

Subject:	Home to School Transport		
Date of Meeting:	27 October 2020		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
Contact Officer:	Name:	Alice Rowland	Tel: 01273 291503
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Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In response to concerns raised by members, the Chief Executive commissioned an independent barrister to carry out an investigation into the procurements associated with the Home to School Transport service change which was implemented in September 2019.
- 1.2 The independent barrister has now completed a first draft of his report. In response to that report, this committee is asked to establish a panel to consider the next steps and ultimately report back to this committee.

2. RECOMMENDATIONS:

- 2.1 That the Committee agrees to set up a panel as outlined in paragraph 3.6 to consider the report and oversee the next steps prior to reporting back to this committee.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Home to School Transport Members Policy Panel has been reviewing the management of the Home to School Transport service and associated problems that caused significant difficulties for children, young people and families in September 2019. As part of the investigation, the matter was referred to a group of experts from the LGA (the Local Government Association) who undertook a review and consequently made important recommendations.
- 3.2 The HtST Members Policy Panel has seen substantial improvements in the service since September 2019. It has now concluded that the service review side of the work has come to an end and will submit its report to the next meeting of the Children, Young People and Skills Committee which meets on 9th November 2020. The report will contain recommendations to that Committee to ensure a high quality and appropriate service in the future.
- 3.3 In March this year, significant concerns were raised with the Council's Chief Executive regarding the consultancy contract to advise and support the Council

on the HTST procurement process. In June the Chief Executive was asked to obtain an independent review of the HtST procurement process to ensure transparency and accountability. Subsequently the matter was referred to an external Barrister for review and advice and Counsel has provided his preliminary draft advice.

- 3.4 Given that these are matters of governance, rather than service, and given their vital importance, the Panel has determined that they would be better dealt with by the Audit & Standards Committee and have recommended that this is taken forward by that Committee, with a suggestion that they set up a cross party panel with an Independent Person, as a matter of urgency. A copy of the statement from the panel is attached as an appendix to this report.
- 3.5 The independent Barrister's opinion will need to be sent to the individuals involved to allow them to comment before the report is finalised. The Panel will consider Counsel's final opinion and make recommendations to the Committee.
- 3.6 The proposed panel will oversee the process by which comments are sought from those mentioned in the report (this is known as the Maxwellisation process) and will consider an updated version of Counsel's report (following his consideration of any comments received) before reporting back to this committee. It is anticipated that the panel will need to meet two or three times. It is recommended that the panel is cross party with one member from each political group and that it is chaired by one of the Council's independent persons. It is proposed that the panel will meet in private following Counsel's advice that his draft report should remain confidential.

4. CONCLUSION

- 4.1 The panel will be able to consider the Independent Barrister's report and make recommendations to officers as to the next steps.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications arising from the recommendation of this report. Any costs associated with setting up the panel will be met from existing resources. The cost of commissioning an independent barrister is reflected in the Targeted Budget Management (TBM) financial position for the service which is reported throughout the year to Policy and Resources Committee.

Finance Officer Consulted: James Hengeveld

Date: 16/10/20

Legal Implications:

- 7.2 The panel constitutes a task and finish group which can be established by this committee. It will not be a decision-making body but will make recommendations to officers. In addition to the advice provided by Counsel the work of the panel will be supported by the Council's internal legal team.

Lawyer Consulted:

Alice Rowland

Date: 14/10/20

Equalities Implications:

- 7.3 The HTST transport service caters for some of the most vulnerable children and young people in the city. This report focuses on setting up a panel to consider concerns about the procurement processes and any recommendations resulting from the Independent Barrister's Review should consider how equalities implications are given priority when services are procured.

Any Other Significant Implications:

- 7.4 None

SUPPORTING INFORMATION

Appendices

1. Home to School Transport Press Release

Background Documents

None

Appendix 1

STATEMENT RE: HOME TO SCHOOL TRANSPORT

The Home to School Transport Members Policy Panel has been reviewing the management of the Home to School Transport service and associated problems that caused significant difficulties for children, young people and families in September 2019. As part of the investigation, the matter was referred to a group of experts from the LGA (the Local Government Association) who undertook a thorough review and consequently made important recommendations.

The HtST Members Policy Panel has seen substantial improvements in the service since September 2019. The panel would like to thank all those involved, specifically: parents, children and young people, transport providers, school staff, PACC and Amaze and Council Officers for working together to deliver the improvements. The panel has now concluded that the service review side of the work has come to an end. We will be submitting our report to the next meeting of the Children, Young People and Skills Committee which meets on 9th November 2020. The report will contain recommendations to the Committee to ensure a high quality and appropriate service in the future.

Cllrs. Wares and Mears raised significant concerns in March this year with the Council's CEO – Geoff Raw – regarding the consultancy contract to advise and support the Council on the HTST procurement process requesting the issues be independently investigated. In June, after Cllrs Mears and Wares raising further concerns, Councillor Allcock, the then Chair of the Children, Young People and Skills Committee, asked the Chief Executive to obtain an independent review of the HtST procurement process to ensure transparency and accountability. Subsequently the matter was referred to an external Counsel for review and advice.

Given that these are matters of governance, rather than service, and given their vital importance, the Panel feels they would be better dealt with by the Audit & Standards Committee and are recommending that this is taken forward by that Committee, with a suggestion that they set up a cross party panel with an Independent Person, as a matter of urgency.

The independent Counsel has produced a draft report which will now be sent to the individuals involved to allow them to comment before the report is finalised and publicly published. The Audit & Standards Committee will consider the report before deciding how to proceed.

ENDS