

## **Minutes of the Extraordinary Meeting of Warwickshire County Council held on 3 November 2015**

Present:

Councillor Bob Stevens (Chair)

Councillors: John Appleton, John Beaumont, Sarah Boad, Mike Brain, Peter Butlin, Les Caborn, Richard Chattaway, Jonathan Chilvers, Chris Clark, Jeff Clarke, Jose Compton, Yousef Dahmash, Corinne Davies, Nicola Davies, Neil Dirveiks, Sara Doughty, Peter Fowler, Jenny Fradgley, Bill Gifford, Mike Gittus, Colin Hayfield, Bob Hicks, John Holland, John Horner, Julie Jackson, Philip Johnson, Kam Kaur, Bernard Kirton, Keith Kondakor, Joan Lea, Keith Lloyd, Jeff Morgan, Phillip Morris-Jones, Peter Morson, Bill Olnor, Dave Parsons, Mike Perry, Caroline Phillips, Wallace Redford, Clive Rickhards, Chris Saint, Izzi Seccombe, Jenny St. John, June Tandy, Heather Timms, Alan Webb, Mary Webb, Matt Western, John Whitehouse and Chris Williams.

### **1. General**

#### **(1) Apologies for absence**

Apologies for absence were submitted on behalf of Councillors Alan Cockburn, Richard Dodd, Brian Hawkes, Danny Kendall, Brian Moss, Maggie O'Rourke, Kate Rolfe, Howard Roberts, Jerry Roodhouse, Dave Shilton and Angela Warner.

#### **(2) Members' Disclosures of Pecuniary and Non-Pecuniary Interests**

##### Item 2 – Home to School Transport- Specialist Nursery Provision

Councillor Julie Jackson declared a non-pecuniary interest as declared at the Children and Young People Overview and Scrutiny Committee (i.e. as she had a relative with a disability but who did not use the Council's Home to School Transport.

### **2. Home to School Transport – Specialist Nursery Provision**

The Council noted that this extraordinary meeting had been called in response to a referral from the Children and Young People Overview and Scrutiny Committee who had agreed on 22 October to seek the Council's consideration of a number of points in relation to Cabinet's proposed withdrawal of transport to Specialist Nursery for new applicants.

A Councillor John Whitehouse proposed the following motion and was seconded by Councillor Dave Parsons, Chair of the Children and Young People Overview and Scrutiny Committee:

'This Council believes that the Cabinet should defer the proposed savings proposal Transport to Specialist Nursery Provision (Recommendation 11 to Cabinet of 8 October 2015), for the following reasons:

1. A significant number of parents/carers make informed choices to use specialist nurseries for their high level SEND child rather than more local mainstream provision, because they believe that this best meets the needs of the child. Officers have not produced compelling evidence that parents/carers are wrong, and that these needs could be met equally well and cost-effectively for all high level SEND children in mainstream nursery settings.
2. The removal of free transport to/from specialist nurseries would put the opportunity to make use of this provision to meet the needs of their high level SEND child beyond the financial reach of many families. The impact of the proposed saving would be most severe on those least able to afford it.
3. Very few high level SEND children attending specialist nurseries are currently in receipt of an SEN statement or Education Health & Care Plan (EHCP). The impact of introducing this assessment process for these children, and how many would then qualify for free transport to meet their needs, has not been assessed.
4. The sustainability of the specialist nurseries would be undermined, leading potentially to their closure. The impact of this happening has not been assessed, nor the cost involved.
5. There are alternative ways of achieving the great majority of the proposed cost savings in transport to special nurseries, for example by moving to full-day nursery provision, which have not been properly explored.

The Council recommends that the Children's Overview & Scrutiny Committee be asked to conduct an in-depth scrutiny review of the matter, and to report back to Cabinet within a period of six months.'

Councillor Whitehouse explained that there had been a number of questions raised at the Overview and Scrutiny Committee call-in meeting that had not yet been answered. The motion, therefore, sought deferral of the savings proposal so that the full facts are known before a decision is taken. Councillor Whitehouse recognised that this specific proposal impacted on a relatively small number of children and families but stressed that the impact on those could be severe. He added that a blanket removal of free transport entitlement could hit hardest on those least able to afford it.

