

APPROVAL FOR AWARDING EDUCATION AND SOCIAL CARE TRANSPORT CONTRACTS BY CALLING OFF FROM CAMBRIDGESHIRE COUNTY COUNCIL'S DYNAMIC PURCHASING SYSTEM
COUNCILLOR LYNNE AYRES, CABINET MEMBER FOR EDUCATION, SKILLS AND UNIVERSITY
04.04.2022
Deadline date: <i>April 2022</i>

Cabinet portfolio holder: Responsible Director:	Councillor Lynne Ayres, Cabinet Member for Education, Skills and University Jonathan Lewis, Service Director - Education
Is this a Key Decision?	YES - Unique Key decision Reference from Forward Plan: KEY/7DEC20/01
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	No as Verto no longer is use from 23/11/2020

RECOMMENDATIONS
<p>The Cabinet Member is recommended to:</p> <ol style="list-style-type: none"> 1. Authorise the future expected spend of £4,000,000 per annum to providers for Education and Social Care Transport through the Cambridgeshire County Council's Dynamic Purchasing System (DPS) from 1st October 2021 until 30th September 2026, with possible extension until 30th September 2031. 2. Delegate authority to the Strategic Education Place Planning Manager to authorise award of contract(s) under the DPS. 3. Authorise the Director of Governance or their representatives to enter into any legal documentation in relation to this matter.

1. PURPOSE OF THIS REPORT

- 1.1 To consider and approve the recommendation of the Cambridgeshire and Peterborough Joint Commissioning Board, the use of CCC's Dynamic Purchasing System (DPS) becomes the mechanism by which all procurement of Education and Social Care Transport services for both Authorities is undertaken effective from 1 October 2021.

- 1.2 This report is for Cabinet Member for Education, Skills and University to consider exercising delegated authority under paragraph 3.4.3 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (a) and (g).

2. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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3. **BACKGROUND AND KEY ISSUES**

- 3.1 The use of Cambridgeshire County Council's DPS was agreed at the Joint Commissioning Board on 25th August 2020.
- 3.2 Peterborough City Council's current Passenger Transport Framework arrangements expired on 31 August 2021 (after being extended for 1 year).
- 3.3 The Authority has a duty to test the market and ensure contract prices are competitive and achieve best value.
- 3.4 Previous closed Frameworks have proved resource intensive in terms of staff time and have not led to increased levels of competition amongst operators.
- 3.5 Many suppliers work for both Authorities and find having to apply separately to Cambridgeshire and Peterborough which is arduous and time consuming.

4. **CONSULTATION**

- 4.1 Consultation with existing Cambridgeshire and Peterborough suppliers carried out via survey June/ July 2020.

5. **ANTICIPATED OUTCOMES OR IMPACT**

- 5.1 A DPS will allow new suppliers to be approved for tendering of education and social care transport routes throughout its term, increasing competition and resources available to both Councils.
- 5.2 The DPS will ensure checks are carried out on the suitability of suppliers to provide transport services to the Councils.
- 5.3 Engagement with potential contractors and advertisement for a new joint DPS is expected to increase the number of approved potential contractors from a wider geographic area. As a result of increasing the number of potential suppliers, it is anticipated that there will be greater competition for tenders for transport routes, and that this will drive savings and improve the quality of services.
- 5.4 A DPS can run for a longer period than a Framework and therefore is more sustainable allowing more work to be completed, increasing competition and supplier engagement rather than setting up new Framework(s) every 4 years.

6. **REASON FOR THE RECOMMENDATION**

- 6.1 The period of the DPS will be for five years - until 2026, with an option to extend for a further 5 years, until 2031, dependent on the satisfactory performance of the DPS/and call-

off contracts formed during the initial five. The annualised estimated cost of the transport will be approximately £4 million per annum for Peterborough expenditure only.

6.2

Education transport is provided in line with the Council's Children's Services Transport Policy (September 2019) and the Peterborough Post-16 Transport Partnership Policy and provides free or subsidised transport for children in accordance with the requirements of the Education Act 1996 and Education and Inspections Act 2006.

6.3

Transport is required for children in mainstream education and those with special educational and social care needs who meet the Council's eligibility criteria. Call-off contracts are tendered on a rolling procurement programme to ensure best value.

6.4

CCC has procured the Dynamic Purchasing System in accordance with the Public Contracts Regulations 2015.

6.5

The Council will call-off services through the use of mini-competitions to maximise best value to the Authority, there will be no direct awards under the DPS.

6.6

Once the process set out in 6.5 has been completed, the Council will enter into a call-off agreement with the selected supplier.

7. ALTERNATIVE OPTIONS CONSIDERED

7.1

Do nothing – this option would not be available, as the current Passenger Transport procurement Framework has expired (31.08.2021), doing nothing would leave the Council contractually exposed and unable to meet its statutory responsibilities.

7.2

A Framework/ Collaborative Framework– has been considered. This approach was deemed to be unsuitable given the current decreasing market on existing Frameworks and the limitations on being able to add new suppliers.

8. IMPLICATIONS

Financial Implications

8.1

As a result of increasing the number of potential suppliers, it is anticipated that there will be greater competition for tenders for transport routes, and that this will drive savings and improve the quality of services.

Legal Implications

8.2

The Local Government (Contracts) Act 1997 makes provisions relating to the powers of Local Authorities to enter into contracts. Every statutory provision conferring or imposing a function on a Local Authority confers powers on the Local Authority to enter into a contract with another person for the provision of making available assets or services, or both, for the purposes of, or in connection with, the discharge of a function by the Local Authority. The DPS was procured in accordance with the Public Contracts Regulations 2015.

Equalities Implications

8.3

Without the DPS being in place vulnerable children (both those looked after by the Local Authority and young people with Special Educational Needs) will be unable to access education and other essential appointments as they are reliant on transport arrangements arranged by the two Councils' Transport Teams in line with their statutory responsibilities.

- 8.4 As a result of increasing the number of potential suppliers, it is anticipated that there will be greater competition for tenders for transport routes, and that this will drive savings and improve the quality of services.

Carbon Impact Assessment

- 8.4 A Carbon Impact Assessment has been completed Dynamic Purchasing System.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

- 9.1 None.

10. BACKGROUND DOCUMENTS

- 10.1 None

11. APPENDICES

- 11.1 List of current approved Education and Social Care Transport Operators on Dynamic Purchasing System.

To be available on webpage: <https://www.cambridgeshire.gov.uk/business/business-with-the-council/education-and-social-care-transport-service-opportunities> in future