

# Birmingham City Council

## Report to Cabinet

16 March 2021



**Subject:** **PROCUREMENT STRATEGY FOR THE PROVISION OF HOME TO SCHOOL TRANSPORT**

**Report of:** **Andy Couldrick**  
**Acting Director of Education & Skills**

**Relevant Cabinet Member:** **Cllr Kate Booth – Children’s Wellbeing**  
**Cllr Jayne Francis – Education, Skills and Culture**  
**Cllr Tristan Chatfield – Finances and Resources**

**Relevant O &S Chair(s):** **Cllr Kath Scott – Education & Social Care**  
**Cllr Sir Albert Bore – Resources**

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

## **1 Executive Summary**

- 1.1 The purpose of this report is to obtain approval for the procurement strategy, which seeks delegated authority to transfer the services currently delivered by National Express Accessible Transport (NEAT) on to the Home to School Transport Dynamic Purchasing System (DPS). Given the challenging context relating to Home to School Transport during this period, the report also sets out the contingencies measures which will be put in place and only used if required.

## **2 Recommendations**

That Cabinet:

- 2.1 Approves the contents of this report to implement the procurement strategy for the transfer of home to school transport services from the incumbent supplier onto the DPS.
- 2.2 Delegates authority to the Assistant Director of Commissioning (or their delegate) and the Assistant Director of Commercial & Development (or their delegate) in conjunction with the Cabinet Member for Children's Wellbeing to:
  - 2.2.1 award the contracts following the completion of further competition exercises to be authorised in accordance with the Procurement Governance Arrangements;
  - 2.2.2 approve, if necessary, the modification of existing arrangements on a school by school basis with an incumbent supplier where the criteria is met as detailed in 7.5.1 and there is a risk of not achieving a timely transition from the incumbent supplier to a new supplier; and
  - 2.2.3 extend the contract term for all current contracts subject to satisfactory performance for a further two years in accordance with the terms of the DPS contract.
- 2.3 Authorises the City Solicitor (or their delegate) to execute and complete all necessary legal documents to give effect to the above.

## **3 Background**

### **3.1 Background and Service Requirements**

- 3.1.1 ATG was a major supplier of statutory Home to School Transport services to the Council, Transport for West Midlands (TfWM) and other neighbouring local authorities. ATG provided service provision to the Council for approximately 2,100 children per day under the T023 framework.
- 3.1.2 On 15 March 2019, the Council was informed that ATGCSL became insolvent and as a result the ATG Group collapsed. The Council on 1 August 2019 entered single contract negotiations with NEAT, the purchasers of ATG for a period of up to two years for the total value of £13.2M.

- 3.1.3 Cabinet approved the report on 15 July 2019 to direct award to the purchaser West Midlands Accessible Transport Ltd trading as National Express Accessible Transport (NEAT), a newly created wholly owned subsidiary of National Express. This contract commenced on 1 August 2019 and will expire on 31 July 2021.
- 3.1.4 In August 2019, Cabinet approved the procurement strategy for all remaining home to school transport routes by the establishment of a DPS. Tenders were undertaken via mini competitions using the DPS agreement, which was established in November 2019 for a period of four years, through two plus two years contract award, which allows a review after the first two years whether to re-procure or extend provision. All subsequent tenders have continued to follow this procurement strategy.
- 3.1.5 Whilst the DPS operates for a period of four years, the current Individual Services Agreements expire on 31 July 2021. This was planned to provide the Council with the option to combine all requirements for a simultaneous procurement exercise and join the provision within the existing DPS to provide further synergies and efficiencies or simply extend within contract provision.
- 3.1.6 The impact of COVID-19 on our children and young people, their education, and the transport they are entitled to has been incredibly significant. There has been a high degree of uncertainty and multiple changes in the way that education and the transport to access schools needs to be provided and when it is required. As a result, the home to school service and commissioning's ability to plan effectively cannot be underestimated.
- 3.1.7 COVID-19 also has the potential to cause further challenges to the transport market given that changing guidance from Department for Education and / or the Department for Transport is released with little notice. The lack of resources within Strategic Commissioning to support project delivery across the Home to School Transport service is also a key issue, which is being addressed. The cumulative and in-combination impacts of these significant challenges has influenced the options recommended and has resulted in a challenging timescale to liaise with parents, carers, schools and fully operationalise all routes.
- 3.1.8 Although the DPS was the most appropriate option, an option appraisal was undertaken for completeness. The DPS is our chosen and established route to market for the provision of Home to School Transport. The alternative options listed in 4.1 of this report and the option appraisal (**Appendix 1**) considered how each option supports the delivery of a range of outcomes in the current context.
- 3.1.9 There are a number of significant operational challenges which must be factored into a reprocurement of this type. In a typical academic year, this involves ensuring families are reassured in relation to potential changes to vehicles and transport staff. Time needs to be available to liaise with schools, check compliance of new operators on vehicles and staff, carry out risk assessments and revise any arrangements where issues arise during the mobility phase.

