

<b>Item No.</b> 16.	<b>Classification:</b> Open	<b>Date:</b> 19 October 2021	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 1 Special Educational Needs and Disability (SEND) Taxi Framework	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	

## **FOREWORD – COUNCILLOR JASMINE ALI - DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

We have good reason to be proud of the quality of our services and educational outcomes for our young people with special educational needs and or disabilities in Southwark.

Our school travel assistance service is an important part of our SEND provision by providing travel support to enable eligible children of statutory school age and young people aged 16 to 25 on their journeys from school or other place of education. It is important because it provides 650 young people with practical support and travel during term time.

The council has a SEND taxi framework contract, which is used to provide transport to approximately 120 to 150 children and young people daily. This contract will expire on 31 August 2022. This GW1 report sets out the procurement strategy to enable a new SEND taxi framework service to be procured and in place from 1 September 2022.

The report sets out a strategy for procurement of the service, risks and mitigation are set out on page 5 and a timetable to deliver the procurement process is detailed on page 7.

The Taxi framework will provide services as needed. There will be no guarantee or commitment to purchase taxi transport, which supports the council's aims to reduce transport in vehicles wherever possible to do so.

As documented below, there is now a project board with appropriate representation from the service, and legal, finance and procurement teams are established and will have oversight of this procurement. This will enable soft market testing to be undertaken with a view to encouraging interest from local companies able to deliver the service specification.

Environmental/sustainability considerations will be incorporated into the process for companies successful at tender stage to respond to in their bids. This will include evaluation of bidders' commitment to reducing carbon emissions, improving air quality within their company and also, their willingness to work with the council on joint initiatives moving forward.

I am pleased to see that families and service user representatives will be part of the selection process and that all community, equalities, social/economic considerations outlined in the report will be developed and included in the process.

I recommend that Cabinet approves the procurement strategy for this SEND taxi framework as outlined in the report with delegation of the Gateway 2 award of contract to the Strategic Director of Children's and Adults' services. This is important as there is insufficient time available to deliver the process otherwise, as there will not be a meeting of Cabinet in April or May 2022.

## **RECOMMENDATIONS**

1. That Cabinet approves the procurement strategy outlined in this report for Special Educational Needs and Disability (SEND) taxis for children, young people and vulnerable adults, which is to undertake a competitive tender process for a four year framework agreement commencing on 1 September 2022 until 31 August 2026 for an estimated annual cost of £2m making the total for four years £8m.
2. That Cabinet approves delegation of the Gateway 2 award of contract to the Strategic Director of Children's and Adults' Services for the reasons noted in paragraph 29 of this report.

## **BACKGROUND INFORMATION**

3. The current SEND Taxi Framework commenced on 1 September 2018, following approval of companies onto the Framework for a period of four academic years, from 1 September 2018 to 31 August 2022.
4. SEND taxis are used by Children's and Adults' Services to support delivery of the council's statutory transport duties to support children of statutory school age and young people aged 19 to 25 with SEND, assessed as eligible, to travel to/from school or college and operates alongside a range of other travel assistance services which include the SEND school bus transport contract, a six to eight week independent travel training programme and direct payments to families to enable them to organise their own travel arrangements.

