what the parent carer forum have been doing and what meetings have been attended.
- HPCN facilitate various forums for parents/carers to get together – ‘Meet the Parents’, ‘Get Together’, Futures In Mind’
- Focus is to reach those harder to reach families especially in the New Forest and Havant

Outcomes for CYP with SEN

- Early Years GLD for EHCP has increased from 8% to 11% over three years and is above national (5%)
- Early Years GLD for SEN Support has increased from 27% to 34% over three years and is above national (29%)
- KS2 RWM ARE for EHCP has increased from 6% to 10% over three years and is above national (9%)
- KS2 RWM ARE for SEN Support has increased from 17% to 21% over three years but is below national (25%)

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Outcomes for CYP with SEN

- KS4 Basics 4 for EHCP has increased from 11% to 13% over three years and is above national (11%)
- KS4 Basics 4 for SEN Support has increased from 26% to 30% over three years and is closing gap on national (32%)
- Level 2 attainment at 19 for SEND is 33% and is above national (31%)
- Sustained destinations from FE is 84% and is above national (78%)
- Generally low rates of exclusion and absence
- Comprehensive and well-attended professional development offer linked to SEND provision

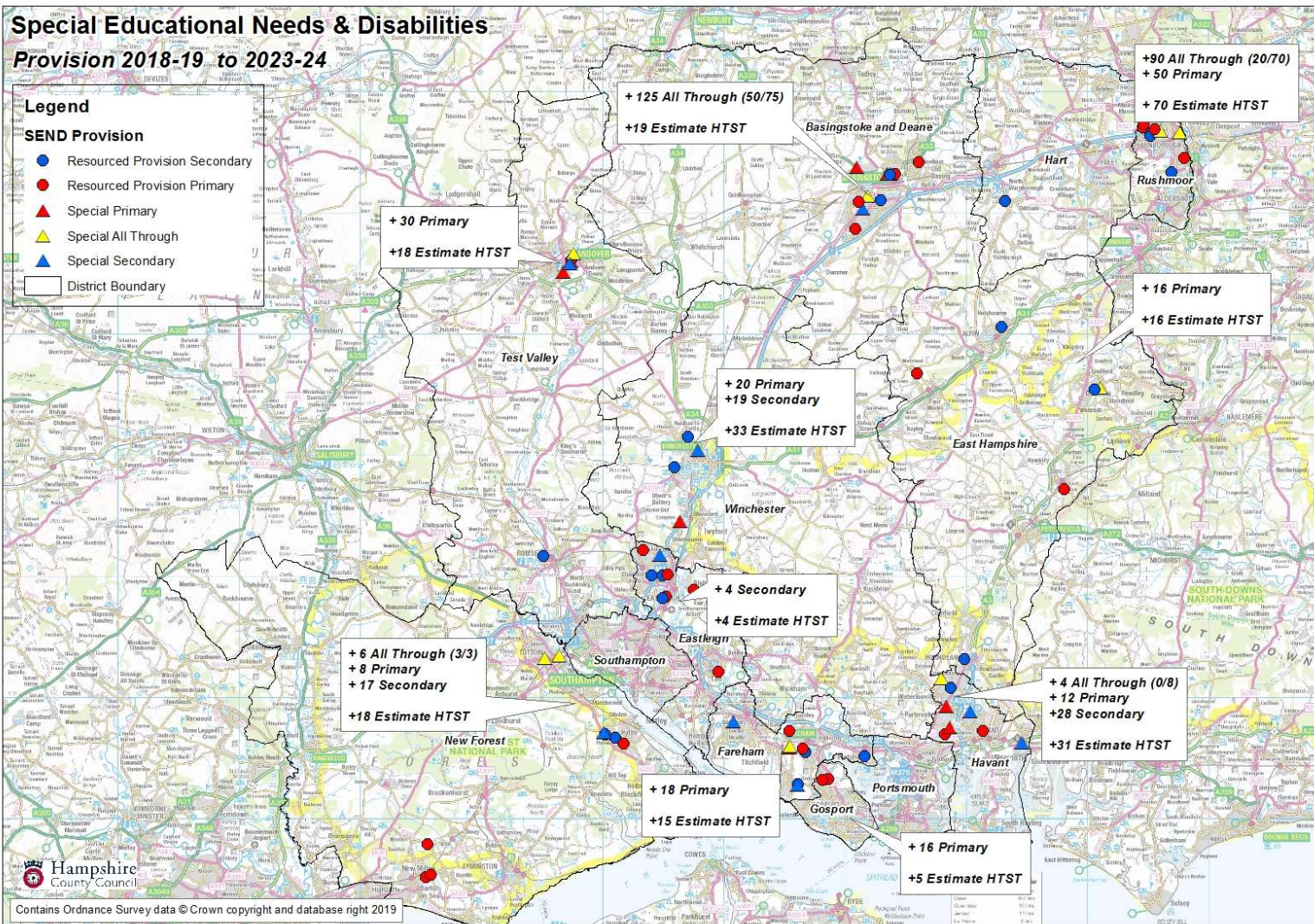
SEN Out of County Placements

- 499 children and young people with special educational needs (SEN) placed in independent/non-maintained schools or independent specialist colleges (Feb 2020)
- £27.14 million (SEN only placements) in 2019/20 financial year – up to Feb 2020
- 180 annual reviews attended in academic year 2018/19; 60 places amended (e.g placements ceased or costs reduced)
- Net saving of over £2m savings 2018/19 with a further £2m saving projected for 2019/20

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Capital Place Planning Strategy – sufficiency of specialist provision

- DfE SEND Capital funding of £6.4m over 3 years 2017-2020
- HCC local resources
- Capital funding to support new school places and suitability
- 125 place 4-16 ASD free school, Basingstoke. Catch 22 approved as Academy Sponsor by DfE. Planned opening 2021.
- Funding approved for a 90 place co-educational SEMH provision – target completion sept 2023
- Over 230 new specialist places were created between 2017-2019, and plans in place to create over 300 additional specialist places by Sept 2023
