

**LONDON BOROUGH OF MERTON**

**REPORT AND RECOMMENDATIONS ARISING FROM**

**A POLICY REVIEW OF**

**TRANSPORT ARRANGEMENTS FOR SEN STUDENTS**

**DECEMBER 2002**

## **FOREWORD BY PANEL CHAIR**

Overview and Scrutiny was introduced in Merton in June 2000, as part of the Government's modernising local government agenda. It is potentially the most exciting and powerful element of the entire local government modernisation process. From its inception it continues to develop and change. Central to this change is the need to continue to strengthen the democratic process by placing members at the heart of policy making, improving the quality of debate and initiating debate. Overview and Scrutiny is also the mechanism by which Councils can achieve active community leadership, good governance and by which councillors can become powerful and influential politicians. It is important to continue to strengthen Overview and Scrutiny by building on the achievements and successes and learning from past experiences.

The Education and Lifelong Learning Overview and Scrutiny Panel undertook an urgent scrutiny policy review of transport arrangements for SEN pupil. The review included consideration of the following questions. 1. Is the service fit for purpose? 2. Does it have a high level of customer focus in that schools as well as parents receive quality service? 3 Does the service offer best value and are there alternative arrangements that might be considered? Included in the procedure for undertaking the review were a series of open sessions providing parents of SEN pupils to give evidence. In addition a user survey questionnaire was implemented.

The Panel focussed its attention on including measures to improve the overall transport service for SEN students. This covered the need for more efficient communication between parents and the Transport Service, issues of health and safety relating to drivers and escorts, transport equipment and the reliability of cab companies. The 14 key recommendations approved by Cabinet on 24 February 2003 effectively addresses these issues.

I would like to thank all the parents who took the time to participate in this review. My appreciation to all the members of the Panel for their efforts and to the officers who serviced the Panel.

**Councillor David Chung**  
**Chair of Education and Lifelong Learning Overview and Scrutiny Panel**

## **EDUCATION AND LIFELONG LEARNING OVERVIEW AND SCRUTINY PANEL**

### **Membership:**

**Councillor David Chung, Chair**  
**Councillor Samantha George, Vice-Chair**  
**Councillor Jillian Ashton**  
**Councillor Matt Bird**  
**Councillor Tony Giles**  
**Councillor Oonagh Moulton**  
**Councillor George Reynolds**  
**Councillor Mike Tilcock**

### **Co-opted Representatives:**

**Mr Andrew Boxall, Parent Governor**  
**Mr Bob Cargill, Headteacher Representative**  
**Rev. Tom Leary, Church of England Diocesan Representative**  
**Mr Henry Macauley, Merton Governors Council Representative**  
**Mr Chris O'Connor, Roman Catholic Diocesan Representative**

### **Officers:**

**Janet Yerbury, Head of Access, Opportunity And Inclusion**  
**Irfan Malik, Head of Amenity Services**  
**Helen Catling, Transport Manager**  
**Barbara Jarvis, Scrutiny Officer**

### **Acknowledgements:**

The Panel would like to express its thanks and appreciation to all those who contributed to this review; the parents who attended the meetings to give their views and who responded to the survey questionnaire and also the officers who provided the information requested by the Panel and responded to questions put to them.

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## REPORT SUMMARY

This report contains the findings of the policy review which has examined the transport arrangements for Special Educational Needs (SEN) students in Merton. The review has been conducted in the light of local concerns about the service and problems reported by parents of SEN pupils.

The Education and Lifelong Learning Overview and Scrutiny Panel were given the responsibility for undertaking this review and reporting back on the findings in December 2002.

The Panel arranged a series of three meetings to undertake the review. Letters were sent to parents of SEN pupils using the transport service, inviting them to a series of open sessions in November, at which they could express their views and outline their experiences of the transport service.

In addition to the hearing of parental evidence at the open sessions, a user survey was undertaken and questionnaires were sent to the parents and also the SEN schools and units used by Merton.

In concluding its review, the Panel have agreed a number of recommendations, which aim to address the key concerns and problems which have been highlighted during the review. The recommendations which are set out under the Panel's conclusions in paragraph 5 of this report, are :-

- That a) all drivers and escorts be required to have ID badges and these will be issued only by the Authority, in order to retain central control; there should be written into the contract with cab companies a clause, that failure to comply with the display of ID badges will result in the termination of the contract. Parents should also be advised that they have the right to request to see an ID badge clearly displayed; and  
b) training should be provided to all escorts as a standard requirement and that this could be linked to the provision of ID cards;
- That all drivers and escorts should be CRB checked, once the backlog of checks has been cleared (hopefully to be completed by the end of March 2003); until this can be achieved, every possible step should be taken to ensure that all escorts have been CRB checked prior to use on any journey involving an SEN pupil, but that, if the escort has not been checked, the parent is invited to be the escort until a check has been completed. This recommendation will help to ensure a proactive relationship between parents and the Authority, through collaborative working;
- That it be made a requirement for drivers to be contactable at all times while they are transporting an SEN pupil and that all drivers relay information on journey delays. Also that various methods of fast communication be explored between the Transport Department and parents, such as e-mail, text messaging and mobile phone contact;
- That the complaints procedure be made easier to understand and more user friendly, with clear guidelines provided;

- That, using an example of good practice from the London Borough of Brent, there be a critical redrafting of the policy document on SEN Transport, to provide good quality information to parents, including an outline of broader alternative options for transporting pupils to school, which should be explored. The options need to be outlined as soon as possible after the issue of the SEN Statement and officers will explore the options for parents to transport their own children, in accordance with agreed procedures;
- That, in addition to the policy document, a booklet be produced and provided to all parents of SEN pupils, containing all the information needed in relation to the transport arrangements for their child and what to do in the event of particular circumstances arising; the leaflet should include a description of the details scrutinised in the Criminal Record Bureau (CRB) check;
- That, even though all cab companies are members of the Public Carriage Office, it should be a condition of the contract that documentation relating to the drivers employed by the minicab companies, such as driving licences, references and MOT certificates for any particular vehicle should be made available on request, for checking by the Transport Department as part of regular monitoring, or in relation to any complaint received;
- That, owing to the inconsistency which exists over parents receiving a notification letter about their transport arrangements, officers review more effective means for producing a letter for all parents, in advance of transport commencing, with a deadline date for complying with production of the letter to be agreed and included in the leaflet provided to parents; the letter should include the name and telephone number of the cab company being used, together with the names of the driver and also the escort where one is provided; however, the advice to parents should be to contact the Transport Service in the first instance if the pupil is not going to school on any particular day;
- That a satisfaction survey/review should be undertaken every school year, with the findings made available to parents on request and presented to the Education and Lifelong Learning Overview and Scrutiny Panel as part of its monitoring role; in addition, officers of the local authority will carry out random checks during the year;
- That the tender process should seek to ensure that advertisements for expressions of interest should include ethnic minority publications in the circulation, but, in doing so, ensuring that the tender process complies with equalities legislation;
- That the feasibility of Merton Council becoming a minicab operator, employing drivers with cabs directly, be fully explored, as a means to the Authority retaining central control of the whole SEN Transport Service;
- That the possibility of the Transport Service working towards Investors in People status be considered, with the cab companies signing up to the initiative;
- That officers be asked to develop local performance indicators to monitor the level of service provided;
- That these recommendations are taken up as soon as possible, to ensure that the key questions identified in the review terms of reference are addressed.

## **1. INTRODUCTION**

A request for an urgent scrutiny policy review of SEN Transport arrangements was made by the Cabinet of Merton Council on 23 September 2002, in the light of local concerns about the effectiveness of the service. Subsequently, the Overview and Scrutiny Commission delegated responsibility for the review to its Education and Lifelong Learning Overview and Scrutiny Panel, with a request that the review report be available by the end of the year.

