	<p><b>London Borough of Hammersmith &amp; Fulham</b></p> <p><b>CABINET</b></p> <p><b>1 JUNE 2015</b></p>
<p><b>TRAVEL CARE AND SUPPORT SERVICE ARRANGEMENTS</b></p>	
<p><b>Report of the Cabinet Member for Children and Education: Councillor Sue Macmillan and Cabinet Member for Health and Adult Social Care: Councillor Vivienne Lukey</b></p>	
<p><b>OPEN REPORT</b></p> <p><b>A separate report on the exempt part of the Cabinet agenda provides exempt information.</b></p>	
<p><b>Classification:</b> For Decision</p> <p><b>Key Decision:</b> Yes</p>	
<p><b>Wards Affected:</b> All</p>	
<p><b>Accountable Executive Director:</b> Andrew Christie, Executive Director of Children's Services and Liz Bruce, Executive Director of Adults Social Care and Health</p>	
<p><b>Report Author:</b> Rachael Wright-Turner, Tri-borough Director of Commissioning, Children's Services</p>	<p><b>Contact Details:</b> Tel: 020 7745 6399 E-mail: Rachael.Wright-Turner@rbkc.gov.uk</p>

## 1. EXECUTIVE SUMMARY

1.1. The purpose of this report is threefold in providing Cabinet Members with:

- A full account of the failings of the passenger transport service for children who have special educational needs (SEN), looked after children and vulnerable adults commissioned in April 2014 by the previous Administration.
- A detailed and rigorous review in order to establish robust options regarding future arrangements for the delivery of Travel Care and Support services for vulnerable Hammersmith and Fulham residents.
- Assurances that quality and performance standards can be optimised under a new regime which puts caring for, and understanding the travel and mobility needs of vulnerable adults and children uppermost in line with the new Administration's stated priorities.

- 1.2. A new external service providing transport for children who have special educational needs, looked after children and vulnerable adults became operational for residents of Hammersmith and Fulham on 22 April 2014. The bus contracts for providing this service are for an initial term of three [3] years, ending in April 2017, with an option to extend by a further two [2] years. The taxi contracts are for two [2] years, ending in April 2016.
- 1.3. There were immediate operational challenges with this new service model, particularly during the initial weeks of operation. Difficulties included health and safety concerns, safeguarding concerns, delays in picking up and dropping off, unduly lengthy journeys, serious communication issues, lack of correct equipment, turnover of staff and general issues of performance.
- 1.4. There were also similar operational challenges in relation to transport services for adults. The majority of these were centred around three main categories: concerns that the collection / drop off times were too late or too early, vehicle suitability in line with service users requirements, poor contact with the new provider when problems occur.
- 1.5. At the Children and Education Policy and Accountability Committee in July 2014, when a number of parents outlined their concerns about the new service, the newly elected Administration confirmed that the Council was determined to take whatever steps are necessary to resolve the identified problems and this was in line with its commitment to doing things 'with' rather than 'to' residents and its legal duty of care responsibilities.
- 1.6. A Passenger Transport Working Party for Children's Services was established to advise the Council as to how to secure the best quality of transport provision, which meets the needs of children concerned, within a budget which the Council deems affordable.
- 1.7. Consultation took place with service users, parents and carers, to gather views on the Passenger Transport Working Party's recommendation that there needed to be changes to the delivery of the Travel Care and Support services.
- 1.8. This report outlines two options to improve service delivery arrangements for Travel Care and Support services, namely:
- 1.9. **Option A** - A change in the delivery model of the Travel Care and Support service to return both transport and escort services to the management of the Council.
- 1.10. **Option B** - A change to the existing delivery arrangements to improve service standards and sovereign accountability, including:
  - Revised vision for the service – emphasis on caring for and understanding travel and mobility needs.
  - Seeking to vary the Inter-Authority Agreement (IAA) between the Council, Westminster City Council (WCC) and the Royal Borough of

Kensington and Chelsea (RBKC) (collectively the “three Boroughs”), or associated contract arrangements for the Council, to improve quality and performance standards

- Travel Care and Support Commissioning Managers on-site with providers to oversee operational delivery and performance.
- School and parents to play an increasing role in commissioning arrangements.
- Robust assurance management and contract management framework.

1.11 This report recommends that improvements in the service delivery arrangements for the Travel Care and Support service can be achieved through **Option B**. However, if after an agreed time, these measures do not prove successful in improving the service, further consideration should be given to **Option A**.

1.12 This recommendation is made on the basis that a high proportion of those who responded to the consultation are satisfied or very satisfied with the current service, and that changeover to an in-house service would bring further upheaval and change for vulnerable children and adults.

1.13 Our vision and aspiration for the Travel Care and Support service is that the service is first and foremost about caring for, and understanding the travel and mobility needs of vulnerable adults and children, rather than just about providing transport. Whenever possible, the service will be co-designed and continually improved in partnership with service users and stakeholders.

