

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4752

Author:

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Department:

People

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Subject:

Whynott Transport delay of DPS for transactional spend

Total Value:

up to £380,000 (Type: Revenue)

Decision Being Taken:

To approve the transactional spend of up to £380,000 for the 2022/23 academic year for Why Nott? Transport services with a multiple of operators (as listed on the attached document) and dependant upon the winning tender during mini competitions for the trips.

Reasons for the Decision(s)

The service supports schools and Academies to access educational visits, School Swimming Services and ice-skating lessons. The service procures transport for schools and secures the best value and quality assurance through a range of providers for schools to deliver learning outside the classroom. WhyNott manage bookings on behalf of schools through a competitive process within a pool of pre-approved transport providers. Until a DPS is fully implemented the service requires authorisation to continue the provision and prior agreed contracts for the Autumn term and if necessary beyond due to schools advancing bookings, and the service pursues authorisation for the continuation of financial transactions until implementation of the DPS is finalised.

The DPS was fully authorised through committee in March 2022 and due to the amalgamation of a city wide approach further processes are required. There is a delay in commissioning the DPS due to extending the DPS to the wider council rather than just one service and further contributions are required to ensure that best practise and value, financial regulations and operating processes are adopted.

Why Nott? Transport

has a history of over 10 years of successfully supporting schools and Academies to access educational visits, school swimming and ice-skating lessons. The service allows schools to secure the best price for their journey through a competitive process within a pool of pre-approved transport providers. The benefits of this to children and young people are that they can:

- Travel on transport that meets a pre-approved standard with regards safety and quality and is appropriate for any SEND requirements;

- Access a range of inclusive learning outside the classroom activities that enhance their personal development, physical and mental health and life chances.

The benefits of this to schools/academies are that they can:

-

Evidence they have exercised due diligence;

Symbol

Secure best value through a competitive process;

Symbol

Share vehicles with other schools to bring the costs down;

Symbol

Receive support on a scale greater than the school alone should there be issues with quality;

Symbol

Reduce the planning burden of providing inclusive learning outside the classroom experiences that contribute towards meeting CMO, National Curriculum and OFSTED Personal Development standards.

The benefits to Nottingham City Council are that this service:

Symbol

Is income generating;

Symbol

-
<span style="mso-bidi-font-family:Calibri;
mso-bidi-theme-font:minor-latin">Facilitates a degree of control over the costs
and quality of school swimming, ice skating and adventurous activity transport
(which directly affects the booking volumes for at Leisure Centres, NIC and
NCC's Adventure Centres);

<p class="MsoListParagraph" style="margin-left:19.2pt;text-indent:-18.0pt;
mso-list:l2 level1 lfo2;tab-stops:0cm"><span style="font-family:Symbol;mso-fareast-font-family:Symbol;mso-bidi-font-family:
Symbol">-
<span style="mso-bidi-font-family:Calibri;
mso-bidi-theme-font:minor-latin">Supports the inclusion of those with SEND in
these activities;

<p class="MsoListParagraph" style="margin-left:19.2pt;text-indent:-18.0pt;
mso-list:l2 level1 lfo2;tab-stops:0cm"><span style="font-family:Symbol;mso-fareast-font-family:Symbol;mso-bidi-font-family:
Symbol">-
<span style="mso-bidi-font-family:Calibri;
mso-bidi-theme-font:minor-latin">Supports compliance with the Council's
statutory duties with regards Health and Safety in maintained schools;

<p class="MsoListParagraph" style="margin-left:19.2pt;text-indent:-18.0pt;
mso-list:l2 level1 lfo2;tab-stops:0cm"><span style="font-family:Symbol;mso-fareast-font-family:Symbol;mso-bidi-font-family:
Symbol">-
<span style="mso-bidi-font-family:Calibri;
mso-bidi-theme-font:minor-latin">Supports maintained schools in offering an
inclusive, broad and balanced curriculum that meets the requirements of the
CMO, National Curriculum and OFSTED standards.

Briefing notes documents: WhyNot Travel.docx

Other Options Considered: Not to take this decision - rejected because Why Nott? Transport provides a consolidated service that supports day time swimming pool use and Leisure Centre occupancy and income rates at the best possible value.

Regulated pricing allows equal opportunity to all education establishments in Nottingham, if schools were to book independently and the Local Authority does not oversee the market hire, operators' charges would be considerably different from a mileage and timings perspective, as costs would be per individual route (should operators independently govern charges to schools for such smaller bookings).

Should be service be less accessible and coordinated, there is a risk of Children at risk if losing valuable of learning of life skills. The School Swimming Service and Whynott Transport provides a positive traded service budget.

Background Papers: None.

Published Works: Commissioning & Procurement report 15th March 2022 <https://committee.nottinghamcity.gov.uk/ieListDocuments.aspx?CId=608&MIId=9211&Ver=4>

Affected Wards: Citywide

Colleague / Councillor Interests: None.

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: None arising from the decision to be taken.

Equality: EIA not required. Reasons: The decision doesn't relate to a new or changing policy, service or function.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 27/10/2022

Advice Sought: Legal, Finance, Procurement

Legal Advice:

This report seeks to extend existing arrangements to allow for transport until a Dynamic Purchasing System (DPS) has been put in place. As an extension to existing arrangements, the proposal raises no significant legal concerns.

By way of clarification, the DPS decision in March 2022 has now been superseded due to change in scope of the proposed DPS which has meant that a new authority is required and is being sought.

Advice provided by Anthony Heath (Senior Solicitor) on 28/09/2022.

Finance Advice:

This decision is in the amount of £380,000 for the 2022/23 academic year for Why Nott? Transport services with a multiple of operators until the implementation of the Dynamic Purchasing System has been put in place, which is scheduled for January 2023, though this decision asks for the approval to stretch all the way to the end of March 2023 in case there are further delays.

The spend for this is budgeted within the Why Nott? Cost centre and there is a corresponding income target to match against expenditure. It is essential that robust monitoring processes are embedded to ensure that spend is in line with income received.

Should the DPS system not be in place by 1st April 2023, another DDM would be required.

Advice provided by Clare Rickett (Senior Commercial Business Partner) on 29/09/2022.

Procurement Advice:

This report seeks approval to spend on individual contracts until a Council wide transport Dynamic Purchasing System (DPS) has been put in place, procurement is working with the client departments and legal colleagues and will have the DPS set up by January 2023.

Quotations have been sought for each of the individual contracts contained in this report and is therefore compliant with Contract Procedure Rules.

Advice provided by Paul Ritchie (Procurement Manager) on 28/09/2022.

Signatures

Cheryl Barnard (Portfolio Holder- Children, Young People, Schools)
SIGNED and Dated: 19/10/2022

Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 17/10/2022