

Speaking up for the families of
children & young people with
additional needs in Surrey
www.familyvoicesurrey.org
contact@familyvoicesurrey.org

T: 01372 705708



Review and Impact Assessment on Proposals to remove non statutory Transport Provision

Report Context and Purpose

As parent carer forum for Surrey representing the families of children and young people with Special Educational Needs and Disabilities (SEND) this year we have been increasingly hearing of issues with pre-school and post-16 transport. We are hearing of children out of education as a result, families facing financial hardship, and a process which is having a negative impact on family resilience.

Support outside statutory school age where the nearest appropriate placement is some distance away is an expectation embedded in the statutory guidance to Local Authorities and advice available to parents navigating the complex process of finding and accessing an appropriate placement for their SEND child. It is an approach which allows some small redress to the present reality that SEND families often do not have the luxury of accessing local education services. The SEND community greatly welcome the sentiment within Surrey County Council's (SCC) Transformation strategy of greater inclusion in mainstream and investment in more special schools. However, these are medium to long term solutions and families are facing access issues right now.

After the start of the 2019/20 academic year we became aware of a SCC consultation on proposed changes to non-statutory travel assistance. SCC have clearly and publicly stated that their preference is to remove non-statutory provision, there is a reference to a case by case exceptional assistance policy but no published criteria or guidance on what constitutes exceptional circumstances. This approach is inaccessible to service users and cannot be independently scrutinised.

Ongoing scrutiny of the use of public funds is of course correct and such efforts are to be applauded. However, we have concerns that in its design and implementation the SCC consultation will neither effectively capture the

significant negative impact that these proposals are likely to have nor enable respondents to propose potential alternative means of achieving the necessary savings.

Additionally, we have concerns that the proposals, if implemented, will fail to deliver savings, incur significant knock on costs in other areas so increasing costs to the taxpayers and jeopardising the success of the Transformation Strategy. The proposals feel out of step and contradictory to the spirit and intent of SCC corporate priorities of early intervention, encouraging participation of individuals with SEND, and building family resilience.

Our analysis and conclusions are informed by a recent survey we undertook within our membership in addition to extensive interactions with SEND families. Every staff member at Family Voice is a SEND parent carer, so in addition to meeting families at our coffee mornings and training events, we have considerable networks within the SEND community through our personal contacts and social media presence.

Furthermore, in addition to our experience as parent carers we have significant experience in many professional spheres including education, health, social care, commerce, finance, and the law to name a few.

Survey Summary

Our survey received 127 responses. Of these 26% related to children over 16 and 5.5% between 0 and 5. 87% of respondents have an existing transport plan. Of those, 70% were contacted to confirm arrangements; 30% of people with exiting transport plans were contacted by SCC, 40% by the provider, 30% not at all.

We asked those with existing transport plans if they felt their questions/concerns were taken into account. 38% said yes, 54% said no, some skipped this question, presumably as they had no contact to comment on.

There were a great many comments in the survey from those in non-statutory groups.

From the question on how families found the application process:

“Emails to SCC go unanswered. Application was accepted then notified in June they would be charging for post 16!!!”

“We had to move house when our daughter got offered the school as we weren't offered transport”

"I did speak to the team to query the new post 16 cost as there is no local provision that can meet my son's needs and the school is in the middle of nowhere with no bus route. I was told the cost would still stand as they have no obligation to provide because of his age."

"I wasn't told that I needed to apply for transport, then was given the wrong link."

"I needed to change address and to date have heard nothing and my son has lost his college place because of this"

"My son was at a LA Special School for last 5 years, it has no Post 16 Provision & he had to leave. We applied for transport in June and I only received confirmation of transport 17th September. We are still waiting to be contacted by transport team despite numerous calls and emails to find out what progress had been made. Appalling experience!"

From the question, on how prepared the child felt for the new school year:

"He missed the first day back and would still be missing school now - 30th September - if I wasn't in a position to move things around and drive him myself. The money that is being wasted on school placements will probably be huge and is not conducive to fostering good relationships with families who are constantly being told that funding is being cut"

We had no transport in place for the beginning of term as SCC hadn't contacted the college to find out start dates. They thought the college started a week later. I had to take time off work so I could transport my daughter to college. I then had to chase continually to find out who the provider was and make contact with them as nobody had tried to make contact with me. The letter from SCC finally arrived a week later with the plan arrangements.

