

North Yorkshire County Council

Children and Young People's Service

Corporate Director's Meeting with CYPS Executive Members

28 January 2020

**Review of Transport Contracts for SEN pupils attending  
North Yorkshire and Out of County Special Schools**

Report of the Assistant Director – Transport, Waste and Countryside Services

**1.0 Purpose of Report**

- 1.1 To seek approval from the Corporate Director, Children and Young People Services to proceed with a review and re-procurement of transport contracts into Woodlands, Forest, Springwater, Forest Moor and Brompton Hall special schools

**2.0 Background**

- 2.1 Integrated Passenger Transport (IPT) undertakes to re-evaluate all of its contracted SEN transport contracts (delegated responsibility from The Corporate Director of Children and Young Peoples Service) across North Yorkshire through a programme of SEN School reviews.
- 2.2 Contracts into the schools listed above are due to end in July 2020 and new contracts must be secured to start in the new school year, September 2020. A full review of all individual pupil requirements and transport routes will be undertaken as part of this review.
- 2.3 The review of pupil requirements will be undertaken by the SEN Transport team, in close consultation with the IPT Team and each of the special schools involved

**3.0 Proposed Tender Procedure**

- 3.1 The 'Open' tender process will be undertaken by IPT in accordance with the Council's Contract Procedure Rules with support from the central procurement team.
- 3.2 Contracts will be advertised through Prior Information Notice and OJEU notices and through the e-tendering system notice board.
- 3.3 The Gateway process will be followed and approval to award the contracts will be sought from The Corporate Director – Children and Young Peoples Service through the Council's Gateway 3 process.

**4.0 Financial Implications**

This procurement is within the Council's policy framework and appropriate budgets exist within Children and Young People's Service (CYPS) for the work to be carried out and financed.

## **5.0 Legal Implications**

5.1 The Education Act 1996 (as amended) Sections 508B and 508C make provision for the County Council to ensure that suitable travel arrangements are made, where necessary to facilitate a child attending school. The County Council has a duty to make travel arrangements for 'eligible children' and in doing so has regard to statutory guidance and the Council's own policy.

## **6.0 Equalities Implications**

6.1 An Equalities Impact Assessment (EqIA) has been carried out to consider the impact of this review and this can be found at Appendix 1

6.2 The Equalities duty is ongoing and will be reviewed throughout the planning, review and procurement stages as well as prior to the award of any contracts.

## **7.0 Recommendation**

7.1 It is recommended that the Corporate Director – CYPS and Executive Members agree to proceed with the review and re-procurement of transport services.

IAN FIELDING

Assistant Director - Transport, Waste and Countryside Services

Report author: Catherine Price

Background documents: None

**Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics**  
(Form updated May 2015)

**Review of Transport Contracts for SEN pupils attending North Yorkshire and Out of County Special Schools**

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যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔



**Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.**

Name of Directorate and Service Area	Business and Environmental Services, Integrated Passenger Transport
Lead Officer and contact details	Project Owner: Catherine Price ext 5691
Names and roles of other people involved in carrying out the EIA	Contracting Officers: Lindsay Davidson ext 2670 Nicky Moseley ext 8031
How will you pay due regard? e.g. working group, individual officer	Consideration of the EIA by the Officers involved in the review/procurement process
When did the due regard process start?	October 2019

**Section 1. Please describe briefly what this EIA is about.** (e.g. are you starting a new service, changing how you do something, stopping doing something?)

IPT reviews all of its SEN transport service contracts across North Yorkshire through a continuous programme of contract renewal across both in and out of county special schools.

Re-newal of contracts is required for SEN contracts to the following schools, Woodlands, Forest, Springwater, Forest Moor and Brompton Hall special schools

**Section 3. What will change? What will be different for customers and/or staff?**

In reviewing the contracts, routes and timetables will be changed to meet individual pupil requirements. In some cases, the contractors providing the services may change as a result of the tendering process. Also pupils may travel with a different set of pupils depending on the advice of the professionals involved in the review prior to procurement.

**Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)**

School staff and parents will be consulted prior to route planning to ensure that we can optimise the network of services whilst having careful regard to the individual pupils needs.

**Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?**

This procurement is within the Council policy framework and appropriate funding will be found within CYPS the work to be carried out and financed. It is anticipated that whilst some contracts will reduce in costs, others may increase.

<b>Section 6. How will this proposal affect people with protected characteristics?</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
Age	X			
Disability	X			
Sex (Gender)	X			
Race	X			

Gender reassignment	X			
Sexual orientation	X			
Religion or belief	X			
Pregnancy or maternity	X			
Marriage or civil partnership	X			

<b>Section 7. How will this proposal affect people who</b>	<b>No impact</b>	<b>Make things better</b>	<b>Make things worse</b>	<b>Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.</b>
live in a rural area?	X			
have a low income?	X			

**Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

No

<b>Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)</b>	<b>Tick option chosen</b>
<b>1. No adverse impact - no major change needed to the proposal.</b> There is no potential for discrimination or adverse impact identified.	X
<b>2. Adverse impact - adjust the proposal -</b> The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
<b>3. Adverse impact - continue the proposal -</b> The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	

**4. Actual or potential unlawful discrimination - stop and remove the proposal**

– The EIA identifies actual or potential unlawful discrimination. It must be stopped.

**Explanation of why option has been chosen.** (Include any advice given by Legal Services.)

The Council has a statutory responsibility to transport school children who qualify for free home to school transport in line with the Councils policy and these requirements will be met. Whilst not all vehicles that will be used in the provision of home to school transport will be accessible, pupils who have special access requirements will be accommodated as their individual needs require.

**Section 10. If the proposal is to be implemented how will you find out how it is really affecting people?** (How will you monitor and review the changes?)

- Monitor correspondence and complaints following the introduction of any changes
- Monitoring of the services through on-going contract management
- Feedback from schools and parents and carers

**Section 11. Action plan.** List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements

**Section 12. Summary** Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

This EIA seeks to assess the equality impact of changes to SEN transport services as a result of renewal of contracts for SEN pupils.

We have no evidence to show an impact in relation to the tender of such contracts

**Section 13. Sign off section**

This full EIA was completed by:

**Name: Catherine Price**

**Job title: Passenger Transport Contracts and Commissioning Manager**

**Directorate: Business & Environmental Services**

**Signature:** *Catherine Price*

**Completion date:** December 2019

**Authorised by relevant Assistant Director (signature):** *Ian Fielding*

**Date:**