## 2 RECOMMENDATIONS

2.1 That improvements in the service delivery arrangements for the Travel Care and Support service can be achieved through **Option B**, including:

- Revised vision for the service – emphasis on caring for and understanding travel and mobility needs.
- Seeking to vary the Inter-Authority Agreement (IAA) between the Council, Westminster City Council (WCC) and the Royal Borough of Kensington and Chelsea (RBKC) (collectively the “three Boroughs”), or associated contract arrangements for the Council, to improve quality and performance standards
- Travel Care and Support Commissioning Managers on-site with providers to oversee operational delivery and performance.
- School and parents to play an increasing role in commissioning arrangements.
- Robust assurance management and contract management framework.

2.2 That the following costs be approved:

- One-off implementation costs - £180,000
- Establishing new commissioning and management arrangements - £442,127 [for the first year] and thereafter £375,460 per annum.

- 2.3 That the recommendations in the exempt report be agreed.
- 2.4 That authority be delegated to the Cabinet Member for Children and Education and the Cabinet Member for Health and Adult Social Care to make ancillary decisions necessary to give effect to the above recommendations.

### **3 REASONS FOR DECISION**

- 3.1 The recommendations and decision are a key decision. Therefore Cabinet decision is required.

### **4 INTRODUCTION AND BACKGROUND**

- 4.1 A new external service providing transport for children who have special educational needs, looked after children and vulnerable adults became operational for residents of Hammersmith and Fulham on 22 April 2014. The bus contracts for providing this service are for an initial term three [3] years, ending in April 2017, with an option to extend by a further two [2] years. The taxi contracts are for two [2] years, ending in April 2016.
- 4.2 Services for home to school bus transport are provided by three operators - HATS, Star Bus and IHS. Adult social care transport was provided by Impact, who have recently been taken over by Tower Transit. Taxi services are provided by Radio Taxis, Star Bus, HATS and Prestige. Some specialist ambulance transport is provided by Exoramedical.

#### **Performance of passenger transport services for vulnerable children**

- 4.3 In relation to providing transport for children who have special educational needs and looked after children there were immediate operational challenges with this new service model, particularly during the initial weeks of operation. Difficulties included:
- Health and safety concerns e.g. children being let out of the bus to go to their house by themselves.
  - Safeguarding concerns e.g. children being taken to the wrong address.
  - Children being picked up late from home and arriving late for school or back home.
  - Inappropriate behaviour by drivers and escorts to service users and other key stakeholders e.g. a child being told by a member of staff that he was not wanted on the bus.
  - Drivers and escorts not speaking adequate English.
  - Concern that some service users were travelling on the bus for two hours.
  - The correct equipment not being available for a number of children, and concerns about the use of equipment e.g. seatbelts not fastened appropriately.
  - Concerns from some parents regarding the type of transport allocated for their child, including the poor state of some of the buses.

- The turnover of escorts and drivers, often at short notice, which was a particular problem when the escorts and drivers had developed a good relationship with the service user, and had often known them for 2 – 3 years.
- General concerns about staff quality, performance and training.
- Poor communications from the new providers when problems occurred.

Further details of the concerns are provided in sections 4.7 and 4.10 of this report.

- 4.4 A number of remedial actions were subsequently taken by the local authority Transport Commissioning Team (TCT) during the summer and autumn term 2014. These included reviews of planned routes and transport arrangements in response to service user needs or representations; unannounced spot checks at schools, day centres and on routes; meetings with schools regarding transport performance; attendance at Parent Forums and a series of meetings with operators to monitor performance and improvement plans.
- 4.5 By the end of the summer term, a further number of complaints were received regarding the service performance of the children's Passenger Transport service. See sections 4.22 to 4.26 of this report for further details.
- 4.6 The complaints were a combination of general complaints to the TCT and some formal complaints. Areas that were problematic for some parents and children included: children being picked up late, journeys being longer than they should be and then arriving late at school; the correct equipment not being available for a number of children e.g. harnesses; concerns from individual parents at the point of pick up regarding the type of transport allocated to their child; change in escort and quality of escorts, particularly in relation to children's medical needs; parents' concern that they were unable to contact operators when there were difficulties.
- 4.7 Concerns expressed at the Children and Education Policy and Accountability Committee on the 8<sup>th</sup> July 2014 by parents, carers and parent representatives included:
- A parent whose daughter had severe cerebral palsy, reported that they had three escorts so far, and that the current escort's English was not up to standard, so that the teacher had to bring her home when she was not well, as this could not be communicated to the escort. She also highlighted that a 15 minute bus journey took an hour, as her daughter was dropped off last despite going past her home on the way.
  - Another parent expressed concern about the different drivers her son had; he was used to the same driver and when he didn't turn up her son was anxious. In addition, she had to take her son out of the after school club as she was not confident for her son to go with the other driver. The two hours her son was at the after school club meant that normally her daughter was able to have a friend to visit, as her son did

not like other people around, however on this occasion this could not happen. Consequently this had now impacted on her daughter as well.

- A parent who expressed concern about their son when the Contractor attempted to drop him off at the wrong home address. This had happened on two occasions. On the second occasion the driver knocked on the door of a different address and when he realised that they had the incorrect address they contacted the Contractors office and clarified the correct address, at which point her son was taken from the transport to their home. After bringing her son into their home, he suffered a seizure and an ambulance had to be called.

