

Minutes

SAFEGUARDING PRACTICES WITHIN CLIENT TRANSPORT TASK & FINISH GROUP

MINUTES OF THE SAFEGUARDING PRACTICES WITHIN CLIENT TRANSPORT TASK & FINISH GROUP HELD ON TUESDAY 9 FEBRUARY 2010, IN MEZZANINE ROOM 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.05 AM AND CONCLUDING AT 2.52 PM.

MEMBERS PRESENT

Mr B Allen, Mr M Appleyard, Mr N Brown, Mr T Egleton, Mrs W Mallen (C), Ms J Puddefoot and Mr D Schofield

CO-OPTED MEMBERS PRESENT

Michael Moore sent his apologies.

GUESTS PRESENT

Mr P Monk, Ms P Thorne and Mr A Walker

OFFICERS PRESENT

Mr S Bagnall, Ms Z Bayley, Mr M Bowes, Ms B Day, Ms H Halfpenny, Mrs A Macpherson, Ms C Penfold and Mrs E Wheaton

1 APOLOGIES FOR ABSENCE

Apologies were received from Mary Baldwin, Dev Dhillon, Carl Etholen and Michael Moore.

Trevor Egleton, Mike Appleyard and Noel Brown (from 11.20am) attended as substitutes.

2 DECLARATIONS OF INTEREST

Bruce Allen declared a personal interest as he is a Member of the National Autistic Society. He attended a meeting recently in London.

3 MINUTES



INVESTOR IN PEOPLE



The minutes of the meeting held on 12 January 2010 were agreed as a correct record.

4 CLIENT TRANSPORT POLICY - CHILDREN

The Chairman welcomed Stephen Bagnall, Divisional Manager (Joint Commissioning) for Children's Services. He attended the meeting to provide Members with an overview of the current policy for safeguarding children in client transport. Mr Bagnall explained that for Children & Young People's Services, the core issue is the policy framework within which transport is provided. He went on to say that following the 2006 Inspectors Act, there have been a few changes to the policy. It is primarily about eligibility but safety is also an important consideration. Mr Bagnall said that eligibility for transport is considered by the Children and Young People portfolio and not by Amey. He said that it would be wrong for Amey to deal with this as there are still a number of judgement calls to be made when looking at eligibility.

Mr Bagnall said that when the contract was put out to tender, it highlighted the fact that the existing policy was open to misinterpretation. There was a very loose set of criteria used to qualify for home to school transport and some children were receiving it when they should not really have done. As a result the service area is putting a stricter interpretation on the policy. He explained that as well as applying for mainstream home to school transport, there are also exceptional circumstances. He went on to say that he chairs monthly meetings with Amey which focus on monitoring the day to day successful operation of the policy framework. He said that the revision of the Behaviour protocol was as a result of discussions at these meetings. At these meetings, Amey is asked to produce statistics on various aspects of the service delivery which Mr Bagnall said he finds very useful.

During discussion the following issues were raised and Members asked a number of questions.

A Member asked Mr Bagnall how Amey are briefed to deal with a child who forgets their bus pass. Should they leave a child at a bus stop?

Mr Bagnall responded by saying that there is a strict rule of "no pass, no travel". He went on to cite an example of a 60 seater bus which picks up 58 pupils but by the end of the trip there are 6 children standing on the bus. He said that if there was an accident, there would be serious implications in terms of health and safety. He admitted that further clarity is required on this issue as it is not acceptable to leave a child at a bus stop although he said he would welcome Members views on this. He said it comes down to either not allowing a child without a bus pass to travel versus overcrowding.

A Member asked whether a system similar to the "oyster" cards used in London would prevent people mis-using the current system.

Mr Bagnall said that he did not disagree with an oyster-style system but he said the cost of implementing the system would be very high.

A Member asked whether there is a legal requirement for a named driver and passenger assistant for children with special needs.

