

North Yorkshire County Council

Children & Young People's Service

Corporate Director's meeting with Executive Members

27 April 2021

Review of SEND & Miscellaneous Transport Contracts

Report of the Assistant Director, Inclusion
&

Assistant Director, Travel, Environment and Countryside Services

1.0 Purpose of Report

- 1.1 To seek approval from the Corporate Director, Children and Young People's Service to proceed with the review and re-procurement of transport contracts to six SEND schools and some miscellaneous contracts for Home to School transport services.

2.0 Background

- 2.1 Integrated Passenger Transport (IPT) undertakes to review all of its SEN and Mainstream Home to School transport service contracts (delegated responsibility from The Corporate Director of Children and Young Peoples Service) across North Yorkshire through a programme of area/school reviews.
- 2.2 Current contracts for six SEN Schools are due to end in July 2021 and new contracts must be secured to start on 6th September 2021.
- 2.3 The six SEN Schools that are being reviewed are
- Brompton Hall, Scarborough – 23 contracts
 - Forest, Knaresborough – 29 contracts
 - Forest Moor, Harrogate – 32 contracts
 - Springwater, Harrogate – 17 contracts
 - Woodlands, Scarborough – 16 contracts
 - Marchbank, Darlington (out of county provision) 7 contracts
- 2.4 The review of SEN transport provision is done jointly between IPT and the SEN Transport Team in Inclusion. This involves a detailed review of each pupil and their travel needs.
- 2.5 Both teams work jointly with the schools to identify any issues and assess what is required for each pupil involved. This involves considering issues such as the need for a Passenger Assistant to accompany the pupil or if they have any medical needs that need to be considered.
- 2.6 The Inclusion transport team also write to parents to ask if they are able to take a parental allowance rather than using commissioned transport. This is then considered alongside route planning and where it is cost effective to do so parents will be offered an allowance to transport their child to, and from, school.

2.7 After gathering all the relevant information the IPT team plan the routes to maximise efficiency and prepare the schedules for tendering. Where solo travel is identified as the only option, it is referred back to CYPS for approval as budget holder.

2.8 In addition to the six-school review above, we plan to put out six services that form one contract for the Harrogate Schools Bus network under the miscellaneous part of this procurement. The contract was extended due to COVID but is due for renewal from September 2021 and this procurement is the ideal opportunity to go out to market.

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 FTS notices and through the e-tendering system notice board.

3.3 The Gateway process will be followed and approval to award the contracts for will be sought from The Corporate Director – Children and Young Peoples Service at the 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 SEND and Mainstream Home to School Services

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 in consultation with the CYPS Executive Members agree to proceed with the review and re-procurement of the transport services detailed in the report.

JANE LE SAGE, Assistant Director, Inclusion

MICHAEL LEAH
Assistant Director – Travel, Environment 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 SEND & Miscellaneous Home to School Transport Contracts

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.

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 پوچھئے۔



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	BES, Integrated Passenger Transport and CYPS, Inclusion
Lead Officer and contact details	Project Owner: Catherine Price Catherine.price@northyorks.gov.uk Chris Reynolds Chris.reynolds@northyorks.gov.uk
Names and roles of other people involved in carrying out the EIA	Contracting Officers: Lindsay Davidson
How will you pay due regard? e.g. working group, individual officer	Consideration of the EIA by the Officers involved in the procurement process
When did the due regard process start?	March 2021

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 transport services for both mainstream home to school and SEN transport in North Yorkshire through a continuous programme of contract renewal. Renewal of contracts is required for 6 special schools and some miscellaneous contracts are also being reviewed.

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

In reviewing the contracts, service routes and timetables will be changed to meet changing pupil requirements. In some cases, the contractors providing the services may change as a result of the tendering process.

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?)

For contracts that are in the area renewal process comments are being sought from:

Schools and Parents via the schools

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 budgets exist within CYPs for the work to be carried out and financed. It is anticipated that whilst some contracts will reduce in costs, others may increase.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
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			

Section 7. How will this proposal affect people who	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
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

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)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	X
2. Adverse impact - adjust the proposal - 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.	
3. Adverse impact - continue the proposal - 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 needs dictate.

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, parents and transport providers

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
Ongoing review	Operator/Contract Manager	On-going during contract life from September 2021	On-going	Through normal contract management and feedback to CYPS on pupil requirements

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 services as a result of renewal of contracts for Home to School Transport Services.

We have no evidence to show an impact in relation to the tender of contracts for home to school transport.

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: March 2021

Authorised by relevant Assistant Director (signature): Jane Le Sage & Michael Leah

Date: 26.03.2021