4.8 Concerns expressed at the Children and Education Policy and Accountability Committee on the 8<sup>th</sup> July 2014 by headteachers / school representatives included:

- A headteacher expressing concern about a child who liked to climb, who was let out of the bus to go to his house by himself and got so upset by this that he hurt himself.
- Another child had been told by a member of staff on the bus that he was not wanted on the bus because he behaved badly, but the child only wanted to sit by the window.
- Concern about the levels of English spoken by some drivers and the ability to deal with an emergency which involved children with life limiting conditions.
- Concern about a child who had to travel 2 hours there and back to school.

4.9 There were two incidents including potential safeguarding issues during this period, the first of which included the incident in 4.7 [third bullet point] of this report, in relation to the child where it was alleged that an attempt had been made to drop him off at the wrong address. This incident led to the Executive Director commissioning a safeguarding review leading to a full report and follow-up actions with the operators as well as wider learning incorporated into the improvement plan. The investigation concluded that, following contact with two additional witnesses, there was no evidence to support the specific safeguarding allegation, and that the child had not left the vehicle, although it was acknowledged that the impact of the incident caused great distress to the child involved. The second incident involved a service user who is known to spit when she gets upset, and when she did it was alleged that the passenger assistant used a derogatory word to ask her to desist from such an action. The allegation led to two Strategy Meetings chaired by the Local Authority Designated Officer (LADO). The meetings concluded that the allegations made were unsubstantiated (this term does not imply guilt or innocence). Subsequent actions were allocated to the TCT (carrying out an Occupational Therapist transport risk assessment in relation to the child concerned) and the operator (in relation to following up the concerns raised with the staff involved and addressing any training needs). It should be noted that a critical performance default notice was served on the operator in relation to the first of these incidents.

- 4.10 Examples of other issues raised by parents at a meeting called by Parentsactive on the 10 June 2014 included:
- Poor state of buses.
  - Parents not contacted when buses are delayed.
  - Escorts being changed when they have known the child for 2-3 years. This is especially unsettling for autistic children.
  - Longer journeys because smaller vehicles are being used, which can't go in bus lanes.
  - Drivers and escorts whose behaviour was inappropriate to users and carers.
- 4.11 Over the school summer holidays, a plan was made and implemented by the TCT for further service improvement actions relating to route planning; facilitating contact between parents and transport crews; providing specialist assessments and advice on individual children's travel needs; a training programme for crews; performance and contract monitoring; a telephone survey of parents and developing the capacity of the TCT.
- 4.12 Ongoing performance monitoring throughout the autumn term identified that the service had been providing transport for between 201-214 children each week. There were between 603 (in the first week of term) and 2211 individual journeys made by the children concerned in every full week. This included some journeys made by Looked After Children. The highest number of delay notifications in one week was 7 affecting 36 children. A total of 234 Hammersmith and Fulham children have been on buses affected by notified delays over the term, although this total will include children who were affected on more than one occasion. During the autumn term 70 complaints were received in relation to children. See sections 4.22 to 4.26 of this report for further details. The majority of the complaints were regarding lateness and delays. The second highest number of complaints was in relation to driver or escort performance.
- 4.13 Approximately 50 looked after children travel by taxi under a wide range of different circumstances. They do not tend to travel every day so transport is requested based on requirements. There have been no particular issues noted in relation to the taxi transport provided for this group.

#### **Performance of passenger transport services for vulnerable adults**

- 4.14 In respect of transport services for vulnerable adults, 156 people are transported each week to day services using mini-buses and 9 are transported by taxis. Some service users will use the transport once a week; others will use it 3-5 times a week. Unlike the services for children, the services provided by three operators (one bus operator and 2 taxi providers), are solely for use by adults who are residents of Hammersmith and Fulham. There are no shared arrangements with either RBKC or WCC.
- 4.15 There have been similar operational challenges in relation to transport services for adults to those experienced by children since the transfer of

the contract. The majority of these were centred around three main categories:

- Concerns that the collection / drop off times were too late or too early.
- Vehicle suitability in line with service users requirements.
- Poor contact with the new provider when problems occur.