5. Officers regularly review travel assistance provided to individual children/young people with a view to promoting greater travel independence for individuals so that they can travel to and from school safely on their own and also, during their leisure time. By the Spring term in 2019/20, 60 children/young people had successfully completed Southwark's independent travel training (ITT) programme however, the training was temporarily suspended because of the pandemic and is due to resume from September 2021. The aim is to increase this mode of travel support whenever possible to do so, which also helps to extend capacity across the council's travel assistance resources to meet increasing demand and the service recommenced for the new academic year. It should be noted that ITT is not appropriate for all, some participants start their training but are not successful or need to be withdrawn as it is not safe for them to continue.
6. Two Providers currently deliver taxi services on the SEND taxi Framework. The two companies are - HATS Group Limited and Access Mobility Limited.
7. Providers on the Framework provide vehicles of up to eight seats, wheelchair accessible where required plus a driver (with or without a passenger assistant), to take children, young people and vulnerable adults with a range of physical/learning disabilities, emotional/mental health needs, safely to their place of education throughout the academic year. The Framework provides regular scheduled rounds, and also has a facility for provision of short-term ad hoc rounds where a vehicle is only required for a few weeks/months to cover an exceptional circumstance - for example, where a child has broken a leg and is unable to use Transport for London (TfL) buses or walk to school.
8. A fully integrated Children's and Adults' SEND travel assistance service is in place for children and young people up to the age of 25 following changes to legislation contained in the Children and Families Act 2014. The travel assistance team sits within Education Access and Statutory Services business unit, the team receives all applications for assistance, determines eligibility against the council's policy and allocates appropriate travel arrangements to those confirmed as eligible.
9. Transport journeys/rounds are allocated to providers according on the Taxi Framework Agreement mini-competition rules, where requests for quotes are sent out and the round is allocated to the Provider who gives the lowest price
10. As at 1 September 2021 there are 147 children and young people confirmed to travel via the SEND taxi transport service for the 2021/22 academic year. Most of these children travel to Southwark mainstream schools or to special schools/colleges outside of Southwark. Young people, post 16 using SEND taxis are predominantly individuals with learning difficulties who due to their needs are unable to access other forms of travel assistance or to travel independently, they require SEND taxis to travel to colleges, day centres or other educational facilities.

11. The two companies on the Framework have been able to meet the demands of the service effectively, provide a sufficiently flexible service to meet needs of children and young people using the service, prices have remained competitive.
12. This procurement will put in place a new framework with a start date of 1 September 2022.

### **Summary of the business case/justification for the procurement**

13. There is an ongoing need for the council to meet its statutory duty to provide travel assistance for children, young people and adults that meet the relevant criteria.
14. Eligibility for travel assistance is assessed for children and young people up to the age of 25 under a single, travel assistance policy. This fully integrated service enables purchasing/booking/invoicing systems, comprehensive service monitoring, performance management and a rationalisation of routes to be achieved.

### **Market considerations**

15. The supported transport/taxi market is made up mainly of private sector companies with local and regional reach.
16. The market for the provision of supported transport is mature and competitive, soft market testing with neighbouring local authorities will be undertaken, it is anticipated that a sufficient number of quality bids will be received for this procurement. However, as with previous transport procurement run by the council, a comprehensive assessment of each company's ability to deliver the services to the required standards consistently and remain solvent will be put in place.

### **KEY ISSUES FOR CONSIDERATION**

#### **Options for procurement route including procurement approach**

17. A project board has been in operation to oversee development of the SEND taxi framework procurement. The project board considered the following options to ensure that market challenge and competition could be demonstrated in the procurement of the SEND taxi transport for children and adults:
  - Option 1: Do nothing – this is not an option open to the council as the council has a statutory obligation to provide transport services for eligible children, young people and vulnerable adults. Failure to fulfil the statutory duty would cause considerable disruption to those eligible children and vulnerable adults and damage the council's reputation. Not putting in place medium to long term travel arrangements for these client groups will inevitably result in escalating costs to the council.

Taxis provide a necessary form of transport when school buses are not possible/ practical.