"My son and my husband are in receipt of the enhanced rates for both components of PIP. My husband experiences overwhelmingly psychological distress as a result of PTSD caused my multiple traumas whilst on active service with HM Forces spanning a 20 year period. As a result he is unable to work and we have had to claim Universal Credit. It is really difficult to find the £500 odd pounds we need to in order to make our parental contribution to transport and despite me sending into the SEN transport team Supporting documentary evidence from the DWP and Universal credit to this effect, Surrey are still trying to charge me the higher rate of £700 odd pounds. No provision for parents/families experiencing very difficult personal circumstances or financial Hardship Exists. - £500-£700 is very hard to find if you are in this situation. I do feel situations such as this should be taken into account when looking at parental travel Contributions for young people over 16 with SEN."

Summary from Face to Face interactions and Case Studies

As Family Voice Surrey representatives we have countless conversations with families, children, education, health and care professionals as part of our work and as parent carers of SEND children.

This attempt to summarise these innumerable interactions can only begin to sum up the experiences and feeling of families.

It is essential to note that while a great deal of the emotion is negative, unquestionably there is immense potential to change the transport system to be more cost effective in its own right and a positive contributor to the Transformation strategy. Non statutory provision is a significant part of this.

1. Many families report having had no notice that there was to be a reinterpretation of the law and policy. This doesn't appear to have been communicated consistently to stakeholders beyond SCC, with many families and those who advise families such as schools being unaware of changes to non-statutory provision.
2. Parents report not receiving communications that they would need to reapply for transport at transition points leaving many struggling to access education in the new term.
3. There are no written criteria for exceptional circumstances making the appeal process meaningless and in itself it is inaccessible. Parents are left clueless as to where their child fits into the new policy with no-one able to explain. Resolving this is essential for the system to work effectively.
4. We are hearing of children out of education as parents are unable to get them to school or with unmanageable journeys. For example, for one family we spoke to 2 hours each way on public transport. This is not unusual.
5. We are hearing of significant impacts on family life including parents' ability to work. These proposals would result in some parents having to reduce work hours, take pay cuts or even stop work. This adds stress to already vulnerable SEND families. Arguably this will create unintended burdens on the public purse in other areas.
6. We hear of the effect of transport issues on the daily life of siblings who are already in the vulnerable position as young carers.
7. Families have been following professional advice to seek and take up specialist pre-school placements and then are left unable to access them. We are concerned that this will have a negative impact on these children's futures and that it runs counter to the positive strategy of early intervention. What impact will this have on early intervention?

8. Families have questioned how already congested roads around schools will be impacted by increased traffic and whether schools are set up for this.

Conclusions on impact

We believe there are many more effective ways of addressing spiralling costs than removing non-statutory transport. Please see our separate report Transport Issues Report 2019.

We urge SCC to have confidence in their Transformation Strategy. Over time this will enable more children and young people to be educated locally and ultimately will achieve the biggest and most noticeable savings.

From our survey and interactions with families we feel the impact of removing non statutory provision will be:

- Erosion of trust in those affected by this proposal
- Erosion of trust in unaffected SEND families
- Appropriate education will become inaccessible or hard to access for a vulnerable group of children
- Pressure on families already under strain will increase, potentially adding to the demand for social services support?

All of the above jeopardize the potential success of the Transformation Strategy.

FVS is concerned that the savings made by this proposal will be outweighed by the negative impact on vulnerable families. We would also wish to see a cost analysis of managing the non-statutory charging system and the exceptional circumstances process which will become significant.

Furthermore, we suggest that there are multiple knock on costs which are hard to calculate but arguably will outweigh the savings. For example;

- children missing out on specialist pre-school help needing more costly interventions over the rest of their school life as a result.
- Post 16's attending inappropriate placements and dropping out, reducing their employment prospects.

In addition to this, we believe the removal of non-statutory transport is discriminatory on the basis of:

- The child or young person's SEND. SEND children will not have equal access to education as those without SEND.

- Income – families will not be able to afford to access the placement their child needs. These families are already frequently more disadvantaged as a result of their children’s SEND and this policy adds to that burden.
- Families where the parents do not drive – many specialist placements are not easily accessible by public transport.
- Families where the parents also have SEND – the process is hard to access for anyone, for those with SEND it can be impossible.

The proposals also appear to be at odds with many of SCC’s corporate priorities including: Helping Families Thrive, Caring for our Environment and Investing in our Schools and more indirectly but just as importantly, those such as Protecting our Vulnerable children and Creating opportunities for young people.

Conclusions on the Consultation Process

From our conversations with families, our survey and our own participation in the consultation, we have the following concerns on the consultation process.