- 3.1.10 A report to Cabinet on 15 December 2020 on Home to School, outlined significant failures within the Home to School transport service and acknowledged that improvements needed to be made. The approach outline in this report is one of many robust measures that is being put in place to minimise as much as reasonably possible, any further disruption to service users
- 3.1.11 The pandemic has meant extra considerations operationally around additional routes being required and consideration of pupil bubble arrangements. Additional staff have been required as contingency for extra routes and increased staff absence (in the 2020/21 academic year, an additional c.200 routes had to be established at short notice).
- 3.1.12 As the pandemic continues, the Council must consider the likelihood of revised government guidance, potentially at short notice which may impact the service. Last academic year, pertinent DfE guidance was released on 11 August 2020 for the new academic year which started in three weeks' time.
- 3.1.13 This report requests a decision to be taken in advance, which will allow officers to sufficiently plan mitigations and take a proactive approach to managing any foreseeable risks.

## 3.2 Outcomes Expected

- 3.2.1 The Council is expecting a consolidation of all home to school provision onto one framework where we can expect consistent and quality services for our children and young people.

## 3.3 Market Analysis

- 3.3.1 The market for home to school is well established across the country and the introduction of the DPS helped Birmingham develop the market further. Engagement in the past has shown that there are small and medium enterprises based in Birmingham that are keen to bid for this work. In addition, there is also a particular interest from larger organisations who are not currently established in Birmingham.

## 3.4 Strategic Procurement Approach

- 3.4.1 The following high-level procurement options were considered:
- **Do nothing:** This option was discounted as the Council has a duty under Section 508B of the Education Act 1996 to make suitable home to school travel arrangement for eligible children.
  - **Enter into single contractor negotiations to extend the contract by twelve months:** This option was discounted as there is no contractual or legal basis for an extension and the risk of challenge is considered unacceptable due to the length of time proposed.
  - **Use a collaborative framework:** There are several collaborative frameworks in place, however, the Council has its own DPS framework in place which is in use for the other 60% of the routes.

- **Undertake a procurement exercise:** This option would result in a closed or static agreement. The Council already has an established flexible route to market where the same outcomes could be achieved.
- **Bring the service in-house:** This was discounted due to the volume of work and the time it would undertake to carry out a full cost benefit analysis. However, the Council is currently undertaking a strategic review of transport and this option might be viable in the future.
- **Establish a Joint Venture with TfWM:** This option was discounted due to insufficient time and resources available. This option can improve efficiency and service quality by partnering with an organisation who have expertise in transport and allows the suppliers to optimise the fleet required to deliver Council services. However, after initial scoping, it was determined that it would take at least two years to suitably plan the first steps of creating a regional home to school transport service for the West Midlands. A recent soft market test exercise saw 18 organisations submit an expression of interest.
- **Transfer NEAT routes onto the DPS and retender entire service (approx. 600):** This option was discounted due to the unnecessary service disruption it could cause service users and direct stakeholders, some of which have considerable and complex needs. In addition, there is provision to extend all current DPS contracts until 2023, through the two years plus two years contracts awarded in 2019. However, it would have allowed for further value for money, efficiency, and improved quality of provision.

### 3.5 Procurement Approach

The route to market will be through the existing DPS for the Provision of Home to School Transport (P0504). The individual contracts for this provision will be tendered following the DPS, following the rules of the restricted procedure.

The DPS will operate as an 'open system' in that new suppliers can join at any time during its duration.