- Option 2: Competitive tender to award one or more contracts – this option could provide the service requirements however, it is less likely to provide value for money over the life of the contract and also, lacks flexibility to manage provider withdrawal. The framework agreement by its nature ensures ongoing competitive tension between providers which, it is hoped, will achieve better value for money for the council. With varying factors such as fuel and insurance costs a mechanism that can test prices in a competitive environment is considered a better way forward.
- Option 3: Participate in an existing framework agreement for taxi services – whilst this is potentially an option, research confirmed that there is no local framework in place which the council can access. There are other frameworks in place however these are not local and therefore would potentially be a more expensive solution.
- Option 4: Undertake a joint tender with other local authorities - This is an approach that would need significant coordination across authorities and a long, lead in time. Currently the council's timeline for procuring these services is not aligned to neighbouring boroughs and/or, options to extend existing arrangements to Southwark are not available. This option would also present challenges due to the need to ensure that the service provided could remain local enough to be flexible and not be compromised for example by delays due to extra travel time across borough boundaries.
- Option 5: Bring service in house. The nature of the service is not a viable option for the council to deliver, it would not be viable for the council to have a fleet of vehicles used for short periods of the day for school runs then unused for the rest of the day.
- Option 6: Competitive tender to form a framework agreement with more than one service provider - this option has worked well for the last eight years and has delivered a high quality service with manageable costs through the competitive tendering of rounds (where appropriate) each year with a number of suppliers. It is anticipated that this would continue to deliver best value for the council and it allows greater flexibility in accordance with the fluctuating nature of demand and provides greater protection in relation to provider failure or market exit.

### **Proposed procurement route**

18. The council proposes to undertake a competitive tender (option 6 above) process. The evaluation stages of that procedure are detailed further in paragraphs 36- 38 of this report.

19. The outcome of the procurement route adopted will be to:
- establish a multi-provider framework agreement
  - allocate (on the basis of prices submitted during the tendering exercise) a majority of the rounds for the first year and
  - establish a mechanism to allocate new or additional rounds by way of a mini-competition under the framework agreement.
20. A round will consist of passenger/s and their specific requirements e.g. with wheel chair access and/or passenger assistant. Following the allocation of rounds for the first year of the framework agreement in accordance with paragraphs 33 – 35 below, the council’s intention is to conduct, on an annual basis, mini-competitions for all new rounds. The council will identify the rounds ensuring efficiency where possible to promote lower bids, that will need to be delivered during the following year and providers appointed to the framework agreement will be given the opportunity to bid for these rounds.
21. It is envisaged that the framework will attract both small companies and large companies to bid competitively for work and it is envisaged that a good mix of companies will be achieved to deliver the service in accordance with the service specification.
22. This taxi framework procurement approach will provide a service delivery model that will enable:
- joined up approach across Children’s and Adults’ Services department
  - a flexible SEND taxi transport service for eligible children, young people and adults
  - value for money – all new rounds will be awarded based on competitive price and there will be an annual price review
  - monitoring and management of the contracts with clear performance standards and targets.

**Identified risks for the procurement**

23. A risk register of the key risks identified is set out in the table below. The project board will regularly review these risks. Actions being taken to mitigate risks are identified in the right hand column of the table.

No	Risk	Likelihood	Risk Control
1	Lack of market interest	Low	Comprehensive review and development of the process to be followed and a clear communication strategy with bidders will be in place. The scoring and evaluation will be designed to encourage bids from all providers in the market. Soft market testing to with neighbouring local authorities to identify and contact potential applicants will also take place.
2	Lack of sufficient quality bids to form a framework.	Low	A robust approach to assessment of bids taking on board lessons learned from the process implemented four years ago and through service delivery since then.
3	Not enough time to deliver procurement process and ensure continuity of service.	Low	Robust governance arrangements in place to track progress of project.
4	Council unable to manage implementation and delivery of the taxi framework service due to complexity and/or limited resources.	Low	The current taxi framework has been successfully introduced and managed by the council's Travel Assistance team, this will continue with the new Framework.
5.	Brexit	Low	No impact on the service
6.	Covid 19 Coronavirus	Low - Medium	<p>Ensure the providers have Covid policy and procedure in place for any additional re-occurrences / waves. A fair system will be developed and confirmed to enable services to be suspended and reinstated flexibly whilst managing costs, should school closures occur, (for example, implementation of a retainer fee.</p> <p>The contract price will be developed to minimise any potential risks that could arise.</p>