Mr Bagnall explained that the rules state that the driver and passenger assistant must communicate with the child and regular sampling and checks are undertaken to ensure this is adhered to. He said that it would be very difficult to find a contractor willing to take it on if it was a prerequisite that it should be the same driver/passenger assistant for every journey. He recognised that it would be highly desirable to have this but it can not be enforced due to the nature of the business and unforeseen circumstances (illness of the driver/passenger assistant).

A Member felt that the issue was more about understanding the specific needs of the child rather than it just being about a language barrier.

Mr Bagnall agreed with this and said that teaching staff at the school will have strategies in place for dealing with each child and the drivers and passenger assistants do not have this. He said that he would like to see a more joined-up approach and sharing this information with the relevant people so that a child's behaviour is managed in the same way. He wondered whether teaching staff could travel with the passenger assistants to assist them with this.

A Member asked whether the service area can ensure Amey enforces the Behaviour protocol.

Mr Bagnall explained that if there was no passenger assistant then the driver will find it increasingly difficult to check the behaviour of the children. He said that on there is a camera recording system which is being trialled at the moment which will record a child's behaviour. It is hoped that this will be rolled out to a wider user-group in future.

A Member expressed concern that there was a lot of monitoring taking place but there did not seem to be much focus on specific outcomes and following up on actions raised at meetings. The Member asked whether it was possible to see a copy of the minutes of the monthly performance meetings with Amey.

Mr Bagnall gave a specific example where Amey transferred an issue to the safeguarding team for them to investigate further. The actions were then followed up. He said that he also meets regularly with senior staff at Amey to discuss operational issues. He agreed that Members could see copies of the minutes of these meetings.

Action: Mr Bagnall

A Member asked if the contract was robust enough in terms of punctuality and what do Amey do if drivers are repeatedly late to pick-up children.

Mr Bagnall said that Amey are responsible for around 7 million journeys per year and the number of issues relating to punctuality are relatively small so he said that, putting it into context, punctuality was not a major issue.

A Member asked whether information relating to problems was being fed-back to Amey and, if so, whether this is included in the overall performance statistics provided by Amey.

Helen Halfpenny, Client Transport Compliance Manager, responded by saying that Amey do report on performance indicators at the regular meetings. Amey can award penalty points against contractors which are linked to financial rewards.

Whilst acknowledging the additional cost, a Member asked whether it was possible to increase the number of spot checks being done on the buses.

Mr Bagnall said that Amey do undertake spot checks but the question is on what scale should this be done at.

A Member gave an example where the buses used in different parts of the county varied considerably in terms of the age of the buses.

Mr Bagnall explained that it can be an issue if a contractor puts a vehicle on which is newer than another contractor. He said that the minimum standards are consistent and he is not concerned that they are unsafe but he appreciated that there is a problem if parents see newer vehicles in some areas.

A Member asked whether the minimum standards were good enough for the present day. Some buses are around 30 years old and the Member compared a 30 year old bus with a 30 year old car.

Mr Bagnall said that there is no evidence that the older buses are breaking down. He acknowledged that there is a perception of children travelling on different styles of buses.

A Member said that there is a rule that journey times should be no longer than 45 minutes but there are areas around the County which are renowned for causing delays to journeys.

Mr Bagnall explained that the normal journey time should be up to 45 minutes but if there are roadworks, then journey times can be increased.

A Member asked whether drivers are made aware of a child's individual needs.

Mr Bagnall said that drivers are aware of the range of special needs which a child requires through training although he clarified that the driver would not necessarily know a child's specific needs and how to deal with them. He said taxi drivers have limited knowledge which can lead to problems.

The Chairman drew Members attention to the letter received from a Headmaster which expressed concern about the central administration having the appropriate intelligence about local areas during periods of disruption. Mr Bagnall explained that the recent spell of snow had raised some important areas for improvement in terms of communication between parents, drivers and schools.

The Chairman also explained that there was concern regarding sub-contracting the journeys when companies are short of approved staff. Mr Bagnall said that strong measures would be used against any appointed contractor found to be sub-contracting.