#### 3.5.1 Sourcing Strategy:

The DPS currently has a total of 33 suppliers registered which includes the incumbent supplier. The council will ensure that both existing DPS suppliers and potential new suppliers are made aware of the opportunity to tender for the routes being re-procured. There will therefore be market shaping and engagement activities leading up to the release of tender documents.

#### 3.5.2 Duration and Advertising Route:

The established DPS commenced on 4 November 2019 for an estimated value of £27M and will expire on 3 October 2023. Due to the estimated contract value the opportunity was advertised through [www.finditinbirmingham.com](http://www.finditinbirmingham.com) and Contracts Finder in accordance with Procurement Governance Arrangements.

These services will be procured through a further competitive exercise on a whole school basis in accordance with the original procurement strategy.

### 3.5.3 Scope and Specification:

The Provision of Home to School Transport involves the transportation of children and young people with SEND to school and respite and adults to various day centres across the city and neighbouring local authorities.

The service specification was created alongside two subject matter experts in home to school transport when the DPS was established in 2019. The DPS evaluation and selection criteria seeks to assess the ability of each organisation to satisfy the specification requirements, financial capacity, and risk management criteria for the level of contract value it is bidding for.

## 3.6 Evaluation and Selection Criteria

### 3.6.1 Tender Structure:

The structure of the DPS is as follows:

- Stage One – Standard Selection Questionnaire (SQ) and Selection questions for entry onto the ‘DPS Approved Supplier list’
- Stage Two – Further Competition under the DPS

#### **Stage One - SQ**

The SQ will require tenderers to complete an SQ questionnaire which requires the following to be fully answered. The documents will be available electronically for new entrant suppliers to access for the duration of the DPS. Suppliers whose submissions have been rejected at any stage will also have the opportunity to modify their return if their circumstances have changed.

The evaluation of tenders for each lot for the DPS will be assessed as detailed below:

#### **Assessment A (Pass/Fail)**

##### **Stage 1 – Company Information**

Company Information and Bidding Model	Pass/Fail
Grounds for Mandatory Exclusion	Pass/Fail
Grounds for Discretionary Exclusion	Pass/Fail
Economic and Financial Standing	Pass/Fail
Safeguarding	Pass/Fail
Modern Slavery Act 2015	Pass/Fail
Health and Safety	Pass/Fail
Compliance with Equalities	Pass/Fail
Environmental Sustainability	Pass/Fail
Quality Management	Pass/Fail
Recruitment, selection and retention	Pass/Fail
Insurance Requirements	Pass/Fail

Other Specific Questions  
Declaration and Contact Details

Pass/Fail  
Pass/Fail

Those organisations that pass all sections of Stage 1 will proceed to the next stage.

### **Stage 2 – Further Competition**

Once suitably qualified suppliers have been appointed to the DPS, mini competitions will be carried out for each route to determine the price and best value for the Council.

The mini competitions will include quality questions that will relate to the specific route and the requirements of the child. Tenderers will be expected to submit their proposals on how they intend to deliver the Quality including an element of social value in relation to the specific route requirements. Responses will be scored against a pre-determined evaluation model and evaluated in accordance with their submission.

#### **Quality Questions: (60% Weighting)**

<b>Criteria</b>	<b>Overall Weighting</b>	<b>Sub-Weighting</b>
Service Provision	<b>100%</b>	40%
Business & Sustainability		30%
Current Fleet		30%
<b>Overall Quality</b>		<b>100%</b>

Tenderers who score less than 60% of the quality threshold i.e., a score of 300 out of a maximum quality score of 500 will not proceed onto the next stage of the evaluation.

#### **Price (40% Weighting)**

Tenderers will be expected to price against a pre-determined specification for each route.

#### **Overall Evaluation**

The evaluation process will result in comparative quality and pricing scores for each tenderer. The maximum quality score will be awarded to the bid that demonstrates the highest quality. Other tenderers will be scored in proportion to the maximum scores in order to ensure highest quality.

### 3.6.2 Evaluation Team

The evaluation of the tenders will be undertaken by representatives from the service (which may include an external subject matter expert), the Education and Skills Commissioning Team and supported by Corporate Procurement Services.

