

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Extend the contract with Deluxe Healthcare Limited for Independent Travel Training Programme for a period of up to 12 months
<b>Cabinet Member:</b>	Councillor Oscar Ford – Cabinet Member for Children and Young People.
<b>Decision Maker:</b>	Tara Geere – Director Of Starting Well - Statutory Director of Children’s Services
<b>SLT Lead:</b>	Trevor Cook – Assistant Director of Education, Learning and Achievement Services
<b>Report Author and contact details:</b>	Adeolu Adesanya, Travel Assistance Assessment Officer, T: 01708 433231 E: Adeolu.adesanya@havering.gov.uk
<b>Policy context:</b>	<p>At the local level, this contract will support Havering Council to meet its ‘Havering you want to be part of’ vision. This plan sets out how the Council intends to deliver on its People’s principle in relation to things that matter for residents with an emphasis on improving the lives of vulnerable children, adults and families. It also empowers and promotes independence for children and young adult to safely travel from home to school.</p> <p>In summary, this contract ensures the Council fulfils its statutory obligation</p>

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	by providing sustainable and cost effective form of travel assistance to children and young people within Havering Council.
<b>Financial summary:</b>	The value of the contract extension will be up to £160,000 for a 12 month period, with the actual cost being based on usage. The costs will be met from existing Childrens Services revenue budget, with the aim that it will reduce or avoid transport costs in the longer term.
<b>Relevant OSC:</b>	People's OSSC
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a Non key Decision

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**The subject matter of this report deals with the following Council Objectives**

People - Things that matter for residents      X

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This paper seeks authorisation to:

Extend the contract with Deluxe Healthcare Limited dated 4<sup>th</sup> September 2023 for the provision of Independent Travel Training Programme for a period of up to 12 months, at an estimated value of £160,000 per annum from 4<sup>th</sup> September 2024 to 3<sup>rd</sup> September 2025.

### AUTHORITY UNDER WHICH DECISION IS MADE

General 1.1

To take any steps, and take any decisions, necessary for the proper management and administration of their allocated directorate, in accordance with applicable Council policies and procedures.

Expenditure 2.1

To incur expenditure for their allocated directorate within the revenue and capital budgets as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.

### STATEMENT OF THE REASONS FOR THE DECISION

#### 1. Current Contract

The Council's current contract with Deluxe Healthcare Limited commenced on 4<sup>th</sup> September 2023 with an expiry date of 3<sup>rd</sup> September 2024 and the option to extend twice by 12 months. The original estimated value of the contract was £480,000, excluding VAT (£160,000 per annum for 3 years).

The Independent Travel Training programme is provided as part of the Council's Home to School Travel Assistance Services to children and young people with special educational needs and disabilities (SEND) who require support and encouragement to travel independently.

The service involves the provision of Independent Travel Trainers, and an Independent Travel Training Programme, to enable current and future service users to travel independently; promoting independence, with a view to enabling independent travel, so service users are able to build confidence and learn skills to use various modes of transport or walking to reach any destination safely.

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Deluxe is meeting its contractual requirements with the provision of the service. 5 students successfully completed their travel training during the 2023/24 academic year, and another 4 students have been assessed for their suitability to commence their travel training programme at the start of the next academic year in September 2024. Additionally, a number of other students have been identified as potential referrals for travel training programme later in the year.

The Travel training expenditure under the existing contract for 23/24 academic year is £71,700, which is well below the budgeted expenditure for this contract.

### **2. Extension Period and Costs**

An extension to the contract for up to 12 months will cost up to £160,000. This is based on approximately 20 students receiving up to 12 weeks travel training, with the actual cost based on usage.

The Council has no obligation to guarantee the volume of work awarded to the Service Provider.

The cost of the service provision will be met through existing Childrens Services revenue budget, with the aim that it will be recovered through reduced transport costs in the longer term.