A Member of the public explained that if there was consistency in terms of the drivers then the problems with children not having passes would not occur because the driver would know the children. Mr Bagnall agreed with this but went on to say that it does not help Amey when they have drivers on buses which should be carrying 58 children and they have 66 children.

A Member of the public said that parents should be made aware of the "no pass no travel" rule on a regular basis so that they can help their child to remember their pass.

A Member asked how quickly can a new pass be issued. Ms Halfpenny responded by saying that an emergency pass can be obtained from the school office which is valid for one week whilst a new pass is issued. A Member of the public clarified that a new pass costs £8 which they considered to be quite high. A Member went on to say that the responsibility for reporting a lost bus pass should be on the child and it must be clear where the levels of responsibility lie. Ms Halfpenny stated that parents sign an agreement at the time of issuing the bus pass. She said she needed to check whether the cost of re-issuing lost passes is included in this letter.

Action: Ms Halfpenny

The Chairman thanked everyone for their contributions.

5 CLIENT TRANSPORT POLICY - ADULTS

The Chairman introduced Caroline Penfold who explained her areas of responsibility which includes Lead for Transportation within Adults and Family Wellbeing. Ms Penfold went on to say that she was part of the evaluation team at the time of the tendering process and has stayed involved with the process since Amey were appointed.

Ms Penfold took Members through the process by which an adult is assessed in terms of their transport needs. She said that a care manager does the assessment as an integral part of their initial assessment and they will check to see whether a person can get to the place where their assessed care needs can be met, for example, respite centres and day services. She emphasised that the information gathering and communication process is key. The care manager will then make a referral to Amey along with key information to ensure that the right transport is made available (i.e. any behaviour issues, mobility issues, assessment of the

property and next of kin). Amey will then allocate the most suitable transport based on the persons needs and available capacity. It would be either a Swan Rider vehicle, other tail-lift transport vehicle or a taxi. Ms Penfold stressed that it is determined by individual needs and if a person had behavioural issues, a risk assessment may determine that they would need to normally travel on their own. The risk assessment would also determine whether a person needed a passenger assistant.

Ms Penfold said that Amey is responsible for the quality of transport which includes CRB checks for the drivers and passenger assistants, vehicle checks and the end of the day routine to ensure the person is delivered safely to their home.

Ms Penfold cited an example where a taxi driver had become involved in safeguarding issues as they helped to highlight an abusive issue at home. She stressed that it is important that drivers can report their concerns through appropriate channels. There is a new protocol which provides greater guidance to Amey and drivers/passenger assistants when reporting concerns. Ms Penfold explained that there are around 790 journeys per day.

During discussion the following points were raised and questions asked.

A Member congratulated Ms Penfold on the very clear transport policy document.

A Member asked for clarification about the average journey time for adults.

Ms Penfold responded by saying that the maximum journey time is 60 minutes but it would be less for people who suffer with certain conditions, for example, epilepsy or poor health. Epilepsy sufferers would not spend more than 20 minutes in the car.

A Member asked whether adults are required to have pass.

Ms Penfold said that they do not have passes so most of the transport is regular and there is a lot more verbal communication between the day services and the adult requiring transport.

A Member asked how many complaints they receive in a year.

Ms Penfold did not have the exact figures to hand but explained that there were very few complaints received in the last financial year. She said she would check the figures and let the Committee know.

Action: Ms Penfold

A Member asked about the transition process for children moving to adult services from children services.

Ms Penfold explained that it is a life changing event going from being a child to an adult and the expectations are very different. When a child is around 14-15 years old, they will work closely with transition workers to prepare them.

A Member asked whether it is only Amey who can work out the transport routes.

Ms Penfold explained that routes are planned jointly between day operators, transport operators and Amey. There are normally only single collection points along a route and she said that in some instances, there are group pick-ups where people live together. She said that some people have been travelling on the buses for years and have formed close friendships.

Ms Penfold also said that there was feedback from day centres on transport issues and where there are reports of inconsistency with regards to driver changes this would be reported at monitoring meetings.

The Chairman thanked Ms Penfold for her presentation.