### 3.7 Indicative Implementation Plan

The indicative implementation plan timescale is:

Mini Competition Issued	29 <sup>th</sup> March 2021
Clarification Questions Deadline	9 <sup>th</sup> April 2021
ITT Deadline Submission	16 <sup>th</sup> April 2021
Evaluation Period & Interviews (if required)	19 <sup>th</sup> – 24 <sup>th</sup> April 2021
Internal Governance & Sign-off Award Report	28 <sup>th</sup> April – 7 <sup>th</sup> May 2021
Issue Award Letters & Commence 10 Day Standstill Period	7 <sup>th</sup> May – 17 <sup>th</sup> May 2021
Contract Award	17 <sup>th</sup> May 2021
Mobilisation Period	17 <sup>th</sup> May 2021 – 31 <sup>st</sup> August 2021
Contract Start	1 <sup>st</sup> September 2021

### 3.8 Service Delivery Management

#### 3.8.1 Contract Management:

The agreement will be managed by the Service in conjunction with Education & Skills Commissioning Team.

#### 3.8.2 Performance Management:

To effectively and diligently manage the DPS, officers have implemented a 'Penalty Point' system. The Penalty Points will cover a range of areas from routes, to driver and vehicle, and will encourage the suppliers to liaise effectively with all stakeholders and promote on-going compliance with the terms of the Agreement. In addition, the Council will also perform:

- Route checks;
- School/Centre visits;
- Analysis of non-compliance issues and complaints;
- Sampling of invoices;
- Service-users satisfaction surveys; and
- Audit of Provider documentation.



Failure to deliver services the specified standard could result in financial penalties, temporary suspension of services or removal from the DPS. In addition to this, delivery against targets identified in suppliers' Birmingham Business Charter for Social Responsibility Action Plans will also be monitored.

## **4 Options Considered and Recommended Proposal**

### Options discounted

4.1 High-level alternative procurement options are detailed in paragraph 3.4.1 of this report and an options appraisal is contained in **Appendix 1**.

### Recommended Proposal

4.2 The recommended option is to transfer the NEAT routes onto the existing DPS and tender the NEAT routes along with a selection of high-risk routes that are currently delivered through the DPS (not via NEAT). This is the recommended option because it satisfies the Council's responsibility to seek best value and secures high quality service provision for its most vulnerable children and young people while causing minimal disruption.

4.3 However, in the event that the initial round of procurement or operational exigencies result in a risk to mobilising routes, safely and on time, by September 2021, officers are requesting that Cabinet notes that a risk-based approach is proposed that seeks to make alternative arrangements by either to:

- modify existing arrangements with an existing supplier on the DPS; and/or
- modify existing arrangements with NEAT for continuation of service delivery (through the existing contract and not the DPS) until it is practically possible to transfer over to a new supplier.

This will only occur where the conditions outlined in 7.5.1 (Procurement Implications) have been met. This recommended approach reduces the risk of service disruption to an absolute minimum and in normal circumstance such contingencies would rarely need to be considered.

4.4 An example of where this may occur is where there is an unforeseen issue at short notice, where it is not feasible to provide suitable transport through the planned route described in the recommended proposal, and a last resort only, officers would consider an option to proceed at pace with a short term option to ensure there is service continuation and minimal disruption (considering the needs of the service user).

4.5 This is a course of action which, may never need to be exercised but allows the Council to plan for that risk and the issues that would arise around school attendance and reputational risk should it be needed in a last resort situation.

## Associated Risks

- 4.6 **COVID-19:** The effects of COVID-19 and schools closures/bubble arrangements are still heavily impacting the service and commissioner's ability to appropriately plan. An assumption has been made that schools will be open in September 2021 and that there may still be some need for bubble arrangements.
- 4.7 **Insufficient bids to meet the needs of the Council:** The procurement will be frontloaded with all schools being tendered at once, this will allow suppliers to concurrently bid on schools, however there is the risk that schools may not receive any bids. This could be due to a number of reasons for example, while the suppliers have received propionate relief payments from the Council, the transport market has been hit hard by COVID-19 in other areas.
- 4.8 **The Transfer of Undertakings (Protection of Employment) Regulations (TUPE):** TUPE will apply to this procurement exercise, it is estimated that this will apply to over 250 supplier employees and as such the Council has requested employee liability information which will be provided during the procurement to mitigate any delays.
- 4.9 **Operational mobilisation:** The change of supplier is a major change, and this will need to be carefully managed and communicated to service users and direct stakeholders within a short timescale.
- 4.10 **Capacity within the service and commissioning:** There are significant resourcing issues in all areas of Strategic Commissioning, however given political scrutiny and mobilisation timescales it is key that this project runs to plan. There are equally significant resource issues in Home to School that is proposed to be addressed through a future restructure and service re-design.
- 4.11 **Risk of challenge to modification:** as set out in section 7.5.1 of this report (Procurement Implications).

