

EDUCATION PDS COMMITTEE
8th July 2015

ORAL QUESTIONS TO THE EDUCATION PORTFOLIO HOLDER

**Oral Questions to the Education Portfolio Holder received from Rosalind Luff,
Bromley Parent Voice**

With regard to Item 9b: SEN Transport Policy Changes Following Recent Consultation:

- 1) Local Authorities have a duty to publish general arrangements and policies in respect of home to school travel and transport for children of compulsory school age. Why is this policy entitled SEN Transport policy when it contains regulations and outlines eligibility other than SEN children

Reply:

The emphasis of the Policy is in respect of home to school travel and transport for children of compulsory school age. Additional information has been included as it was felt it may be helpful to parents rather than searching elsewhere. The Council does not believe it detracts from the key information in the policy and had not previously received feedback from the consultation that it presented issues.

Supplementary question:

The Local Authority has included general arrangements and policies in respect of home to school travel in the same policy as SEN Transport. Is the Local Authority aware that this could cause confusion to parents and carers of children with special educational needs and disabilities?

Reply:

There is no intention to confuse parents and carers of children with special educational needs and disabilities. The Local Authority is required to provide travel arrangements without cost to all children and young people who are eligible by reason of distance from school or other needs, such as special educational needs and disabilities.

- 2) 5.2.8 of the consultation report states: distance criteria is waived for all children who cannot reasonably be expected to walk to school because of associated SEN issues or disability. Why is this waiver not made clear within both the application process and the policy.

Reply:

The Council accepts that this wording is not replicated within the policy and application form, however the policy does state at 4.2.2 when discussing Department for Education walking distances that 'Additionally, transport assistance will be provided where the pupil has an SEN / EHC plan and

- Has been assessed as requiring transport assistance to access their specialist provision'.

The Council believe this amounts to the same outcome.

Supplementary question:

Department for Education guidance is clear regarding the eligibility of children and young people for SEN Transport. Is the Local Authority aware that the inclusion of eligibility criteria for travel arrangements for children by reason of distance from school may cause confusion for parents and carers of children with special educational needs and disabilities for whom distance criteria does not apply?

Reply:

There is no intention to confuse parents and carers of children with special educational needs and disabilities. The Local Authority has a statutory obligation to provide travel arrangements without cost to all children and young people who are eligible by reason of special educational needs and disabilities.

Oral Questions to the Education Portfolio Holder received from Bryan Freake

With regard to Item 11a: Reorganisation of Bromley Adult Education College:

- 1) What analysis has been undertaken of the need/demand for Adult Skills Fund courses in central Bromley and of the ability of students in central Bromley to attend courses in Kentwood and Poverest? Would not providing some courses in central Bromley give more options to students from all areas?

Reply:

No detailed needs analysis has been undertaken at this stage. However, postcode analysis of student data shows that in 2014/15 29% of students attending Adult Skills funded courses lived in the wards surrounding the Kentwood Centre, 20% Widmore Centre and 15% Poverest. The remaining 36% of the Adult Skills funded cohort came from wards that would have reasonable access of more than one centre. The Crystal Palace and Penge and Cator Wards alone accounted for 23% of the Adult Skills funded students, indicating that demand for this provision is highest on the north side of the borough.

Both the Kentwood and Poverest Centre are better served by public transport than the Widmore site, with busses that stop close to the site entrance. Both sites also have their own car parks. As part of the consultation process we expect to gather data about the ability of individuals to access one or more of the sites we propose to retain. It may be that we will need to explore the option of renting spaces close to central Bromley for specific provision if during the impact assessment work or consultation period it becomes apparent that some vulnerable groups may be at risk of exclusion.

The ideal position for the service would be to retain a presence near to central Bromley. However, the current financial position means that the service can no longer afford to run all three sites. Therefore, given the expectation by national government that funding is prioritised for communities of greatest need, retaining Kentwood and Poverest will help to ensure the service remains accessible by those communities of greatest need.

Supplementary question:

Since stopping all adult education courses in central Bromley would be undesirable and would reduce income as well as expenditure for the Adult Education service, is it reasonable to conclude that the Local Authority has other plans for the Widmore Centre site?

Reply:

There are a range of costs related to the use of the Widmore Centre including for building maintenance and staff which will be taken account of as part of any consultation undertaken on the proposed reorganisation of the Adult Education service.

