

Record of officer decision

Decision title:	Award of early years SEN transport assistance
Date of decision:	13th September 2019
Decision maker:	Acting Assistant Director Highways and Transport
Authority for delegated decision:	<ol style="list-style-type: none"> 1. This is an operational decision with regard to Part 3 Section 7 para 3.7.5 of the constitution. 2. Scheme of delegation amendment 17 May 2017 - All contracts must be approved by Assistant Director level or above.
Ward:	Countywide
Consultation:	None
Decision made:	<p>The decision has been taken to:</p> <ol style="list-style-type: none"> 1. Award early years transport assistance to child X at a maximum annual cost of £30,400. 2. Award a contract to Blue Line Taxis to supply the required transport for a 5 year term at a maximum annual value of £30,400. 2 Compliant bids were received. <p>Child X is 3 years old and attends an early years placement at a special school. Currently attendance is 2 days per week but this is expected to increase. Child X has significant medical difficulties that place X at risk during a transport journey. Child x is not entitled to statutory free transport until the age of 4.</p> <p>To ensure X can be transported safely, discretionary transport assistance will be provided in the form of a taxi and passenger assistant.</p>
Reasons for decision:	<p>Under section 7.3 of the Herefordshire home to school transport policy transport assistance can be provided to early years students in exceptional circumstances. Section 7.3 states:</p> <p>7.3 Transport assistance for Early Years</p> <p>Children below compulsory school age attending the nearest suitable special school to access an early years placement may be provided with transport assistance if exceptional circumstances can be demonstrated, which result in the family being unable to get the child to the placement without travel support (having exhausted all possible alternatives). If discretionary support is offered, it will be the most cost-efficient option for the Local Authority. Parent / carers would be expected to make a contribution towards total costs in line with the current parental contribution rate.</p> <p>In addition the following legislation, guidance, and information has been considered when making this decision:</p>

	<ul style="list-style-type: none"> • The Education Act 1996 S.508C • The Councils Equality Act 2010 duties • The Herefordshire Council home to school transport policy section 7.6 Use of Passenger Assistants. • Supporting information provided by X's Pediatrician. • The Education and Health Care Plan (EHCP) for X.
Highlight any associated risks/finance/legal/equality considerations:	<p>The decision to award transport assistance has been taken with regard to agreed recommendations made by the Local Government and Social Care Ombudsman following rejection of the original request for transport and has been informed by guidance and advice provided by legal services and counsel.</p> <p>The retaken decision allowed for additional information to be taken into account which demonstrated that an exceptional need existed.</p> <p>Whilst the cost of providing this transport support will exceed current budget this relates to a budget area which is forecast to overspend and is an acknowledged pressure.</p> <p>Procurement and contract award has been carried out in using the Passenger Transport Dynamic Purchasing System (DPS) which complies fully with current procurement legislation, the Councils contract procedure rules, and established best practice.</p>
Details of any alternative options considered and rejected:	The option not to award transport support was discounted as medical evidence demonstrated that an exceptional need was demonstrated.
Details of any declarations of interest made:	None

Signed..... Date: