

## **Cabinet – 11 December 2013**

### **Assisted Transport and Taxi Contract**

**Portfolio:** Councillor R Andrew – Children's Services

**Related portfolios:** Councillor McCracken – Adult Social Care and Inclusion

**Service:** All

**Wards:** All

**Key decision:** No

**Forward plan:** Yes

#### **1. Summary**

This report is to seek Cabinet's approval to the commencement of a corporate procurement process for assisted transport and taxi services.

#### **2. Recommendations**

Cabinet is recommended to:

- 2.1 approve the commencement of a corporate procurement process for assisted transport and taxi services service for children, adults and other vulnerable groups.

#### **3. Report detail**

- 3.1 In April 2013 the provision of education services transferred back to Walsall Council from the previous contractor engaged to provide these services and this included taking over the contract that had been put in place for Special Educational Needs transport services. The existing contracts (with 32 providers) for provision of Special Educational Needs transport services were due to expire in September 2013 and an Options Appraisal considered a range of alternative ways of delivering the service, which included more robust contract terms and conditions and specification, and explore a corporate approach to include transport services in Adult Services and corporate taxi use. To allow this work to be undertaken, and to consult properly with parents and carers of children who use this service on the impact of increasing budget personalisation, it was agreed to extend the current contractual arrangement for a further 12 months to August 2014. This means that a procurement process needs to commence early in 2014 to provide a new contract for this service provision from August 2014. Information on current employees of contractors who provide the existing service will be collected from

mid December onward to meet TUPE requirements and to inform the Tender documentation. In the meantime Officers are seeking contractor's agreement to improvements in the contract based on current working practice.

- 3.2 The taxi and minibus contracts for Adult Social Care & Inclusion is also due to expire shortly and it has been agreed to align the end dates to coincide with the existing Children's Special Educational Needs transport services contract so that one corporate procurement exercise for assisted transport can be procured. In addition, the provision of general taxi services to be used by other service users, and in exceptional circumstance (e.g.; disability) Council staff, is also included in the contract being procured. This corporate approach will be more efficient for both council staff and potential service providers as there will only be one tender for three related services.
- 3.3 A subsequent report will be brought to Cabinet upon completion of the tender evaluation process to seek authority to award the contracts.
- 3.4 The specification for the service to be provided is being drafted following consultation with stakeholders and quality is a key consideration for parents, providers and schools. Officers are designing the Invitation to Tender, to be issued in February 2014, on a best value basis which will consist of a quality evaluation, including vehicle and site visits and a review of processes and training provided – especially of attendants. Parents will be involved in the quality assessment of tenders to ensure that all providers reach the desired quality standard. Pricing evaluation will include banded mileage pricing and route optimisation, plus the opportunity for providers to offer volume discounts based upon number of routes. Tenders will be evaluated on the best combination of quality, price and volume discounts.
- 3.5 The invitation to tender will include key performance indicators and detail of future monitoring arrangements including spot checks, monitoring visits and proportionate monitoring reviews to ensure that quality standards are maintained throughout the duration of the contract.

#### **4. Council priorities**

- 4.1 **Economic development, employment and improving employability;** assisted transport and taxi services provide a significant number of local jobs. **Improving Health and well being, including independence for older people;** contract monitoring will require providers to demonstrate service users have experienced a service that has helped them to access services to promote individual independence and wellbeing. **Improving Safeguarding, Learning and the Life Chances for Children and Young People;** the provision of this service will ensure suitable home to school transport travel arrangements for eligible children of compulsory school age to facilitate attendance at a school and support their learning. **Creating safe, sustainable and inclusive communities;** providers will be expected to comply with appropriate legislation and invest in a sustainable and diverse workforce meeting individual service user's cultural requirements.

## 5. Risk management

A full analysis of risk has been undertaken as part of the project management approach, in accordance with the council's agreed approach, with risk management action plans in place for "high" risks. Key risks summarised below:

Risk	Mitigation
Changes in legislation covering personalisation reduce demand	No firm commitment on volumes to be provided in the contract.
Transition from old contracts to new contracts. Change in transport provider may cause issues of trust and familiarisation.	Timeline has been designed with implementation date to allow for introductory sessions with new providers.

## 6. Financial implications

Current expenditure on these services to be retendered is approximately £2.1 million per annum (Children's £1.8 million and Adults SC&I £236,000, other staff is less than £2,000). The Adults SC&I value is gross and offset with an income budget of £150k therefore any reduction in expenditure or changes to income and charges policies would have to be offset.

Based on a three year contract term the total contract value is estimated to be around £6 million. However as the number of service users opt for personal budgets then the contract value may fall over time.

## 7. Legal implications

- 7.1 The services to be included in the contract include services that the Council has a legal duty to provide (pursuant to sections 508A, 508B, 508C and schedule 35B of the Education Act 1996) and where the Council has a duty to assist with transport arrangements in certain circumstances set out in Section 29 of the National Assistance Act 1948 and Section 2 of the Chronically Sick and Disabled Persons Act 1970 and the specification will be designed to ensure these are met. The contract is to be procured in accordance with both the Council's Contract Rules and the Public Contract Regulations 2006 (as amended).
- 7.2 The Council also has a responsibility to respond to requests for assistance by assessing needs and determining eligibility for services under the NHS Community Care Act and Department of Health 'Prioritising need in the context of Putting People First; A whole system approach to eligibility for social care' 2010

## 8. Property implications

None

## **9. Health and wellbeing implications**

The successful provider(s) will be required provide services that assist social inclusion and support the health and wellbeing of SEN pupils and other vulnerable groups.

## **10. Staffing implications**

The management of the contracts will be carried out by existing staffing in the Joint Commissioning Unit and Childrens Commissioning Team. TUPE may apply to contracted staff depending on their role and the outcome of the tender.

## **11. Equality implications**

The service is designed to promote social inclusion of pupils and other vulnerable groups and requires staff with skills and knowledge, including communication skills to meet the needs of vulnerable groups. An Equality Impact Assessment has been undertaken as part of the procurement process.

## **12. Consultation**

### **12.1 Children's services**

A SEN Transport Parents forum has provided advice on how the services need to be improved and parents will be involved in the tender 'quality of services' evaluation process. Special School Head teachers will also be involved in designing the new service to be tendered. The views of children and young people who use the assisted transport service will be sought through existing consultation groups.

### **12.2 Adult's services**

A communication and consultation plan has been developed to ensure clear and consistent messages are delivered for all stakeholders in a timely manner enabling them to understand the proposals and share their views.

Stakeholders will be able to share their views on the required service through a variety of mediums, including by phone, letter, email, the councils website and face to face consultation meetings for example with those people and their carers directly affected by the proposals.

Feedback from stakeholders will be considered in developing the service specification prior to contract award and a report will be produced sharing the outcome of the consultation and shared with all stakeholders.

### **Background papers**

None.

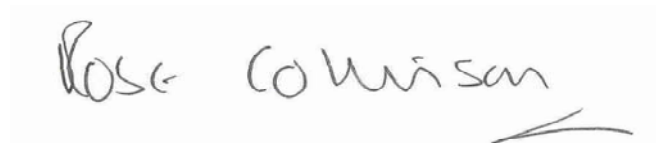
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**Rose Collinson**  
**Interim Executive Director**  
**2 December 2013**

A handwritten signature in black ink that reads "R Andrew". The signature is written in a cursive style with a horizontal line underneath.

**Councillor R Andrew**  
**Portfolio Holder**  
**2 December 2013**