The Commission agreed the terms of reference for the review, which were taken on board by the Panel. (See Appendix A). The Panel has sought to address the three key questions identified in the terms of reference:

- Is the service fit for purpose? The Panel's view is that basically it is fit for purpose but requires improvement in key areas as identified in the recommendations in Paragraph 5.
- Does the service have a high quality focus, in that schools as well as parents receive a quality service? The Panel has identified where the quality of the service can be enhanced in its recommendations.
- Does the service offer best value and are there alternative arrangements that might be considered? The review has resulted in a recommendation for possible alternatives to be explored, to give parents more flexibility in transport provision, which would enhance the value of the service.

## **2. THE PROCEDURE FOR UNDERTAKING THE REVIEW**

The Panel met on 16 October 2002 and agreed a series of dates specifically for undertaking the review, with a report back to the Commission agreed for December 2002. The timescale was therefore extremely tight and officers have made this a priority area.

Three meetings were held in all, on 30 October, 13 November and 26 November 2002. The 13 November date was used for a series of open sessions throughout the day, with parents of SEN pupils invited to attend and give their views of the transport service to the Panel.

At the two other meetings, officers from the Education, Leisure and Libraries Department and Environmental Services Department attended, providing information and advice to Members and responding to specific questions.

Several key issues were highlighted for discussion. These were:-

- Do children get to school on time?
- Are children transported safely by Council and contracted vehicles and personnel?
- How are drivers and escorts recruited both for the Council and taxi firms?
- How are complaints dealt with?
- What information is provided to parents concerning transport?

The procedures in relation to the above were outlined by officers at the first meeting on 30 October 2002. Members then heard the experiences of parents first hand at the open sessions on 13 November.

The Panel also agreed that a user survey questionnaire should be undertaken, with the findings to be fed into the review process. A questionnaire was produced and despatched together with the invitation letter for the open sessions arranged for 13 November.

### **3. KEY ISSUES AND THE HEARING OF PARENTAL EVIDENCE**

The Panel undertook a series of open sessions on 13 November 2002, at the Chaucer Centre in Canterbury Road, Morden and also at Merton Civic Centre, with opportunities for parents of SEN pupils to attend the morning, afternoon or evening session and give their views to Panel Members. Although the take up of this opportunity was disappointing, with only 8 parents attending throughout the day, the insight gained by the Panel into the problems experienced by parents of SEN students was very revealing. It was acknowledged that there may have been some parents who were in negotiations with the Authority on transport issues, and who therefore preferred not to attend in person.

There were various issues of concern raised by those parents who did attend around the areas of communication between the Transport Service and parents, issues of health and safety and general lack of reliability around timekeeping and continuity of driver and escort, as well as continuity of cab company.

There was evidence from some parents who addressed the Panel that minicab companies can be consistently late in arriving for a pick up in the morning and that the parents are not advised if the cab is running late. There was also concern that the driver and/or escort can be changed without notice. Health and safety issues also raised concern. It was reported to the Panel that seat belts may not have been worn on some occasions, or equipment such as booster seats may not have been used properly.

Although the staff recruited by the Authority were subject to the standard recruitment procedures and application forms and reference requirements, those employed by the minicab companies did not have to comply with the same rigorous process.

The complaints procedure which is currently in place was discussed. The Panel considered that this should be made more user friendly and information on the procedure given to all parents of SEN students.

Not all parents appeared to have received a letter notifying them of their transport arrangements, prior to the service commencing. There had been some instances of the transport turning up without parents knowing it was expected.



The key issues raised have been addressed by the Panel in the formulation of the review recommendations as outlined in Paragraph 5.

#### **4. THE SURVEY QUESTIONNAIRE**

Over 460 questionnaires were sent out to parents of SEN pupils using the transport service and also to SEN schools and units used by Merton.

Although the Panel originally agreed that the survey should be undertaken without identification of individual parents; the questionnaires were in fact sent out with names and addresses on.. It was acknowledged that this had been an error, however the response was considered to be very good, with 30% of surveys returned. It was agreed that the need to retain anonymity in future surveys would be borne in mind.

The survey produced some very valuable information to assist the Panel in formulating its recommendations and some useful additional comments were included in the questionnaires. The survey analysis can be found in Appendix B to this report.