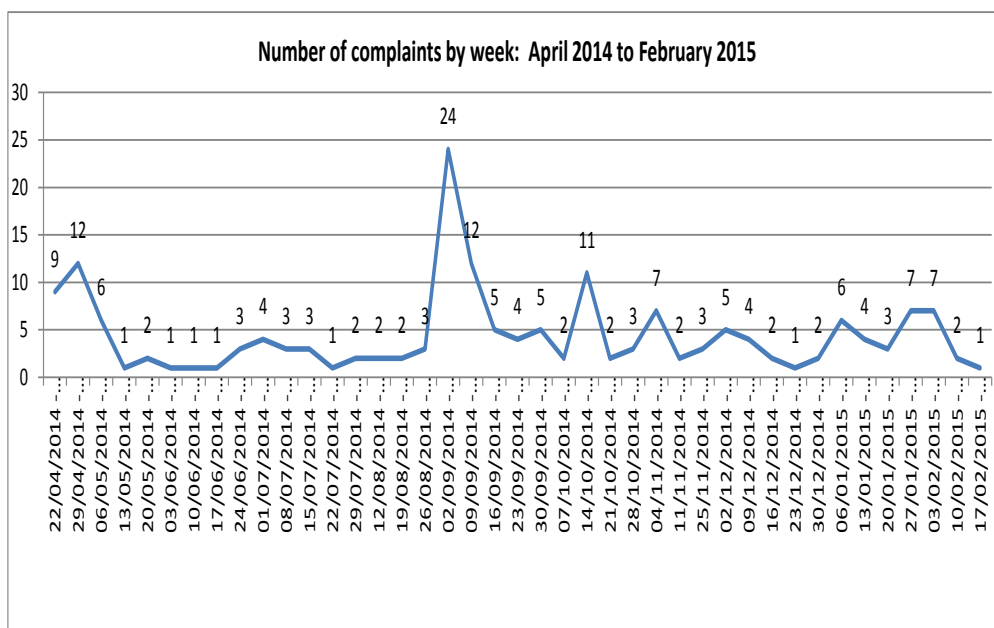
- 4.16 It was recognised during the early stages of the start of the new contracts that in the past, day centres had benefited from having vehicles and drivers on site during the whole day which would be used to provide a “shuttle” type service throughout the day, as and when service users needed picking up or dropping off. The new contracts which had been commissioned were based upon a single collection (AM) and drop off (PM) programme that failed to meet the full needs of service user care packages and that of the expectations of the day centres. Changes to arrangements have been discussed with the operators to provide a change in the contract provision to include more flexibility and a greater number of vehicles to meet the demand.
- 4.17 The issues regarding the type of vehicles being used by the operators was a concern in the early stages of the contract. On-site meetings took place with the operators to ensure that necessary changes / adjustments were made to vehicles where this was identified as a problem. Individual risk assessments were undertaken to ensure specific issues were then addressed.
- 4.18 In relation to carers concerns about their inability to get hold of operators by phone, following discussion with the TCT management and day centre staff, the operators increased the number of people taking calls from carers until the volume reduced.
- 4.19 By the week commencing the 17<sup>th</sup> February 2015 there were 46 complaints from service users, carers or day centre staff in relation to vulnerable adults [see sections 4.22 to 4.26 of this report for further details] and one safeguarding incident since the start of the new contract. The safeguarding incident occurred whilst moving the service user from the bus seat to her wheelchair. It was alleged that the manner that the passenger assistant handled the service user caused some bruises. This incident was fully investigated, the allegation was substantiated, and appropriate action taken.
- 4.20 The TCT and Adult Social Care Commissioning have been meeting with the transport operators and day centre managers to address all issues. Action plans were put in place leading to the borough’s day services now having a dedicated account manager with the transport operator. Although there have been some improvements, day centres continue to report on-going issues with some timings, routings and vehicle quality.
- 4.21 Taxi services support approximately 9 young people per year with learning and physical disabilities usually aged 18 to 25 years, to attend colleges or specialist day service placements in other boroughs. Again, there were



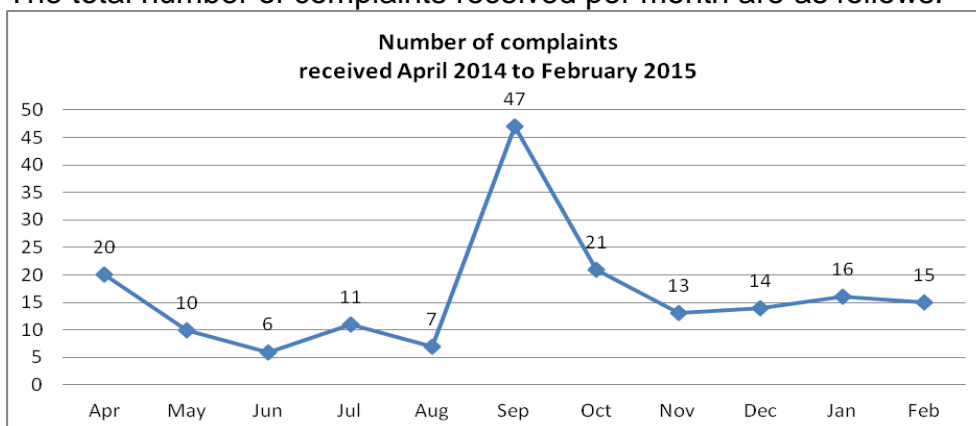
challenges with the initial transfer of services largely due to the operator not providing consistent drivers and escorts each day. This led to a number of complaints which were addressed through negotiation with the contractor leading to more regular staff allocated to this work or in some cases transferring the work to another taxi operator.