- It has not effectively consulted those most impacted by the proposals both in terms of consultation reach and the type of questions asked.
 - o The solutions savings are limited to approaches which increase the financial burden on individual families rather than seeking to achieve economies through system improvement.
 - o Focus groups appear to target a select sub group within the SEND community who would be most likely to be able to access travel training. The needs of the whole SEND community need to be incorporated in order to have a balanced approach and to gather representative views.
 - o The questions appeared to be leading towards the Council’s preferred option rather than a genuinely open conversation.
- The questions are worded in such a way to result in outcome that will not reflect the true impact. For example it is not made clear that the savings will be at the expense of individual families, many of whom are already on reduced income as a result of their caring responsibilities.
- We are hearing many cases which indicate the measures proposed are already being implemented. This makes the consultation feel like a box tick exercise. It has engendered mistrust.
- It is to be applauded that in the interests of transparency, SCC have made it very clear that they are in favour of the proposal. Inevitably their reporting on the consultation feedback will contain unconscious

bias. To ensure a continuation of the transparency intended, we suggest:

- The report to be presented to cabinet is made publicly available with sufficient time for interested parties to comment directly, publicly, and in an unfiltered fashion to cabinet. We suggest that SCC should widely publicise the closing date for submitting questions on the report to Cabinet.

As parent carer forum we feel the following information needs to be put into the public domain to aid transparency of this consultation.

- Costs have increased from £27m at the last consultation to £33m. What analysis has been carried out to establish the reasons for this increase in costs.
- How much of this £6m increase is accounted for by systems costs i.e. the new SEND travel team. How much by the last consultation and this consultations etc, the delay in starting the consultation with schools and families about transport requirements leading to uncompetitive, last minute, procurement of routes.
- Details of the focus groups. Specifically, how many, who was in them, when were they run, where were they run. Who advocated for/chaperoned the CYP? Who oversaw them to ensure the CYP understood the process? From the video in the consultation the feeling among parents is that these would have been with CYP not impacted by the proposals as thus are not fully representative.
- In addition to the focus groups it was commented that CYP are saying all the time that they want independence. Who are these CYP? When did they say this? To whom? Who is assessing the realism of this desire for independence?
- If parents are asked if they want independence for their children, of course they will say yes. However, what is hard for them to communicate within the consultation is that this must be when and where it is possible and safe, and cannot be at the expense of their appropriate education.
- Will the notes from the engagement events be publicly available? For the consultation to be valid all notes on the engagement events need to be overseen by an independent observer of the event or inevitably there is unconscious, but clearly and publicly stated, bias

From a personal perspective, if we were not parent carers, the Consultation and Engagement Events we attended may well have felt positive and proactive. Yet to us, with our experience, we see that the stories shared in the video presentation represented the experience of a small subset of the SEND community but were being presented as a universal experience.

Suggested Next Steps

1. Focus group with all the families who will be affected by these changes, not just those who would have been opting for independent travel anyway. For example, families with children who have severe anxiety, severe learning difficulties, or profound and multiple learning difficulties or complex health needs are extremely concerned that SCC is expecting these young people to get to school independently, when the most basic of life skills needs assistance.
2. Actively recruit parents with personal experience of different levels SEND into the decision-making process, perhaps in a part time/advisory capacity. This will be particularly important if moving to an “exceptional circumstances, case by case” model.
3. Look into ways of encouraging independence post-16 that does not rely on public transport -scheme of SEND driving instructors to help those who can drive at 16 with enhanced PIP?
4. Openly acknowledge the impact that barriers to accessing appropriate education has on the family life of SEND families. An additional financial burden on families constitutes a significant barrier. The financial impact of a child or young person who is prevented from accessing an appropriate placement needs to be factored into the cost benefit analysis of any change in policy and practice.
5. Recognise that actions now which engender mistrust will jeopardise the success of the Transformation strategy and may ultimately cost far more than savings made from removing services from the non-statutory groups.
6. Post 16 advice must be based on the young person’s needs. At present families feel all advice is based on what suits the Local Authority. We hear of many young people who fall out of the college system at post 16 or leave without having achieved their outcomes – there needs to be transparency around this. Young people with SEND should be allowed to make choices about their education in a similar way to young people in the wider community. In some cases this will mean they are educated further from home than their peers who don’t have SEND, they should not be penalised for these choices.

Appendix One – Survey Results

Our Survey was open in September 2019. It was completed through Survey Monkey and attracted 128 responses. The results are summarised over the following pages.