## **Key /Non Key decisions**

24. This is a key decision.

## **Policy Framework Implications**

25. This contract will enable the council to fulfil its statutory duty to provide transport services to eligible children and young people as set out in the Education Act 1996 and in the Education and Inspection Act 2006 and will support delivery of the Southwark School Travel Assistance Policy.
26. For adults (post 19), the contract will enable the council to fulfil its duties, under the NHS and Community Care Act 1990, National Assistance Act 1948, Health Services and Public Health Act 1968, the Chronically Sick and Disabled Persons Act 1970, the National Health Services Act 1977 and the Mental Health Act 1983, to provide services to meet the needs of vulnerable adults. This includes a duty to provide appropriate travel assistance to meet the welfare needs of adult clients assessed as needing assistance with transport.
27. The contract assists the council in meeting its statutory public sector equality duty (PSED) under 149 of the Equality Act 2010 and also supports the council's published approach to equalities.
28. Southwark's Borough Plan 2020 - 2022, evolved from the Council's refreshed Council Plan 2018 – 2022. Southwark's Borough Plan include the following relevant commitments concerning this contract:
  - i. Keeping Southwark safe during COVID-19
  - ii. Tackling health inequalities
  - iii. Southwark Together
  - iv. A great start in life
  - v. A green and inclusive economy.

## **Procurement Project Plan (Key Decisions)**

29. To allow for the necessary mobilisation and TUPE consultation for a contract start date of 1 September 2022 the award decision will need to be made no later than 9 June 2022. Evaluation of tenders is scheduled to be completed by 30 April 2022. There will be no meeting of Cabinet in April or May 2022. A request to delegate the internal Gateway 2 decision to the Strategic Director of Children's and Adults' Services is proposed, so that the award date of this Framework is achievable.
30. The procurement plan is outlined below and the project board will keep these dates under constant review.



<b>Activity</b>	<b>Complete by:</b>
Enter Gateway 1 decision on the Forward Plan	2 August 2021
Brief relevant cabinet member	14 September 2021
DCRB Review Gateway 1	18 August 2021
CCRB Review Gateway 1	26 August 2021
Notification of forthcoming decision – Cabinet Agenda Despatch	11 October 2021
Approval of Gateway 1: Procurement strategy report	19 October 2021
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	28 October 2021
Completion of tender documentation	12 November 2021
Publication of Find a Tender Service Notice	15 November 2021
Publication of opportunity on Contracts Finder	15 November 2021
Closing date for expressions of interest	20 December 2021
Completion of short-listing of applicants	14 January 2022
Invitation to tender	21 January 2022
Closing date for return of tenders	28 February 2022
Completion of any clarification meetings/presentations/evaluation interviews	March 2022
Completion of evaluation of tenders	31 March 2022
DCRB Review Gateway 2:	13 April 2022
CCRB Review Gateway 2:	21 April 2022
Notification of forthcoming decision	1 May 2022
Approval of Gateway 2: Contract Award Report	1 June 2022
End of Scrutiny Call-in period and notification of implementation of Gateway 2 decision	9 June 2022
Debrief Notice and Standstill Period (if applicable)	9 June 2022
Contract Award	22 June 2022
Add to Contract Register	22 June 2022
TUPE Consultation period (if applicable)	9 June – 31 August 2022
Place award notice on Contracts Finder	22 June 2022
Contract start	1 September 2022
Contract completion date	31 August 2026

## **TUPE/Pensions implications**

31. The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will apply on a service provision change where activities cease to be carried out by a contractor on the Council's behalf and are instead carried out by another contractor on its behalf, where there is an organised grouping of employees whose principal purpose is the carrying out of that activity, and where the activity is to be carried out otherwise than in connection with a single specific event or task of short-term duration. Only those employees assigned to the transferring activity will transfer.
32. There are no TUPE nor pensions implications for the council as an employer because the council does not deliver these services directly. TUPE will not apply on the appointment of any contractor to the new framework but may apply on the allocation of a round (a call-off contract) under that framework. Whether TUPE will apply in relation to the current contractors is unclear at this stage and will depend primarily on the allocation under the new framework of any continuing routes which result in a change in the identity of the contractor. Due diligence of the current contractors' workforce will also need to be carried out before the tender process commences as its results need to be included in the tender pack. Tenderers will be directed in the tender documentation to seek their own independent advice and no assurance or warranties will be given as to the application of TUPE.