### Overview of complaints about the Passenger Transport service

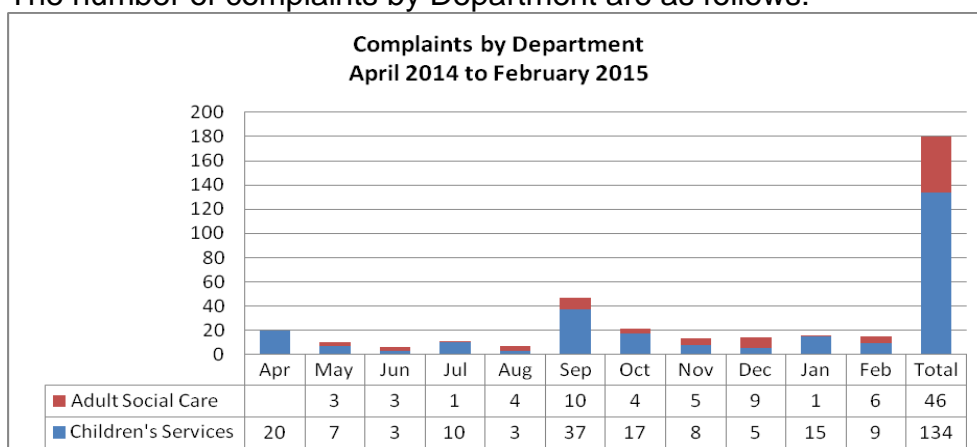
- 4.22 Further information in relation to an overview of all complaints about the Passenger Transport service from 22<sup>nd</sup> April 2014 to week commencing the 17<sup>th</sup> February 2015 is detailed below.
- 4.23 The total number of complaints during this period was 180. The number of complaints received per week are as follows:



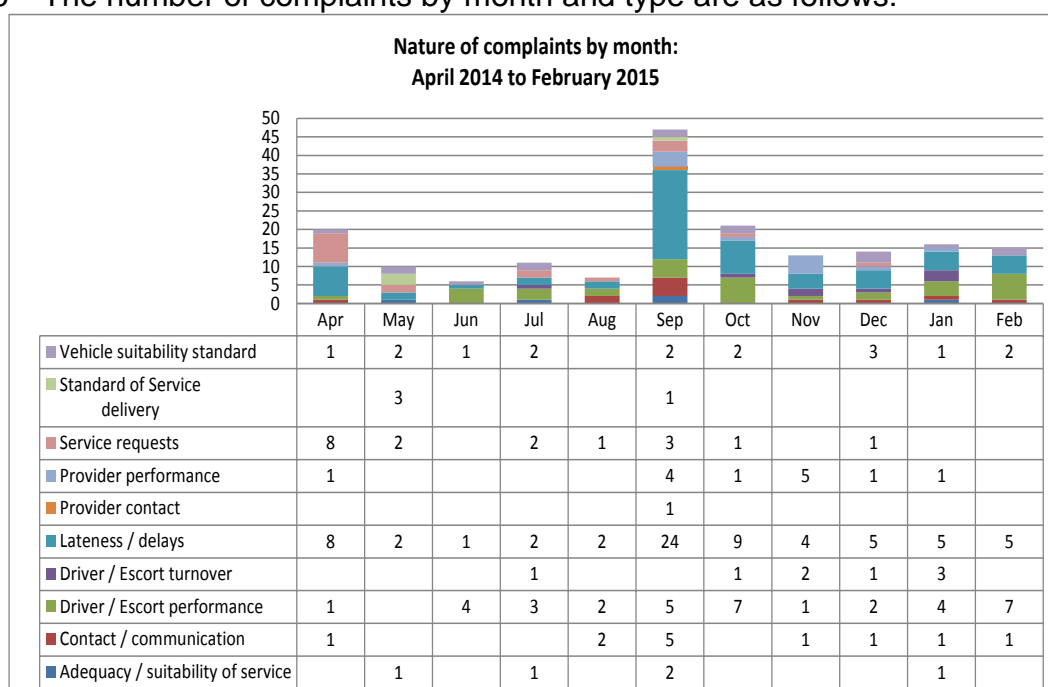
- 4.24 The total number of complaints received per month are as follows:



4.25 The number of complaints by Department are as follows:



4.26 The number of complaints by month and type are as follows:



### The role of local working parties and project boards

- 4.27 A Passenger Transport Working Party for Children's Services was set up to advise the Council as to how to secure the best quality of transport provision, which meets the needs of the children concerned, within a budget which the Council deems affordable.
- 4.28 The initial emphasis of the work of the group was on transport provided for children with special educational needs.
- 4.29 To date it has met on four occasions. It is chaired by a Parent Governor for Queensmill School and has 14 members including two head teachers, three elected members, representatives of parents and the voluntary sector, along with the Executive Director of Children's Services, the

Director of Commissioning in Children's Services and the Assistant Director for Special Educational Needs.

- 4.30 In October 2014, the Working Party identified key elements of what they felt defined a quality service for children. The main themes of this were the need for high quality staff who are well trained; and good communication and engagement between schools and parents on one hand; and the TCT and operators on the other.
- 4.31 Meanwhile an officer Project Board was formed, comprising of a small number of senior officers including the Executive Director of Children's Services, the Director of Finance and Resources, the Director of Adult Social Care Commissioning, and the Director of Commissioning for Children's Services, who is the project sponsor. The Board was set up to manage the development of alternative proposals being put forward, ensure appropriate resources are committed to the project, and that any recommendations are delivered in a timely fashion.
- 4.32 The Board engaged the services of specialist advisors to prepare an implementation plan to 'in source' the delivery of the transport service, should there be a decision to proceed with a new service model. This led to the appointment of the organisation PeopleToo who were tasked to:
- Establish and test out the scope and basic assumptions of in-sourcing [i.e. should it include adults and children, should it include bus or coach transport only, and/or the inclusion of taxi (Car/MPV) transport].
  - Produce detailed "baseline" information with regard to the agreed scope which includes (but not exclusively) the number of vehicles; the number of drivers and passenger assistants; the destinations involved; the number of children; the locations involved; mileages; timings; frequency; and costs.
  - In conjunction with Hammersmith and Fulham Finance Department, carry out financial modelling and cost analysis, establishing a detailed breakdown of the costs of bringing the agreed scope of the passenger transport service back in-house.
  - Produce a project plan for the implementation of an in-house service, offering options where possible for phasing the implementation to minimise disruption.
- 4.33 The outcome of the work of PeopleToo has supported the Passenger Transport Working Party, the Passenger Transport Project Board and briefings with Cabinet members.