Councillor Whitehouse added that there had been confusion about whether or not there was currently a specific review of specialist nurseries but that it had transpired that there is a continuous background review. This had led him to the conclusion that this would be an ideal opportunity for the Overview and Scrutiny Committee to undertake a detailed review.

Councillor Dave Parsons, in seconding the proposals, reminded members of the vital role of scrutiny and welcomed the opportunity to look at this further.

- B Councillor Colin Hayfield, Cabinet Portfolio Holder for Education and Learning, proposed the amendment set out below and seconded by Councillor Chris Williams:

Amend first paragraph of A to read:

- (1) That Council recommends the Cabinet to defer the proposed savings on transport to specialist nursery provision (recommendation 11 to Cabinet of 8<sup>th</sup> October 2015) until after the outcome of the planned review of specialist nursery provision by the Head of Education and Learning carried out and completed within the next 6 months.

Amend final paragraph of A to read:

- (3) That the planned review should be considered by Children and Young People Overview and Scrutiny Committee prior to consideration by Cabinet.

Councillor Colin Hayfield, in proposing the amendment, explained that this would result in a planned review that would address the issues raised in the motion at A and the review would then be considered by the Children and Young People Overview and Scrutiny Committee prior to consideration by Cabinet. Councillor Hayfield appreciated that what had started as consideration of a school transport saving has broadened into concern about the specialist nursery school provision and the ability of children, through transport, to attend and he gave assurance that this will be picked up in the review.

Councillor Hayfield added that all of the school transport savings have been difficult but that the Council is in a position of funding 'need' rather than 'choice'. The majority of parents with children with special educational needs and who received free transport still chose to send their children to a mainstream nursery school but that there were some children whose needs did require specialist nursery provision. This review will look at this and the transport needs that go with them. Councillor Hayfield gave his assurance that no child will be denied access to an education they need as a result of parents or carers being unable to meet transport costs. If there is an assessed demonstrated need the Council will meet the cost of transport to the nearest appropriate school that meets that need.

The following points were made during the debate:

- The One Organisational Plan savings figure for Home to School Transport set in February was updated in the report to Cabinet in October. The proposals are unchanged but the costs vary but remain estimates as the children being transported vary over time.
- The specialist nursery provision cannot be replicated in mainstream nursery provision.
- Transport is key to ensuring many of the council services are viable.

Councillor John Whitehouse accepted the amendment set out at B on the understanding that the review of specialist nursery provision includes the issue of transport as it cannot be separated from the viability and importance of the provision itself.

The substantive motion was put to the vote and agreed unanimously as set out below.

### **Resolved**

- (1) That Council recommends the Cabinet to defer the proposed savings on transport to specialist nursery provision (recommendation 11 to Cabinet of 8<sup>th</sup> October 2015) until after the outcome of the planned review of specialist nursery provision by the Head of Education and Learning carried out and completed within the next 6 months.
  
- (2) That the planned review should address the following issues:-
  - I. A significant number of parents/carers make informed choices to use specialist nurseries for their high level SEND child rather than more local mainstream provision, because they believe that this best meets the needs of the child. Officers have not produced compelling evidence that parents/carers are wrong, and that these needs could be met equally well and cost-effectively for all high level SEND children in mainstream nursery settings.
  
  - II. The removal of free transport to/from specialist nurseries would put the opportunity to make use of this provision to meet the needs of their high level SEND child beyond the financial reach of many families. The impact of the proposed saving would be most severe on those least able to afford it.
  
  - III. Very few high level SEND children attending specialist nurseries are currently in receipt of an SEN statement or Education Health & Care Plan (EHCP). The impact of introducing this assessment process for these children, and how many would then qualify for free transport to meet their needs, has not been assessed.
  
  - IV. The sustainability of the specialist nurseries would be undermined, leading potentially to their closure. The impact of this happening has not been assessed, nor the cost involved.
  
  - V. There are alternative ways of achieving the great majority of the proposed cost savings in transport to special nurseries, for example by moving to full-day nursery provision, which have not been properly explored.

- (3) That the planned review should be considered by Children and Young People Overview and Scrutiny Committee prior to consideration by Cabinet

The meeting rose at 10.25 am.