## **Development of the tender documentation**

33. The tender documentation required to set up the framework will be developed by the project team which includes officers from the council's legal, finance and corporate procurement teams.
34. The project board will oversee all elements of the procurement process and sign off all the relevant tender documentation under a tender service (FTS) standard selection questionnaire (SQ), invitation to tender (I2T), service specification and the quality and price evaluation methodologies). The project board will report to the SEND Governance Board which is chaired by the Director of Education.
35. The criteria ratio will be 30 % Quality / 60% Price / 10% Social Value.

## **Advertising the contract**

36. The tender will be advertised in a number of ways:
  - Via the Find a Tender Service
  - Publication of notice on Contracts Finder
  - Advertisement published on the council's website
  - Existing and other taxi transport providers known to the council will also be alerted to the advert placed on the council's website.

## Evaluation

37. The contract will be awarded using a restricted tender process consisting of 3 stages– SQ, I2T and Price (allocation of rounds):
- Stage One – the purpose of the SQ is to create a short list of organisations who have demonstrated that they have sufficient financial and economic standing, and technical capacity and capability to deliver the services at the standard required a minimum/maximum number of applicants will be determined prior to completion of the tender documentation. SQs will be evaluated in accordance with requirements of the Public Contract Regulation 2015 and will comprise of both pass / fail questions, as well as technical questions which will require evaluation and scoring. For the financial assessment, in order to ascertain risk, a credit check, minimum turnover check, and a check of accounts will be undertaken to provide assurance of the continuity of the organisation. Method statements will be used to assess the technical section, allowing bidders to be scored and ranked. Only those tenderers who achieve a technical score which places them in the top ten bidders and pass all other sections will be invited to tender. The final SQ evaluation methodology will be signed off by the project board and advised to tenderers.
  - Stage Two – I2T method statements will be used to evaluate tenders against key quality criteria such as quality of resources, approach to service delivery, management of information, approach to service improvement and social value. Only tenders meeting the quality threshold will then be assessed on price.
  - Stage Three – allocation of rounds will be based on prices submitted in the tenders for the first year.
38. The evaluation panel will be made up of representatives from finance, home to school transport, adults' social care, health and safety, sustainability and equalities.
39. It is envisaged that in the event of any minor changes to a round during an academic year e.g. change in the number of passengers/pick ups the price will stay the same within an agreed range. Therefore tolerances for change will be included and these will be agreed as part of the tender documentation.

## **Community, equalities (including socio-economic) and health impacts**

### **Community impact statement**

39. This is a specialist service that is likely to be delivered annually at any one time to approximately 120 - 150 children and young people with special educational needs and/or physical disabilities each year. A comprehensive Equalities Impact Assessment was carried out for this school transport service in January 2020, the details obtained during that process are still relevant and will apply. Service users representing a wide range of communities, including families and individuals with English as an additional language, receive support through SEND transport services. This transport service supports this cohort to fully engage with educational and/or community activities e.g. to be able to attend school or their place of education, which they would otherwise be unable to do. The provision of this service will help to support vulnerable children and young people to access education and help each to move forward on their individual journey towards, independent living.
40. In 2019, a comprehensive review of Southwark's travel assistance policy was carried out and included an opportunity for families/service users to comment on the travel services in place, including, travel on the taxi framework. Wider questions were included to ascertain 'families' views towards moving to alternative travel assistance solutions including making their own travel arrangements with direct payments and, learning to travel independently, this generated a mixed response and will be developed further with families in a more direct way in the future. This consultation enabled us to obtain a much greater understanding of what the community wanted from this service. The feedback received was used to develop the council's travel assistance policy and will be helpful when determining the specific expectations of the SEND taxi framework/service. In addition, each service provider on the current framework has set questionnaires for service users, relating directly to satisfaction levels of the taxi service and quality of staffing, responses were positive across the board in this area. All responses gathered through these consultations will be reviewed and incorporated into this procurement process where appropriate to do so.
41. As SEND taxis are used by some of the most vulnerable members of the community, it is essential that the service is of a high standard and is able to meet the needs of all passengers. The SEND transport service specification will include details of the specific requirements of community needs which are based on community consultation feedback and therefore, will be able to deliver services in accordance with direct requirements highlighted by service users from the community. All potential providers will be required to demonstrate their commitment to diversity and equal opportunities.