### **Consultation results**

- 4.34 In December 2014/January 2015 a consultation exercise was carried out by the independent research organisation *Campaign Company*. The consultation exercise involved conducting a survey to gather views on the Children's Passenger Transport Working Party's recommendation that there needed to be changes to the delivery of Travel Care and Support

services. These changes included an option that the service be brought back in-house to be run directly by the Council again. Further details of the survey can be found in section 7 of this report. The analysis of the findings is detailed in **Appendix 1**.

- 4.35 In relation to vulnerable children, copies of the survey were sent out to 214 parents of children and young people who use the transport. Overall 79 responses were received. This represents a response rate of 37%.
- 4.36 In relation to vulnerable adults, copies of the survey were sent out to 160 service users and carers. Overall 44 responses were received. This represents a 28% response rate.
- 4.37 The *Campaign Company* report highlights that in relation to vulnerable children, nearly three quarters [71%] of those who responded to the consultation are satisfied or very satisfied with the current transport service. 20% disclosed feeling dissatisfied with the current service.
- 4.38 In addition, in relation to vulnerable children, 43% of respondents considered the service would improve if it was run directly with Council staff and vehicles. 20% of respondents considered that it would result in a worse service if the Council ran the service directly. 21% indicated that they 'did not know' if it would improve or worsen the service.
- 4.39 The 43% of respondents who supported the option that some or all services run directly with Council staff and vehicles would result in a better service is a much higher proportion than those who actively disclosed dissatisfaction with the service [20%]. Therefore, the independent report by the *Campaign Company* highlights that:
- 'whilst the majority are satisfied with the service, there is a proportion of those satisfied who feel that it could be improved'.*
- 4.40 The Campaign Company report highlights that in relation to vulnerable adults, 63% of those who responded to the consultation are satisfied or very satisfied with the current transport service. Almost a quarter of respondents [23%] reported feeling neither satisfied nor dissatisfied with the service, and 14% expressed dissatisfaction with the service.
- 4.41 In addition, in relation to vulnerable adults, 53% of respondents considered that the service would improve if it was run directly with Council staff and vehicles. 8% of respondents considered that it would result in a worse service if the Council ran the service directly. 25% felt that it would make little difference either way.
- 4.42 The 53% of respondents who supported the option that some or all services run directly with Council staff and vehicles would result in a better service is a much higher proportion than those who actively disclosed dissatisfaction with the service [14%]. The independent report by the Campaign Company states that:

'whilst the majority are satisfied with the service, there is a proportion of those satisfied who feel that it could be improved'.

## **5 PROPOSAL AND ISSUES**

- 5.1 An outline vision for the Travel Care and Support service has been developed and is detailed below.
- 5.2 Our vision is to promote and deliver a high quality, transparent Travel Care and Support service, which is first and foremost about caring for, and understanding the travel and mobility needs of vulnerable adults and children, rather than just about providing transport. The service will be co-designed and continually improved in partnership with service users and stakeholders.
- 5.3 The Travel Care and Support service will deliver and continually improve the following outcomes:
- Vulnerable children and adults are picked up from home on time, arrive at school/ day centre/ college on time, and are taken home on time.
  - Vulnerable children and young people arrive at school ready to learn.
  - Vulnerable adults arrive at the day centre/ college ready to participate in the day's activities / work.
  - Vulnerable children and adults are safe, protected and their needs are met.
  - Vulnerable children and adults are supported, where possible and appropriate, to be assisted to travel independently.
- 5.4 In order to achieve this vision the overall objectives for the Travel Care and Support service are as follows:
- Customer care – excellent customer care is provided to all service users and all key stakeholders, all of the time. Each member of staff has received customer care training. Managers are equipped to respond to and resolve complaints quickly, and in a way in which parents feel that their concerns have been taken seriously and actioned.
  - Person centred – the needs of vulnerable children, young people and adults are clearly assessed in relation to travel care and support, and are well known and understood by commissioners and providers.
  - Communication – There is excellent communication on any issues to do with travel care and support from commissioners and providers to service users, parents, carers, day centres, schools, colleges and other key stakeholders.
  - Satisfaction – service users and their parents /carers express a high level of satisfaction. There is confidence in the service, and in particular that systems and processes are resilient, secure and of high quality.
  - Flexibility – the service is flexible to meet the changing needs of service users, parents, carers and other key stakeholders.
  - Transparency and visibility – service standards are explicit, well understood and are followed at all times. There are no surprises. We

do what we say we will. Where possible changes are discussed and planned with key stakeholders in advance and expectations are met. Service users and stakeholders will know what is happening as it is happening.

