



EXECUTIVE MEMBER DECISION

REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	Friday, 29 March 2024

PORTFOLIO/S AFFECTED:	Children, Young People and Education
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WARD/S AFFECTED:	(All Wards);
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SUBJECT: Award of contracts for special educational needs and/or disability transport
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1. EXECUTIVE SUMMARY

To seek approval from the Executive Member for Children, Young People and Education to award contracts for special educational needs and/or disability (SEND) transport to successful suppliers through the Council's framework.

2. RECOMMENDATIONS

That the Executive Member:

Approves the award of contracts to successful suppliers for a 2 year period commencing 15th April 2024.

3. BACKGROUND

The Council provides home-to-school/college travel support for children and young people with Special Education Needs and/or Disabilities, in accordance with its statutory obligations and published eligibility policies.

The Executive Member for Children, Young People and Education previously approved the formation of a new framework for the provision of SEND services and for the tendering of existing transport routes through an electronic auction process.

In line with this decision the Council established a DPS (Dynamic Purchasing System) in January 2024. A DPS framework unlike a traditional one allows suppliers to join the framework at any stage whilst the framework is live, this ensured that as many suppliers as possible could qualify to participate in the framework in order to ensure competition. This resulted in 41 different suppliers and sole traders being successful in joining the framework and being able to participate in the auction process.

A total of 146 routes were tendered which were divided into 18 separate auction processes split into routes for saloons, hackney carriages, wheelchair accessible minibuses and standard minibuses. This resulted in the following total number of contracts being proposed to be awarded;

Company	Total Contracts Awarded
Blackburn & Darwen Community Transport Ltd	30
Brownhill Corporate Hire / Brownhill Foundation	30
City Private Hire	24
Indigo Cars Ltd	8
Longridge Coaches	2
Matrix Private Hire	14
Mill Hill Private Hire	9
Sole Traders / Owner operators	15
UK Private Hire	12
Total	144

Two contracts that were tendered have not been awarded as yet with one awaiting acceptance and the other due to it's location and infrequency of trips; the latter will be subject to a separate bid process with operators.

Eight routes were exempted from the auction process and will be awarded to the current operators at the existing cost. This is due to either the routes only running until July or due to the specialist requirements of the children on these routes.

4. KEY ISSUES & RISKS

If contracts are not awarded then the Authority would be at increased risk of being in breach of its statutory responsibility to provide transport for children and young people.

There is a risk that due to the low prices that have been bid on some of the routes that it will not be economical for operators to provide the services and they will not sign resulting contracts or may terminate the contracts at a later date.

5. POLICY IMPLICATIONS

A continuation of service is required in order to meet the required statutory obligation of providing and Special Educational Needs and Disability Transport.

Education and Inspections Act 2006.

508B and 508C Education Act 1996.

The delivery of a high quality SEND Transport service has a positive impact on the outcomes of children and young people.

6. FINANCIAL IMPLICATIONS

The current total value of contracts that were awarded under the auction process stood at £2.915 million, with the new prices for these routes now totalling £2.244 million which equates to a cost reduction of £671k.

The auction process saw a 'bidding war' amongst operators especially around the provision of minibus routes with these prices falling considerably compared to current costs. As mentioned in the key risks and issues section this may not be economical for operators and therefore could see costs escalate again if they need to be re-awarded.

The demand on the department for the provision of SEND transport continues to grow with additional transport being required constantly. As a comparison when these were last tendered through the auction process in 2022 there were 109 routes compared with the current 144 routes which represents an increase of 32% as well as the Council now providing a lot more larger vehicles due to the demand.

An additional £500k has been allocated via the MTFP to the SEN Transport budget for 24/25 in order to address the ongoing budget pressures. The savings generated through this procurement exercise

may mean that all of this additional funding is not required, however this is a demand led service and the demand is forecast to continue to increase. It is prudent, therefore, for the budget to remain unchanged pending a review as part of the Council's normal budget monitoring processes.

As a demand led service, contracts are subject to variances based on a number of external factors including but not exhaustive of:

- Increased demand
- Changes to existing contracts due to moving house, moving schools, changes to levels of transport support required.

Any such changes will require contractual changes and will likely result in a price increase. One supplier has decided that they will counteract the lower prices by putting in a high cost per mile for contract changes, the department will monitor this closely and when costs increase on the routes that they have won we will serve notice on these contracts and tender them again. Provision will be made in future tenders to ensure that this does not occur again.

7. LEGAL IMPLICATIONS

The procurement process used under the DPS framework complies with the requirements of the Council's Contract and Procurement rules and the Public Contracts Regulations 2015.

8. RESOURCE IMPLICATIONS

There are no resource implications associated with this decision.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

None with this report

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

VERSION: 1

CONTACT OFFICER: Peter Hughes

DATE: 21/03/2024

BACKGROUND PAPER: Executive Member Decision – 22nd December 2023 – Framework for Specialist Educational Needs and/or disability transport.