- 2) What analysis has been done of the impact of closing the nursery facility at the Kentwood centre, in respect of its effect on the ability of people to attend classes, particularly Adult Skills Fund classes? If the Nursery is retained how many fewer classes will be provided at Kentwood?

Reply:

An impact analysis would be undertaken as part of the consultation process. However, analysis of the current user data shows that the parent or carer of 62% of the children in the Kentwood nursery was attending a qualification based course. It is estimated that current nursery accommodation could be used to provide an additional two teaching spaces. This would mean that if the nursery is retained then the service would potentially provide 14 fewer classes each week at the Kentwood site.

Supplementary question:

Will a reduction of nursery places at the Kentwood Centre compound issues for learners who will need to travel to courses in locations across the Borough which are not available in central Bromley?

Reply:

A full range of issues including the impact of a reduction in nursery places and the proposed future location of course availability will be considered fully as part of any consultation undertaken on the proposed reorganisation of the Adult Education service.

- 3) In respect of mainstream adult education, will the College continue its policy of only allowing courses to run if they cover their costs and will not locating courses only at the extremities of the Borough depress demand and lead to a reduction in courses and income greater than the 60% projected?

Reply:

It is not possible to permit courses to run if they do not cover all the costs incurred as a result of running them. This will only worsen the current financial position of

the service. Those students who currently attend courses at Kentwood and Poverest will be able to continue to do so. By relocating provision from Widmore to the other two sites, this will increase student choice at those two locations. Both sites currently operate at reduced capacity and we need to try to maximise the accommodation on offer at these sites. Although realistically we realise that not all of the current Widmore users will be able to or be prepared to travel to either Kentwood or Poverest, some will be able to do so and many already attend courses at more than one site. Therefore we expect that overall demand at those two sites to increase slightly, thus improving the predicted financial position.

Supplementary question:

Bearing in mind the level of central recharges on the Adult Education service, how can there be confidence that the Adult Education Service has a future if the planned reorganisation goes ahead?

Reply:

Despite the massive pressures caused by a reduction in funding from Central Government, I am confident that the Adult Education service will continue to deliver a range of provision, and underline the need to develop a service model which will ensure the Adult Education service is sustainable and self-funding into the future.

Oral Questions to the Education Portfolio Holder received from Michaela Mahon

With regard to Item 9b: SEN Transport Policy Changes Following Recent Consultation:

- 1) A lot of time and effort has gone into the consultation, why is it that none of the concerns raised and in particular the many concerns regarding siblings and work commitments have not been addressed in the draft policy? I haven't noticed any significant changes to the original draft.

Reply:

The Council has a duty to comply with national guidance which does not include consideration of siblings' school attendance and parental work commitments. The policy is intended to advise parents how the Council meets its obligations in compliance with the legislation. These are dilemmas faced by many parents but it is appreciated that parents with children who have SEN must frequently deal with more complex issues and therefore, in exceptional circumstances, the Council may agree to provide transport assistance outside of the policy.

Supplementary question:

Looking at the regulations, does the Local Authority consider it is reasonable to expect a child or young person with special educational needs or disabilities to walk to school and for their parents or carers to accompany them?

Reply:

The SEN Transport Policy has been developed to ensure that the Local Authority meets its statutory obligation to provide travel arrangements without cost to all children and young people who are eligible by reason of special educational needs and disabilities.

- 2) Ref 4.5 4 parents expected to be passenger assistant. How is it fair that parents (who often have work commitments or have siblings in other schools) should be the assistant where a child has challenging behaviour or is placed out of borough due to lack of local provision.

Reply:

The Policy states that parents will be expected to accompany their child and undertake the role of passenger assistant where the pupil is a sole pupil attending a specific provision. This is because children in these circumstances tend to have higher needs and be more vulnerable, and a parent accompanying them is more likely to provide reassurance and a calming influence. In circumstances where this is not possible, a suitable escort will be appointed to accompany the child.

Supplementary question:

Does the SEN Transport Policy discriminate against parents and carers whose children have challenging behaviours or those whose provision cannot be provided locally?

Reply:

The SEN Transport Policy has been developed following a consultation with a full range of stakeholders including service users, and ensures that the Local Authority meets its statutory obligation to provide travel arrangements without cost to all children and young people who are eligible by reason of special educational needs and disabilities.