#### **5. CONCLUSIONS AND RECOMMENDATIONS**

Members concluded that the key areas of concern which emerged during the review needed to have measures taken to improve the overall transport service for SEN students. These included the need for more efficient communication between parents and the Transport Service, issues of health and safety, relating to drivers and escorts, as well as transport equipment, and the reliability of cab companies generally.

The Panel agreed the following specific recommendations, having taken into account the views expressed by parents and the concerns highlighted:-

1. That a) all drivers and escorts be required to have ID badges and these will be issued only by the Authority, in order to retain central control; there should be written into the contract with cab companies a clause, that failure to comply with the display of ID badges will result in the termination of the contract. Parents should also be advised that they have the right to request to see an ID badge clearly displayed; and  
b) training should be provided to all escorts as a standard requirement and that this could be linked to the provision of ID cards;
2. That all drivers and escorts should be CRB checked, once the backlog of checks has been cleared (hopefully to be completed by the end of March 2003); until this can be achieved, every possible step should be taken to ensure that all escorts have been CRB checked prior to use on any journey involving an SEN pupil, but that, if the escort has not been checked, the parent is invited to be the escort until a check has been completed. This recommendation will help to ensure a proactive

- relationship between parents and the Authority, through collaborative working;
3. That it be made a requirement for drivers to be contactable at all times while they are transporting an SEN pupil and that all drivers relay information on journey delays. Also that various methods of fast communication be explored between the Transport Department and parents, such as e-mail, text messaging and mobile phone contact;
  4. That the complaints procedure be made easier to understand and more user friendly, with clear guidelines provided;
  5. That, using an example of good practice from the London Borough of Brent, there be a critical redrafting of the policy document on SEN Transport, to provide good quality information to parents, including an outline of broader alternative options for transporting pupils to school, which should be explored. The options need to be outlined as soon as possible after the issue of the SEN Statement and officers will explore the options for parents to transport their own children, in accordance with agreed procedures; (Appendix C contains Merton's draft SEN policy document);
  6. That, in addition to the policy document, a booklet be produced and provided to all parents of SEN pupils, containing all the information needed in relation to the transport arrangements for their child and what to do in the event of particular circumstances arising; the leaflet should include a description of the details scrutinised in the Criminal Record Bureau (CRB) check; (Appendix D contains a copy of the CRB form);
  7. That, even though all cab companies are members of the Public Carriage Office, it should be a condition of the contract that documentation relating to the drivers employed by the minicab companies, such as driving licences, references and MOT certificates for any particular vehicle should be made available on request, for checking by the Transport Department as part of regular monitoring, or in relation to any complaint received;
  8. That, owing to the inconsistency which exists over parents receiving a notification letter about their transport arrangements, officers review more effective means for producing a letter for all parents, in advance of transport commencing, with a deadline date for complying with production of the letter to be agreed and included in the leaflet provided to parents; the letter should include the name and telephone number of the cab company being used, together with the names of the driver and also the escort where one is provided; however, the advice to parents should be to contact the Transport Service in the first instance if the pupil is not going to school on any particular day;
  9. That a satisfaction survey/review should be undertaken every school year, with the findings made available to parents on request and presented to the Education and Lifelong Learning Overview and Scrutiny Panel as part of its monitoring role; in addition, officers of the local authority will carry out random checks during the year;
  10. That the tender process should seek to ensure that advertisements for expressions of interest should include ethnic minority publications in the circulation, but, in doing so, ensuring that the tender process complies with equalities legislation; (See Appendix E for a copy of Merton's draft tendering document);

11. That the feasibility of Merton Council becoming a minicab operator, employing drivers with cabs directly, be fully explored, as a means to the Authority retaining central control of the whole SEN Transport Service;
12. That the possibility of the Transport Service working towards Investors in People status be considered, with the cab companies signing up to the initiative;
13. That officers be asked to develop local performance indicators to monitor the level of service provided;
14. That these recommendations are taken up as soon as possible, to ensure that the key questions identified in the review terms of reference are addressed.