- Significant condition issues remain at a number of Special Schools. £4.5m basic need funding approved for remodelling of St Francis School, Fareham (Special school for children with SLD and complex needs). Planned completion date Dec 2020. Review of next priorities underway.
- Five year strategic plan to further inform Specialist need across the County.
- Prime areas of need requiring the development of additional places are ASD, SEMH and SLD.



SEND Preparation for Adulthood

- **Employment** - strong employment pathway, hubs are in Eastleigh, Basingstoke, Farnborough and Havant/Alton. Eighty places will be available in year 1.
- **Independent Living** – life skills, travel training and work of independent futures
- **Community Inclusion** – Community offer being developed as young people with SEND have the same aspiration as their peers.
- **Health and Well Being** – a broad range of services available eg fit fest, ready steady go, no limits

Independent Futures Team

- Adult Social Care provide statutory services to young adults aged 18 – 25. The Independent Futures Team (IFT) support young people and their families who are transitioning to adult hood
- Technology Enabled care is embedded in Adults Services. This has resulted in innovative technology being delivered to children and young people prior and after their 18th birthday. This has included Brain in Hand and GPS enabled devices.
- IFT have a target to ensure that 85% of 17.5 year olds known to the service have an agreed support plan in place for when they turn 18. During 2019/20 this has ranged between 85% and 58% of CYP.

NHS SEND Designated Clinical Officer 0-25

- The post holder is also the Associate Director for SEND
- Following inspection on the IOW, the capacity of the DCO role has been increased to include a part time Deputy DCO and a SEND Programme Manager.
- Lead for Transforming Care Partnership
- Lead on the Procurement of Integrated Therapies
- Ensure local placed based commissioning activity is delivered within designated Integrated Care Partnership area

NHS – Working Together

- Multi Agency Resource and Special Education Needs Panel in place and jointly attended by NHS and Local Authority
- The establishment of Integrated Care Systems enables us to deliver our vision of joint working quicker with the leadership of services operating closer together at local delivery system levels.
- Aligned procurement programme between health, social care and education colleagues, we have been re-designing how services are commissioned, such as Health Visiting, School Nursing, immunisation and vaccinations, therapies and parenting
- Joint Hampshire and Isle of Wight Local Transformation Plan