### **Equalities (including socio-economic) impact statement**

42. Local companies, able to meet the requirements of the service specification of the taxi framework will be able to apply to join the framework – including small to medium sized local businesses and/or companies able to attract local drivers and passenger assistant staff. This would positively support Southwark's local economy.

### **Health impact statement**

43. A range of sustainable travel support is considered for each child/young person at the point of assessment. A taxi is most usually provided as a last resort to enable students to attend the school/education facility that is able to meet their health and educational needs - particularly, when the school is several miles from home.

### **Climate change implications**

44. Officers will liaise with the Council's Climate Change team to ensure that consideration of current, good practice guidelines in respect of climate change initiatives are included in the procurement process for this service. This will include guidelines relating to reducing vehicle emissions, ULEZ etc. and actions that companies are able to take towards supporting a greener approach to travel.
45. The council's travel assistance policy that is used to assess eligibility for school travel support, emphasises the council's commitment to sustainable travel and, support to encourage families and enable children/young people to travel independently through an independent travel training programme. The pandemic has delayed wide scale implementation of this ITT programme due to disruption of school closures and, social distancing requirements. The ITT programme will resume in the autumn term.
46. Details of climate change actions linked to this procurement will be detailed at the Gateway 2 stage of this procurement.

### **Social Value Considerations**

47. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the well being of the local area can be secured. The details of how social value will be incorporated within the tender are set out in the following paragraphs.

### **Economic considerations**

48. Local companies will be able to bid for inclusion on this framework and if successful, will help to promote local jobs to local people in delivering these transport services.

### **Social considerations**

49. The council has made a commitment to ensure that the London Living Wage (LLW) benefits were extended to not only the councils directly employed staff but also those who work for the council through contracts. Since the introduction of this commitment in 2012, the LLW has been included in all relevant procurements and in some cases to existing contracts.
50. For this procurement the council will stipulate the LLW requirement for all employees, workers and sub-contractors engaged by the provider on the contract. It is recognised that with taxi and mini cab providers, a range of business models are in operation, especially with regard to the engagement of self-employed drivers. The tenderers' support of the council's LLW commitment will be tested fully through the procurement process. The council will need to be satisfied that, where there are any business models with self-employed components, self-employed workers are paid the LLW or, in the case of genuinely self-employed independent contractors, paid fees which support the council's Fairer Future Procurement Strategy.

### **Environmental/Sustainability considerations**

51. Environmental policies will be assessed at SQ stage. As a minimum providers will be expected to use and source green, environmentally friendly vehicles whenever it is possible to do so.

### **Plans for the monitoring and management of the contract**

52. As this framework arrangement will be in place across the Children's and Adults' Services department appropriate monitoring and management arrangements to facilitate this change will be required. The travel assistance team has significant experience in managing transport contracts, route planning and passenger support which will be used as a basis for developing this in-house resource.

53. Day to day monitoring of the contract will be achieved through monthly review meetings between officers and the transport provider. The contract will be monitored and managed in respect of:
- compliance with the specification and contract terms and conditions
  - the performance of the contractor
  - cost
  - user satisfaction
  - risk management and
  - key performance indicators.
54. Annual awards of rounds will include an element of performance assessment. It is envisaged that poor performance will not lead to continued levels of work being secured through the framework.