- Simplicity – there is a standard and clear way of doing things that is understood and followed by commissioners, providers and key stakeholders.
- Assurance – the service is of high quality and there is a proactive approach to checking that all required processes to meet standards are in place. For example, evidence in advance that DBS checks have been completed for all staff, evidence in advance that all vehicles used reach appropriate safety standards.
- Involvement and empowerment – service users, parents, carers and key stakeholders are actively involved in the development and improvement of the service.
- Independence - young people and adults are supported, where possible and appropriate, on a pathway into employment and independence, in or near their local community, by assisting them in gaining skills in travelling independently.
- Partnership and positive relationships – there is excellent partnership working and strong positive relationships between service users, carers, parents, service commissioners, providers and other key stakeholders to continually improve the service.
- Performance management – there is a strong performance management framework. Performance information is provided in ‘real time’, as well as retrospective audit information.
- Culture – there is a culture of delivering high quality, customer focused services, which are continually improved, that ensures service users experience a safe and quality experience, and that provides assurance that operational risks are understood, minimised and mitigated.
- Training - all staff are competent, skilled and well trained to ensure they have the appropriate knowledge and skills required, and in particular, have detailed knowledge and understanding of how to meet the care needs of the individuals they transport.
- Consistent staff - It is an expectation and requirement that the same member of staff [drivers and escorts] where possible, will be on the bus /taxi to transport the service user to ensure the continuity of relationships with the service user. Changes are minimised when there is no alternative e.g. sickness, and will comply with all service standards.
- Professional management – the service has the specialist SEN knowledge and transport technical skills, expertise and oversight at senior management level.

5.5 There are some instances which should never happen and if they do appropriate action will be taken in relation to possible consequences where relevant and available, or where appropriate termination of the contract. Examples of ‘never events’ are as follows:

<b><i>Never Event</i></b>	<b><i>Possible appropriate action</i></b>	<b><i>Possible termination</i></b>
Member of staff not DBS checked.	Administrative mistake on failing to record DBS check for experienced existing member of staff.	No attempt to conduct DBS check, or disregard of results which suggest individual is unsuitable for role.
Member of staff not possessing valid ID badge.	Administrative mistake on failing to renew badge for experienced existing member of staff.	Deliberate attempt to use member of staff without an ID badge.
Service user(s) left unattended on vehicle.	Crew leaving vehicle temporarily and within sight, to deal with an issue relating to a service user about to board / just alighted.	Service user left on vehicle after its return to depot and the signing-off of the crew.
Service user not correctly handed over.	Crew accepting instructions from the service user directly or from an apparently authorised individual, acting in the best of intentions.	Service user left outside at destination without any attempt at handover.

- 5.6 This vision will be developed further with key stakeholders to ensure that it meets the needs of services users.
- 5.7 Detailed work has been completed to provide further information about how Travel Care and Support service arrangements should be strengthened, to ensure that the vision is realised.
- 5.8 As highlighted in section 2.1 of this report, it is recommended that a change should be made to the existing delivery arrangements to improve service standards and sovereign accountability, including:
- Seeking to vary the IAA between the Council, WCC and the RBKC (collectively the “three Boroughs”), or associated contract arrangements for the Council, to improve quality and performance standards.
  - Travel Care and Support Commissioning Managers on-site with providers to oversee operational delivery and performance.
  - School and parents to play an increasing role in commissioning arrangements.
  - Robust assurance management and contract management framework.

## 6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1 In order to assess how Travel Care and Support services could be improved two options in relation to service delivery arrangements were assessed. **Option B** is recommended. However a second option, which for the purposes of this report is known as **Option A**, was considered in relation to a change in the delivery model of the Travel Care and Support service to return both transport and escort services to the management of the Council. This option is not recommended at this stage.

## 7. CONSULTATION

- 7.1 As highlighted in section 4.34 of this report, consultation has taken place with key stakeholders in a number of areas in relation to travel care and support.
- 7.2 In relation to transport for children, engagement with parent forums and a telephone survey to assess levels of customer satisfaction amongst parents took place over August 2014.
- 7.3 In addition, more recently a survey has been conducted to gather views on the Children's Passenger Transport Working Party's recommendation that the service be brought back in-house to be run directly by the Council again. The survey was sent out on 10 December 2014 and closed on 7 January 2015. The results are summarised in sections 4.34 to 4.42 of this report. A full analysis of the findings is detailed in **Appendix 1**.
- 7.4 A local parents' group *Parents Active* and the Council's communications team were consulted over the design of the questions. An independent research organisation *Campaign Company* was engaged to support the survey including carrying out an independent analysis.
- 7.5 The survey was sent by post to all parents and emailed to those where email addresses were available. Parents were given the option of returning a paper response or completing the survey online. In addition, *Parents Active* and local schools were asked to encourage parents to respond.
- 7.6 Head teachers of all schools whose pupils use the transport service were written to in December 2014 advising them of the consultation with parents. They were also invited to contribute any views they have on the quality of the current service delivery and the proposal to consider changes to the service arrangements, including the possibility of transferring services or aspects of the service to the Council.
- 7.7 A similar process took place in relation to adult service users with a letter to, and survey of, all carers, as well as group and individual meetings with service users at day centres, involving their advocates where appropriate. The survey went out on the 12<sup>th</sup> December 2014 and closed on the 7<sup>th</sup> January 2015.