(Noel Brown arrived at 11.20am)

6 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded for the following item which is exempt by virtue of Paragraph 2 of Part 1 of Schedule 12a of the Local Government Act 1972 because it contains information which is likely to reveal the identity of an individual

7 THE VIEWS OF RESIDENTS ON SAFEGUARDING ISSUES IN CLIENT TRANSPORT

Members received verbal and written evidence from parents, school governors and representatives from groups with special needs regarding their experiences.

8 INCLUSION OF THE PRESS AND PUBLIC

9 SAFEGUARDING PRACTICES IN CLIENT TRANSPORT FOR CHILDREN

This item was discussed after lunch rather than before as stated on the agenda. Start time: 1.20pm.

The Chairman introduced Bridget Day who manages the Safeguarding in Education Team for the County Council and also holds the role of Local Authority Designated Officer for Child Protection (LADO) for education-related cases. Ms Day explained that 15 cases were referred to the LADOs last year of which 12 were school related and 3 involved transportation of children in care. Ms Day emphasised that children should be safe and treated appropriately and drivers and passenger assistants are in positions of trust. She said that there is still a big gap between what is expected from school transportation and what is expected in other areas. Ms Day said that she has been worried about follow-up but they are developing clearer protocols with Amey so she is hopeful that this area will improve. She said there are specific skills required in dealing with difficult children and that Team Teach training was not enough in these situations.

During discussion, the following points were made.

A Member said that they had heard a lot of people concerned about the vehicles but had Amey received any actual complaints. The Member felt that some parents could be putting up with vehicles turning up late and language problems and not reporting them. Ms Day explained that the state of the vehicles and lateness of vehicles would not be reported to her but any incidences of leaving a child or inappropriate behaviour towards a child would be referred to her. Ms Day felt that there needs to be a better understanding of what drivers and passenger assistants should know. She gave an example of recently interviewing a passenger assistant who could not speak any English.

A Member asked what would happen in a situation where it was deemed as inappropriate behaviour.

Ms Day explained that the case would be referred to a strategy meeting and if there was enough evidence, then a social worker and/or the police would get involved.

A Member made an observation that the Adult Social Care protocol, which includes “greeting the adult with a smile” was very basic and yet very effective in maintaining a good relationship and felt that there should be a similar protocol for children.

Ms Day said that communication is very important and drivers need to be confident that what they are doing is correct, especially in terms of how to handle a child.

A Member asked Ms Day whether she was happy with the existing inspection regime and asked whether she had any influence over inspecting the drivers/passenger assistants.

She responded by saying that she could not comment on the inspection regime. She said that some schools do influence the transport decisions, in terms of the bundling of children and who should travel together.

Ms Day showed Members a leaflet entitled “Child Protection Advice” which is handed out to contractors who deal with transporting children to and from school. She explained that the owner of the company would sit down with its employees and take them through the leaflet. She said that they also have to sign up to a Code of Conduct.

Members gave some feedback to Ms Day regarding the leaflet – they felt it should be available in other languages (not just English), it should be in larger print and include images to help explain what is expected of them.

Ms Day concluded by saying that there is a general feeling that the taxi drivers are being asked to take on a lot and that some of them do a very good job and have successfully built up good relationships.

Ms Halfpenny added that there had been concerns over children being banned from one particular school. She said that this issue needs to be clarified as Amey and the taxi firm cannot ban a child without it being done in conjunction with the school. She recognised the on-going problem with continuity of drivers and said that the reality is that there is a high percentage of staff turnover. She said that Team Teach (the training available for drivers and passenger assistants) aims to address the issues of mis-handling of children as they should learn how to handle children with specific needs.

The Chairman thanked Ms Day for her contribution.

10 LUNCH

11 AFTERNOON SESSION

The Chairman explained that this session is for Members to assess both the written and verbal evidence and to discuss the next steps and outline recommendations. Due to the fact that Members were referring to exempt appendices in this session, there was a need to exclude the press and public.

CHAIRMAN