### **Staffing/procurement implications**

55. There is a cross departmental project team tasked with delivering this procurement. There are governance arrangements in place to oversee the progress of the procurement and to make necessary decisions during the process.
56. Monitoring arrangements and contract management of this taxi framework arrangement has been carried out effectively by the council's Travel Assistance team for the lifetime of the current taxi framework. Annual Performance Reports will be made in line with Contract Standing Orders (CSO).

### **Financial implications: CAS210/13**

57. The school transport budget has continued to be under strain due to growth in the number of children and young people with SEND requiring transport and in particular, the increasing number who are receiving their education outside of Southwark due to the complexity of needs and/or availability of provision in borough. The total forecast cost of taxi services for the proposed SEND taxi framework is £8m (based on current projections of £2m p.a.) from 1 September 2022 to 31 August 2026 this will be met from service budgets.
58. There are a number of risks regarding future costs, which are subject to change based on number of service users, where users schools are located and the cost per trip, each of which can significantly impact the cost to the service.

### **Investment implications**

59. Not applicable to this report.

## **Legal implications**

60. Please see concurrent from the Director of Law and Governance.

## **Consultation**

61. The current SEND taxi framework service has been in operation since 1 September 2018. A travel assistance consultation with key stakeholders/users of the service was carried out in March 2019 as set out in paragraph 40 of this report. The results of the consultation have been used to shape the taxi framework tender process which will include, changes to the service specification and key aspects of the taxi service requirements that service users had informed us were important to them. There are plans in place to include parents and service users in the assessment stages of the procurement process.

## **Other implications or issues**

62. None.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance (CAS210/13)**

63. The financial implications are identified within paragraph 57 and 58 of this report.

### **Head of Procurement**

64. This report seeks the cabinet's approval of the procurement strategy for the provision of SEND taxis for children, young people and vulnerable adults by way of the establishing of a framework agreement spanning a total of four years. With an estimated contract value of £8m commencing September 2022.

65. Cabinet notes the procurement options are detailed in paragraph 17, the risks are detailed in paragraph 23, payment of LLW is detailed in paragraphs 49 and 50, contract management and monitoring is detailed in paragraphs 52 to 54.

### **Director of Law and Governance**

66. This report seeks approval of the procurement strategy for the SEND taxis for children, young people and vulnerable adults by establishment of a 4 year framework for this service. At an estimated contract value exceeding £4m this is a Strategic Procurement under the council's Contract Standing Orders, and the approval decision is therefore reserved to the Cabinet.

67. The nature and value of this service means that this procurement is subject to the full tendering requirements of the Public Contract Regulations (PCR)



2015. As noted in paragraphs 17 and 36 the framework will be established following a restricted procedure in accordance with the PCR and will be advertised through the UK Find a Tender portal.

68. The Cabinet’s attention is drawn to the Public Sector Equality Duty (PSED) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion, religion or belief, sex and sexual orientation, The duty also applies to marriage and civil partnership but only in relation to (a). The cabinet is specifically referred to the Community, equalities (including socio-economic) and health impacts at paragraphs 39 to 51 setting out the consideration that has been given to equalities issues which should be considered when approving this procurement strategy, and at each stage of the procurement process.
69. The Cabinet is also referred to paragraphs 40 and 61 which note the consultation that has taken place. The cabinet should take into account the outcome of that consultation when approving this procurement strategy.

## BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Travel Assistance Policy 2020 - Travel Assistance consultation feedback	160 Tooley St, SE1 2QH	Glenn Garcia 0207 525 2717
<b>Link (please copy and paste into browser):</b> <a href="https://consultations.southwark.gov.uk/children2019s-and-adults-services/travel-assistance-policy-2020/">https://consultations.southwark.gov.uk/children2019s-and-adults-services/travel-assistance-policy-2020/</a>		

## APPENDICES

No	Title
None	

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
<b>Report Author</b>	Glenn Garcia, Assistant Director of Education, Access and Statutory Services	
<b>Version</b>	Final	
<b>Dated</b>	19 October 2021	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Head of Procurement	Yes	Yes
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional</b>		7 October 2021