- 7.8 Any changes to the existing contracts are likely to have a significant impact on the existing operators and so they have been informed of the consultation that has been undertaken to inform a potential future operating model. Following an initial telephone call, a letter was then sent to the operators in December 2014 so that they would be able to brief staff who may be operating within Hammersmith and Fulham.
- 7.9 Subject to the Cabinet decision, it is planned that a wide range of service users will be involved in further consultation and co-design of the future service. This will include formal meetings of groups such as the Travel Care and Support Working Party and Parents Active; informal opportunities to meet and share ideas, and targeted approaches potentially including additional surveys. The process will encompass parents and parent groups, young people who use the transport services, adult service users and carers, advocacy groups, schools, day centres, commissioners, the TCT and staff of the proposed in-house Travel Care and Support unit. It is planned that consultation throughout the implementation stage will be informed by the communication strategy.

## **8. EQUALITY IMPLICATIONS**

- 8.1 The Equality Impact Assessment (see **Appendix 2** of this report) sets out in detail what the likely impact of the different options will be on those groups of pupils and adults with protected characteristics, and steps which will be taken to mitigate against them.
- 8.2 The analysis of the proposed changes and their impact upon people with protected characteristics has identified that both Options A and B, by improving accountability and responsiveness, should have a positive impact on service users. Eligibility for the service remains the same, with both options proposing steps that would increase service users, parent/carer and organisational confidence in the service and its ability to respond to need.
- 8.3 The main impact will be that for Option A, the provider of the transport is likely to change, and will in turn require some changes to staffing (drivers and escorts) and routes taken. Considering the needs of service users, there is a risk of a negative impact for some users who may find this change difficult and unsettling. This risk of a negative impact can be mitigated through clear communication and planning, and further work may be required to fully understand the specific impact for each user once Cabinet has agreed on the future direction of the service.
- 8.4 It should also be noted that, in each of the options proposed, any change to service provision for Hammersmith and Fulham residents will likely impact on travel care and support staffing and/or routes in Westminster and Kensington and Chelsea, whom the current contract is shared with. The potential impacts noted above may therefore be experienced by children who are residents in the other two boroughs. Adult service users in other boroughs will not be affected in this way as Kensington and

Chelsea and Westminster have separate contracted providers for their services for adults.

- 8.5 Further work may be required to fully understand the specific impact for each user once Cabinet has agreed on the future direction of the service.
- 8.6 The Equality Impact Assessment has been undertaken as part of the Council's duty under section 149 of the Equality Act 2010 to have due regard to the need to:
- (a) eliminate unlawful discrimination;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

As such the Council must have due regard to the equality implications of the proposed options in reaching a decision.

## **9. LEGAL IMPLICATIONS**

- 9.1 The legal implications in relation to the commercial aspects are set out in the exempt part of the report.

### **Public sector equality duty**

- 9.2 In deciding what action to take, the Borough must observe the public sector equality duty (section 149 of the Equality Act 2010), which includes having due regard to the need to eliminate discrimination against those with protected characteristics, and to the need to increase equality of opportunity for people with protected characteristics.
- 9.3 The equality impact assessment at **Appendix 2** describes how the different options are likely to affect people with protected characteristics, and should therefore be borne carefully in mind when a decision is taken.
- 9.4 Currently the proposed re-arrangements are being considered at a policy level. If changes are to be made, the Council will continue, pursuant to the public sector equality duty, to consider how to reduce any negative impacts on people with protected characteristics in the course of developing the changes and putting them into operation.

Implications verified/completed by: Joyce Golder, Principal Solicitor (Social Care and Education) Tel: 0207 361 2181.

## **10. FINANCIAL AND RESOURCES IMPLICATIONS**

**Option B - A change to the existing delivery arrangements to improve service standards and sovereign accountability.**

- 10.1 The estimated costs of **Option B** in relation to a change to the existing delivery arrangements to improve service standards and sovereign accountability are set out in the exempt part of the report.

Implications verified/completed by: David Mcnamara, Tri-Borough Director of Finance and Resources, Children’s Services, Tel: 020 8753 3404.

**11. RISK MANAGEMENT**

- 11.1 There are a number of potential risks which could arise from implementing **Option B**. These are detailed in the exempt part of the report.

**12 PROCUREMENT AND IT STRATEGY IMPLICATIONS**

- 12.1 The procurement and IT strategy implications are set out in the exempt part of the report.

Implications verified/completed by John Francis, Principal Consultant, H&F Corporate Procurement Team, FCS. 020-8753-2582 (dated 27<sup>th</sup> April 2015).

**LOCAL GOVERNMENT ACT 2000**  
**LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None		

**LIST OF APPENDICES:**

Appendix 1	Consultation on Transport Services for SEN Children and Consultation on Transportation Services for Older Adults and Adults with Learning Disabilities.
Appendix 2	Equality Impact Assessment