



# EXECUTIVE MEMBER DECISION

<b>REPORT OF:</b>	Executive Member for Children, Young People & Education
<b>LEAD OFFICER:</b>	Director of Children's Services
<b>DATE:</b>	21 <sup>st</sup> June 2019

<b>PORTFOLIO/S AFFECTED:</b>	Children, Young People & Education
<b>WARD/S AFFECTED:</b>	All
<b>KEY DECISION:</b>	No

**SUBJECT:** Re-tendering of Special Educational Needs and Disability School Transport 1<sup>st</sup> January 2020 – 31<sup>st</sup> December 2023.

## 1. EXECUTIVE SUMMARY

To seek approval from the Executive Member for Children, Young People and Education to re-tender the Special Educational Needs and Disability School Transport through the creation of a Dynamic Purchasing System framework.

## 2. RECOMMENDATIONS

That the Executive Member for Children, Young People and Education approves: that Special Educational Needs and Disability School Transport services are retendered and awarded through a newly set up Dynamic Purchasing System framework in order to ensure the continuation of Special Educational Needs and Disability School Transport services commencing 1<sup>st</sup> January 2020.

## 3. BACKGROUND

The current framework for the provision of the service was set up 1<sup>st</sup> January 2016 to last for up to a four year period. The department is proposing to set up a new Dynamic Purchasing System framework for the next 4 years. A Dynamic Purchasing System framework unlike a traditional one allows suppliers to join the framework at any stage whilst the framework is live, this will ensure that any new entrants to the market will have an opportunity to bid during the lifetime of the framework. It is further proposed that following the success of the previous Special Educational Needs Disability School Transport e-auctions that further competitions on the new framework are carried out using this method.

Currently there are 114 Special Educational Needs Disability School Transport contracts providing school transport which are all due to expire 31<sup>st</sup> December 2019. In order to ensure continuity of these services a procurement law compliant Dynamic Purchasing System framework will need to be established.

Contracts under the newly tendered and awarded services are based on providing Special Educational Needs Disability School Transport for an initial 2 year period from the 1<sup>st</sup> January 2020 until 31<sup>st</sup> December 2021. At the end of this period a further e-auction will be undertaken for the following 2 years.

#### **4. KEY ISSUES**

The Council needs to have a cost effective, timely and compliant procurement solution to ensure that the requirements for school transport services can be provisioned when required; use of the framework agreement will achieve this.

By using a Dynamic Purchasing System framework this will enable suppliers to join at any stage over the duration of the framework allowing a constant flow of suppliers ensuring there is sufficient competition to drive best value for money.

#### **5. POLICY IMPLICATIONS**

A continuation of service is required in order to meet the required statutory obligation of providing Home to School Transport.

Education and Inspections Act 2006.

508B and 508C Education Act 1996.

#### **6. FINANCIAL IMPLICATIONS**

The current budget for Special Educational Needs and Disability School Transport in 2019/20 is £1,084m

The full cost implications will not be known until the tenders have been awarded.

#### **7. LEGAL IMPLICATIONS**

The tendering of these services will be undertaken in accordance with the European Procurement Rules, Public Contracts Regulations 2015 and the Councils Contract and Procurement procedure rules. Adherence to the statutory time frame for tendering set out in the regulations will be observed. Contract will be in a form approved by legal officers in Contracts and Procurement team.

#### **8. RESOURCE IMPLICATIONS**

None

#### **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.

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 as detailed in the attached briefing paper. 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.

<b>VERSION:</b>	1.0
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<b>CONTACT OFFICER:</b>	Jackie Clarkson – Team Leader, Transport Team
<b>DATE:</b>	June 2019
<b>BACKGROUND PAPER:</b>	None