Appeals in Hampshire

- Financial year 2019/20 there were 233 tribunals open – this is 2.5% of the number of maintained EHCPs.
- In 2018/19 there were 234 tribunals open which was 2.8% of the number of maintained EHCPs.
- Over half of the registered appeals do not reach a tribunal hearing because Officers work with parents to resolve the case before hearing.
- Key personnel in Children's Services have already attended training on the single route of redress. Further training is planned.

Reminder:



Hampshire Local Offer

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HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Children and Young People Select Committee
Date of meeting:	8 July 2020
Report Title:	Work Programme
Report From:	Director of Transformation & Governance

Contact name: Members Services

Tel: (01962) 847479

Email: members.services@hants.gov.uk

1. Purpose of this Report

To review and agree the work programme for the Children and Young People Select Committee.

2. Recommendation

That the Children and Young People Select Committee agrees the work programme as attached and makes any amendments as necessary.

WORK PROGRAMME – CHILDREN AND YOUNG PEOPLE SELECT COMMITTEE

Red = changes since last meeting

Topic	Issue	Reason for inclusion	8 July 2020	11 November 2020	13 January 2021
Pre-scrutiny	Consideration of revenue and capital budgets	To pre-scrutinise prior to consideration by the Executive Lead Member			X
Pre-scrutiny	Post-16 Transport Policy Statement	To pre-scrutinise prior to consideration by the Executive Lead Member	X		
Pre-scrutiny	Safeguarding Report – Children’s Services	To pre-scrutinise the annual safeguarding report prior to consideration by Cabinet.		X	
Pre-scrutiny	Short Break Activities Programme	To pre-scrutinise proposed changes prior to consideration by the Executive Lead Member		X	
Overview	Autism Assessment Services	To provide an update on the work with children and young people. <i>Last update – September 2019</i> <i>A further update was requested for 12</i>		X	

Topic	Issue	Reason for inclusion	8 July 2020	11 November 2020	13 January 2021
		<i>months' time by the Committee</i>			
Overview	Child and Adolescent Mental Health Service (CAMHS)	To provide an update of CAMHS in Hampshire, to include progress made to reduce waiting times for access to CAMHS treatment. <i>Last update – November 2019 A further update was requested for 12 months' time by the Committee</i>		X	
Overview	Covid-19 Update	To provide an update on the impact of Covid-19 on Children and Young People	X		
Overview	Early Years Childcare and Childcare Sufficiency	To provide an update on Childcare Sufficiency Assessment and Covid-19 Impact and Response for the Childcare Sector	X		
Overview	Elective Home Education	To provide an update on elective home education.			

Topic	Issue	Reason for inclusion	8 July 2020	11 November 2020	13 January 2021
		<i>Last update - November 2019 A further update was requested by the Committee. To be brought to a future Committee meeting, date to be confirmed</i>			
Overview	Fostering	To provide an overview of fostering in Hampshire			X
Overview	School attainment	To provide an annual update on attainment of children and young people in Hampshire schools			X
Overview	Special Educational Needs and Disabilities (SEND)	To provide a further update and overview of work with children and young people with special educational needs as requested by the Select Committee <i>Last update - May 2019 A further update was requested for 12 months' time by the Committee</i>	X		

Topic	Issue	Reason for inclusion	8 July 2020	11 November 2020	13 January 2021
Overview	Ethnic Minority and Traveller Achievement Service (EMTAS)	To receive a biannual update on the Hampshire EMTAS <i>Last update - July 2018, further update will be brought to a future Committee meeting, date to be confirmed</i>			
Overview	Youth Offending Service	To provide an overview of the youth offending service in Hampshire <i>To be brought to a future Committee meeting, date to be confirmed</i>			

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	No
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

This is a scrutiny review document setting out the work programme of the Committee. It does not therefore make any proposals which will impact on groups with protected characteristics.

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