## **OTHER OPTIONS CONSIDERED AND REJECTED**

### **1. Retender the Independent Travel Training Programme Service Immediately**

Given the timescales, limited resources and staff capacity, this would prove a challenge. Furthermore, the proposed extension of up to 12 months will enable the Council sufficient time to review the current service, develop a new specification drawing on the findings and recommendations from the Transport Project Operational Group. A decision was made at the Transport Project Operational Group meeting on 19<sup>th</sup> July 2024 to recommission the travel training programme and a new contract to commence from September 2025. The documentation for the tender and contract will be produced jointly by a tender board to ensure it meets the needs and expectations of all stakeholders.

### **2. Do nothing and let the contract expire**

Doing nothing would mean the contract would expire on 3<sup>rd</sup> September 2024, and this will affect how the Council addresses and meets the increasing demand for travel training services. In addition, allowing this contract to expire without renewal would reduce delivery of travel training programme to one provider, who may have limited capacity to train additional students. The Council does not have capacity to bring the service in house at this time.

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**PRE-DECISION CONSULTATION**

The contract has been discussed at the Transport Project Operational Group, and also with the service provider, procurement colleagues and operational colleagues.

**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Adeolu Adesanya

Designation: Travel Assistance Assessment Officer

Signature: *AdeoluAdesanya*

Date: 31st July 2024

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

The Council has the power to extend a contract for these services under Section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Council also has the power to extend this contract under the general power of competence under section 1 of the Localism Act 2011, which allows the Council to do anything an individual may generally do, subject to any statutory constraints on the Council's powers. None of the constraints on the Council's s.1 power are engaged by this decision.

The value of the initial contract was £576,000, which is a below Light Touch contract for the purposes of the Public Contract Regulations 2015.

There is a 1+1 year extension built into the contract. The first year extension is from 4<sup>th</sup> September 2024 to 3<sup>rd</sup> September 2025. Under Contract Procedure Rule 19.4 the contract extension is permitted as it was contemplated at the time the contract was awarded.

Clause 3.2 of the contract, requires the Council to serve written notice of the extension at least two months prior to the expiry date.

Subject to the written notice being served, the Council may proceed with the extension.

### FINANCIAL IMPLICATIONS AND RISKS

The proposal is to extend the contract with Deluxe Healthcare Limited for Independent Travel Training Programme for a period of up to 12 months. The contract will be set at a maximum cost of £160,000 per annum (excluding VAT), with the actual cost being based on usage.

The initial outlay for training (£8,100 per student), will be a short term investment to be accrued from the Childrens Services revenue budget, with the aim that it will either reduce transport costs in the longer term or avoid future additional costs. The level of the reduction will depend on the circumstances of each individual case, and it may take more than 1 year to recover the full training cost.

There is a risk that the cost of training will not be recovered. However in most cases, once the training is complete, the student will not require Home to School transport, which should result in reduced / avoided costs or create additional capacity to help meet future demand.

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The 12 month contract extension to the existing contract will allow time for a full tendering exercise to be carried out, and a new contract to be in place by September 2025.

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The action undertaken will include monitoring how the service meets the needs of all eligible users, including those from ethnic minority communities and the disabled. The Council will also ensure that potential providers have undertaken equality training and adhere to the Council's Fair to All Policy or their own equivalent.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The Council's Social Value will be used to assess the environmental impact and plans of the supplier. As a result, the supplier will be required to describe how they intend to minimise impact on the environment by:

- Ensuring that all waste is correctly recycled
- Utilising public transport
- Employing locally wherever possible to reduce the environmental impact of travelling to work



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Employing digital solutions to reduce the need for manual recording and disposable materials.

**BACKGROUND PAPERS**

Haverling Travel Assistance Policy 2024-25  
Home to School Transport Cabinet Report 2024

**APPENDICIES**

None

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**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

Name: Tara Geere

Cabinet Portfolio held:

SLT Member title: Statutory Director of Children's Services

Head of Service title

Other manager title:



Date: 23/8/24

**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_