## **5 Consultation**

- 5.1 The Home to School Transport Programme Board, chaired by Chief Executive of Birmingham City Council have been consulted on the contents of this report and have approved the proposed course.

## **6 Risk Management**

- 6.1 The CPS approach is to follow the Council Risk Management Methodology and the Procurement Team is responsible for local risk management. CPS maintains a risk management register and documentation relevant for each contract. The risk register for the service has been jointly produced and will be owned by the Assistant Director of SEND, Inclusion & Wellbeing and Commissioning with arrangements being put in place to ensure operational risks are appropriately mitigated.

## 7 Compliance Issues:

### 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

#### 7.1.1 The proposals contribute to the delivery of the Council's core vision and priorities in the Council's Vision and Forward Plan 2018 - 2022 of:

- **Birmingham is a great city to live in:** The Council has a statutory duty to make transport arrangements for eligible children and young people with Special Educational Needs and Disabilities (SEND) and to provide free transport to eligible children based on distance, safe walking routes and low income. Some children and adults have needs that require specialist vehicles and escorts; this service would need to be provided under the DPS.
- **Birmingham is an entrepreneurial city to learn and work and invest:** Having access to appropriate travel assistance ensures every child and young person is supported to attend their place of education. Regular reviews of travel plans will support the development of increased independence where appropriate. Promoting independence through appropriate use of Independent Travel Training will also enable children and young people to secure skills for life that could remove potential barriers to seeking employment.
- **Birmingham is an aspirational city to grow up in:** Supporting educational attainment and independence helps to tackle the causes of deprivation and inequality through improving educational performance and confidence. Promoting Independent Travel Training could also promote inclusion and enable children and young people to gain new skills and confidence.

#### 7.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

In accordance with the BBC4SR, only Tenderers that reach a threshold spend of £200,000 and above are required to provide a social value action plan. However due to the nature of the service, suppliers will not know at the point of entering onto the DPS as to whether their contract will exceed the threshold spend of £200,000. We are therefore proposing that potential suppliers, as part of Stage One, complete a draft action plan that the Council would enact at such a point that the contract spend exceeds the £200,000 threshold which will be submitted in Stage 2 of the procurement in accordance with 3.6.1 of this report.

As part of the Birmingham Business Charter for Social Responsibility there is a requirement to pay employees the Real Living Wage, as defined by the Living Wage Foundation; [www.livingwage.org.uk](http://www.livingwage.org.uk)

#### 7.1.3 The payment of the Real Living Wage (RLW) will apply throughout the contract period. This will require employees of the potential suppliers engaged on this contract to be paid the RLW.

## **7.2 Legal Implications**

7.2.1 This report exercises functions pursuant to Section 508B of the Education Act 1996 which places duties on the Council to make the travel arrangements that it considers necessary to facilitate the attendance of eligible children, young people, and adults at their educational establishments.

7.2.2 Legal implications regarding the proposed contingencies are dealt with at paragraph 7.5 of this report (Procurement Implications).

### **7.2.3 Pre-Procurement Duty under the Public Service (Social Value) Act 2012**

Consideration of whether to undertake a consultation exercise specifically for Social Value was discussed during the planning stage of the DPS and it was agreed that this would not be required as potential suppliers will be asked how their bid addresses Social Value as part of the evaluation at the mini competition stage and no additional stakeholder consultation was required. This consideration also included how this procurement exercise might improve the social and economic well-being of the city and will be addressed by evaluating Social Value.

## **7.3 Information Management**

7.3.1 The requirements of the Data Protection Act 2018 and Human Rights Act 1998 will be taken into consideration in terms of the processing, management and sharing of data involved in these proposals. The potential supplier will be required to demonstrate or evidence that they have appropriate policies and procedures relating to data protection in place. Data Processing / Sharing Agreements will be agreed with the potential suppliers.

