

Geoff Raw
Chief Executive
Brighton & Hove City Council

Dear Geoff,

HOME TO SCHOOL TRANSPORT – RESPONSE TO THE RECOMMENDATIONS FROM THE INDEPENDENT REVIEW REPORT

We are submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Children, Young People and Skills Committee (CYPS) meeting of 15th June 2020.

Dear Committee members,

We wish to provide some additional information in respect to the above headed report. In particular, we wish to highlight what the report doesn't advise you and to request an amendment to recommendation 2.1.

In the first instance, we welcome the efforts being made to introduce significant changes to how the service is managed and are pleased that the Administration has accepted the criticisms and recommendations in full and acknowledges the catastrophic errors it made causing significant distress to children and families, for detrimentally impacting the schools and unfairly laying all the blame on operators.

We acknowledge the apologies made by the Chair of this Committee but feel the apology would have greater significance if it also came from the Leader of the Council who didn't take the opportunity offered at a recent Policy & Resources Committee.

We are also grateful for the significant efforts of the staff who have had to deal with the fallout of the problems and acknowledge their dedication to try and resolve things. It is a shame that their efforts were hampered by denial and obscuration of others. We are also very appreciative of the new interim Head of Service whose candid and frank approach has been instrumental in trying to put things right.

However, this report has not been considered by the Member HTST Policy Panel and does not have the benefit of any scrutiny or input from the Panel. The Panel is in the process of disseminating the LGA report and other evidence and has yet to determine all the issues and would presently be in no position to know if the responses in this report are sound or adequate.

It is concerning the Administration gave the LGA report to the Panel to consider but not CYPS Committee and then asks CYPS Committee to consider its response to the LGA but not the Panel.

Significant issues around the lack of Member involvement and scrutiny of the changes to the service introduced by officers have yet to be addressed but have been identified. Yet, history is now repeating itself with only bits of information being shared with various Members. **We would ask therefore that in your consideration of this report, you bear in mind you do not have all the facts, all the information, all the thoughts and views currently being**

reviewed or any input from your peers charged with scrutinising all issues around this debacle.

Recently, a similar event happened at P&R where the request for additional in-house staff at a cost of circa £300k with an additional £1m increase on the budget were agreed. Those proposals were again not shared with, nor had the input of, the Panel. Whilst we would not deny the increases to benefit the children and families, these increases were needed to help put right a badly designed and procured service. A criticism of the LGA was that no business case was produced for the service change. A business case has still not been produced. There has been no Post Implementation Review and no exercise carried out to assess if the service is delivering value for money. Increases based on just budget levels with other Local Authorities is meaningless unless there is a review of the absolute detail so that service delivery and procurement can be analysed against cost; not just how much money has been put in the pot. There hasn't been a review to compare the cost of the service before the change versus post the change. Budget increases might have been necessary but to what level, nobody knows.

This report therefore, and the one to P&R, should be viewed as nothing more than interim steps to stabilise the newly introduced service and NOT considered as the sustainable and long-term solution to the HTST service in seeking to deliver a first-class service putting vulnerable children first whilst also ensuring value for money for the tax payer.

There will of course be the defence of scattering reports to various places "that time is of the essence" and we do acknowledge that Covid-19 has had an impact. However, we should not lose sight of the fact that the problems were publicly predicted and predictable back in July 2019. We had to pursue the matter through several Committees, request an internal audit and ultimately force through a Notice of Motion at Full Council. By the time the LGA were appointed in January 2020, the council had lost seven months. Seven months of denial and mounting futile defences are the cause of time pressures now; another self-inflicted problem.

We would also correct the misstatement in paragraph 4.31. The LGA did not recommend HTST be adopted as a corporate risk. The LGA stated that in their judgement "the level of corporate risk was not understood during the crisis". We first raised HTST being a corporate risk in July 2019 and again in November 2019. Both times we were told it would be looked into, but it never happened. When the LGA criticised the council in January 2020, HTST went on the corporate risk register.

As a balance to our comments, we acknowledge that the Administration's response to the LGA report has had significant input from the Parent and Carer's Council. PaCC have always been dedicated to creating a first-class service for children and their families and carers and alongside Amaze, have a wealth of experience and expertise that is vital for the service to function properly. We have yet to see, albeit it might exist, the new co-production agreement between PaCC/Amaze and the council that enshrines them to the "top-table" of equal and influential decision making and assures them of adequate support resource and funding.

In respect to paragraph 4.2 bullet point 8, without having the benefit of further consideration, the target of achieving 80% trust and confidence in the service by parents and carers by March 2021 seems incredibly low. Either trust and confidence has plummeted to levels that we have not even considered possible or the Administration lacks ambition and is hedging

its bets that it does not have the ability to satisfy the cohort above a mere 80%. A target of 80% is better read that the Administration will be content that 20% of parents and carers do not trust or have confidence in them. 20% is equal to no trust or confidence affecting 94 children (based on 470 being transported).

We would also take this opportunity to raise a few of the plethora of issues yet to be tackled.

1. Is the way the service now being delivered the right model? Early thinking is that it is not and that the council sought to fix something that was not broken. The change in 2019 was radical but it now requires great effort and bravery to think again. A hybrid of pre and post change might be a solution, but a significant influencer is that of political policy. The Administration need to quickly decide if it wishes to pursue an in-house solution to rid themselves of so called “petty bourgeois monopolies” or work in partnership with local businesses.
2. There is the constant reference to 4-year contracts. The contract is a period under which the specifications of contract apply. However, the council can terminate with 3 months’ notice and the operators giving even less notice. It is accepted that changes will occur, and routes may be cancelled as children leave the service. However, there remains the reluctance to accept that operator investment into the infrastructure to deliver the service, such as procuring specialised vehicles, requires a level of contract duration certainty. With the history of the problems and the present political direction, that certainty may not exist which places the service at risk.
3. Whereas much emphasis has been placed on remedying the problems (and rightly so), there remains the need to investigate why this happened. There needs to be culpability that will help rebuild trust and confidence. How delegated powers were used, how contracts with consultants and operators were facilitated, how financial levels were complied with and why when a previous Committee report said no to a DPS, one was pursued without any work apparently being done on the procurement model that was approved. What happened in respect to Edge Public Solutions Ltd and the pay-off of £181k and why did the internal audit differ so fundamentally to the content of the LGA report. All these subjects need fully investigating and may, regardless of anything else, determine the way forward.
4. The LGA report issued in January was doctored after being reviewed by officers, the Administration and PaCC. We have asked for full details of the changes made and a copy of the original report. Thus far we have received nothing save for advice that financial values had been provided to the LGA (see page 11 of the LGA report, section 4.3). In respect to the financial information that was provided, the breakdown and details justifying the figures have yet to be provided to the Panel.

In concluding, we would ask that recommendation 2.1 be changed to read “That the Committee notes the report as an Interim report that remains subject to change pending the deliberations and possible report of the Home to School Transport Policy Panel and other investigations”.

Yours sincerely,

Cllrs. Lee Wares and Mary Mears