- 3) Why is transport for children attending specialist provision outside of the education budget? Children attending specialist settings have greater disabilities / impairments than other children and their specialist setting is unlikely to be within the tradition 'catchment' area. Transport should be seen as part of the education provision.

Reply:

We understand your question refers to the source of the budget. This is not within the Council's control as the Schools and Non-Schools Education Budgets are defined by the Schools and Early Years Finance (England) Regulations 2014.

Supplementary question:

How can parents appeal against the definition of statutory provision?

Reply:

Any appeals against the definition of statutory provision should be made to Central Government.

Oral Questions to the Education Portfolio Holder received from Paula Hollywood

With regard to Item 9b: SEN Transport Policy Changes Following Recent Consultation:

- 1) Re 3.1.4 Parental consultation revealed many parents were concerned about the impact of withdrawing transport from children on the basis that parents either had to work or had to drop siblings at schools other than the Specialist provisions. These concerns have not been answered nor addressed by the policy

Reply:

The policy is intended to make it clearer for parents when explaining the circumstances under which transport will be provided in accordance with statutory guidance. The statutory guidance does not require the Council to take into account parental work commitments or sibling attendance at other schools. In exceptional circumstances, the Council may agree to provide transport assistance where a parent has no alternative options in transporting a sibling to a school.

The vast majority of pupils are eligible to receive transport assistance and the Council will continue to meet its statutory duties in doing so.

Supplementary question:

Parents of able bodied children can access before or after-school clubs. These are not necessarily available to children with special educational needs and disabilities. If SEN Transport services are withdrawn, will this result in more before or after-school clubs which will increase the cost of this provision to the Local Authority?

Reply:

Provision of before and after-school clubs is in the remit of schools and their Governing Bodies and is out of the scope of the Local Authority.

- 2) There is a lack of suitable respite services to fulfil the needs of children with SEN. Where clubs exist, parents struggle to meet the prescribed drop off/collection times due to work commitments. Are the council considering opening any after school clubs to promote independence and life skills training?

Reply:

Element 1 – Respite

Respite services are not available to all parents of children with additional needs and are offered on the basis of assessed need which is undertaken by Social Care. This is outside of the scope of the SEN Transport Policy.

Element 2 – Clubs, pre and after school school clubs.

The provision of services for pre and afterschool activities/childcare are the responsibilities of the schools and expansion of these services is determined by schools and their governors. This is outside of the scope of the SEN Transport Policy.

Element 3 – After school clubs to promote independence and life skills training

Pupils receive PHSE classes in school. On an age appropriate and ability basis, the post-16 curriculum offers life skills education and development training.

The Council offers independent travel training for selected pupils in receipt of SEN transport assistance when there is consensus that they are suitable to undertake the training and will be able to become independent travellers.

Supplementary question:

The Local Authority's own research supports the fact that parents have raised new concerns regarding children with special educational needs and disabilities being able to travel independently in the same way that able-bodied children can. Does the Committee understand the impact and stress that can be caused through insisting children with special educational needs and disabilities self-mobilise to school and the affect this may have on them and their parents and carers?

Reply:

I acknowledge the very real concerns felt by parents and carers. There is a process of statutory responsibility and examination undertaken before children are considered for independent travel training, and the SEN Transport Policy has been developed to ensure that the Local Authority meets its statutory obligation to provide travel arrangements without cost to all children and young people who are eligible by reason of special educational needs and disabilities.

- 3) There are few specialist schools in the borough. Parents might have to access these schools by a more complicated route than that taken by an able bodied parent or child. Does the policy/procedures take this into account, remembering the duty to ensure child arrives in fit state to learn.

Reply:

Bromley has good provision of SEN services in comparison with other Boroughs. The policy recognises the needs of children with SEN in accordance with national guidance.

Supplementary question:

With only five specialist schools across the Borough, pupils with special educational needs and disabilities may have to access schools by more complicated public transport routes than those of able-bodied children. Is the Local Authority concerned that at least two special schools in Bromley are not on named bus or rail links and are at the top of steep hills which will make the journey to school more difficult for these children?

Reply:

Every child and young person with special educational needs and disabilities goes through a process of assessment to identify the travel arrangements that are most suitable for them. The SEN Transport Policy has been developed to ensure that the Local Authority meets its statutory obligation to provide travel arrangements without cost to all children and young people who are eligible by reason of special educational needs and disabilities.