7.3.2 The information provided by potential suppliers will be used by Birmingham City Council in accordance with the General Data Protection Regulation and any successor legislation to the GDPR or the Data Protection Act 2018.

7.3.3 In line with GDPR, the Council will act as the Data Controller and the potential supplier will be the Data Processors.

## **7.4 Financial Implications**

7.4.1 The current projected cost of the services is £6.7m per annum as outlined in the 2019 Cabinet Report which will be transferred onto the DPS framework. However, due to impact of COVID-19 and school closures the current forecasted cost is slightly under at £6.1m per annum for 2020/21.

7.4.2 The services will be funded from the approved budget for Travel Assist for the Home to School Transport element and the day centre services from the Adults Directorate.

## **7.5 Procurement Implications**

7.5.1 The estimated value of the services is over the TED threshold pursuant to the Public Contract Regulations 2015 (as amended) ("PCR 2015")

- 7.5.2 Regulation 72 (1) of the Public Contract Regulations (“PCR 2015”) permits the Council to modify contracts without a new procurement
- 7.5.3 72 (1) (b) for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor—
- (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, or
  - (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract;
- 72 (1) (c) where all of the following conditions are fulfilled: —
- (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
  - (ii) the modification does not alter the overall nature of the contract;
  - (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.
- 7.5.4 ‘Procurement Policy Note (PPN) 01/20: Responding to COVID-19’ and ‘PPN 01/21 Procurement in an Emergency give further guidance on the use of Regulation 72 in the current pandemic situation.
- 7.5.5 Accordingly, failure to ensure such contingencies may result in a service disruption of an important statutory service which would have a detrimental impact on vulnerable children and young people in the city.
- 7.5.6 There is a risk that the Council could receive a challenge to this decision however, the reason provided in 7.5.7 (c) mitigate this.
- 7.5.7 The proposal for the contingency measures is considered to be proportionate, transparent and a fair response to plan for minimal service disruption in September 2021:
- (a) Home to School Transport is a vital and statutory service that provides transport to some of the most venerable children and young people in the city.
  - (b) The service has frequently experienced service disruption at the start of the academic year, the additional pressure of a procurement needs to be suitable mitigated.
  - (c) All potential suppliers will have the opportunity to tender for these services through the DPS, although at a slightly later date.
  - (d) Any modifications will be as short as reasonably possible.

- (e) The proposed contingency is the only possible response the Council could put in place given the uncertainty the service and commissioners are facing.

## **7.6 Human Resources Implications (if required)**

- 7.6.1 The procurement exercise and the subsequent contract management of the contract will be undertaken by Council employees.
- 7.6.2 There are no changes to the terms and conditions of existing staff employed by the Council and there are unlikely to be any TUPE implications for Council employed staff as there is no intention to transfer existing staff as part of this arrangement. The use of externally provided Guides will only be in response to new routes, a shortfall in the provision of existing routes or as temporary relief to cover sickness absence. The provision of escorts may also be reviewed to respond to a natural decrease in workforce with the implementation of alternative methods of travel assistance and less reliance on the service.
- 7.6.3 TUPE will apply where there is a new supplier of these services, the Council has collected all relevant TUPE liability information and this will be made available during the procurement process.

## **7.7 Public Sector Equality Duty**

- 7.7.1 The requirements of the Council's Equality Act 2010 will be specifically included as part of any implementation of any decision.
- 7.7.2 Many of the service users have special educational needs and a disability and could be adversely affected by any changes to the service. The aim will be to minimise disruption as much as possible, and to improve the services received where possible.
- 7.7.3 An Equality Impact Assessment has been prepared and is attached in **Appendix 3**.

## **8 Appendices**

- 8.1 Appendix 1 – Options Appraisal
- 8.2 Appendix 2 – Risk Register
- 8.3 Appendix 3 – Equality Impact Assessment, EQUA651

## **9 Background Documents**

- 9.1 Report to Cabinet, Home to School Transport – Contract Award, 15 July 2019
- 9.2 Report of Joint Officer and Cabinet Member, DPS Strategy and Award, 24 December 2019
- 9.3 Procurement Policy Note 01/20: Responding to COVID-19
- 9.4 Procurement Policy Note 01/21: Procurement in an Emergency