

## CABINET

<b>DATE</b>	14 <sup>th</sup> January 2026
<b>REPORT OF</b>	Councillor Margaret Cracknell – Portfolio Holder for Children and Education
<b>RESPONSIBLE OFFICER</b>	Ann-Marie Matson – Director of Children's Services
<b>SUBJECT</b>	New Framework for the Provision of Home to School Transport
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	CB 01/26/01

### **CONTRIBUTION TO OUR AIMS**

This proposal directly supports the Council's overarching vision of "Stronger Economy, Stronger Communities" as set out in the North East Lincolnshire Council Plan 2023–2026. Delivering against the outcome that our people should:

- Reach their full potential through skills and learning;

By establishing a new framework for school transport, we aim to:

- Improve outcomes for vulnerable children and young people, particularly those with Special Educational Needs and Disabilities (SEND), by ensuring transport is in place to ensure access to high-quality, safe, and appropriate education settings.

The proposal will deliver the Home to School Transport Policy for North East Lincolnshire Council, specifically

- Ensuring suitable transport and travel arrangements for eligible children with Special Educational Needs and/or Disabilities (SEND)
- Ensuring a suitable Procurement route for the organisation of suitable transport
- Ensuring the monitoring of performance and quality assurance for externally contracted providers

### **EXECUTIVE SUMMARY**

Permission is sought from Cabinet to agree to undertake an open competitive tender process to establish a new contract arrangement with a number of suppliers for the provision of Home to School Transport for eligible children, in line with the Home to School Transport policy.

This authority to be delegated to the Director of Children's Services in consultation with the Portfolio Holder. The procurement will ensure the Council's capacity to deliver the Home to Schools Transport Policy for children and families across North East Lincolnshire.

## **RECOMMENDATIONS**

It is recommended that Cabinet:

1. Approves the procurement of a new contract arrangement for Home to School Transport.
2. Delegates authority to the Director of Children's Services in consultation with the Portfolio Holder for Children and Education, to commence the procurement exercise and thereafter to make awards and deal with all ancillary matters reasonably arising.
3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete and execute all requisite legal documentation arising from the above recommendations.

## **REASONS FOR DECISION**

The current Dynamic Purchasing System that is used to purchase bus and taxi routes from independent organisations ends in June 2026 so a new contract arrangement is required to be put in place for June 2026 in order to ensure that all provision can be purchased from companies that have been appropriately vetted.

### **1. BACKGROUND AND ISSUES**

- 1.1. A new contract arrangement is required for the provision of home to school transport for eligible children, under the Home to School Transport Policy
- 1.2. A Dynamic Purchasing System for Home to School Transport provision was established by North Lincolnshire Council to cover journeys contracted by both North Lincolnshire and North East Lincolnshire Councils in 2019. This System ends on 21<sup>st</sup> June 2026, so a new contract arrangement is required to be put in place for June 2026 in order to ensure that all provision can be purchased from companies that have been appropriately vetted.

- 1.3. The Council proposes a procurement exercise to select and appoint a number of providers to allow further competition to take place for each transport route that is required. The procurement will ensure that companies supplying provision meet required standards for bus and taxi operators. This includes meeting the required licensing standards which include safeguarding, and ensuring drivers and operators meet the core safeguarding requirements such as enhanced DBS checks for all drivers and Passenger Assistants, safeguarding training, clear protocols for reporting incidents and concerns and appropriate risk assessments which take into account the children's needs, including any medical considerations.
- 1.4. Individual competition for each route will ensure that the best price is achieved for Council spend on school transport.

## **2. RISKS, OPPORTUNITIES AND EQUALITY ISSUES**

- 2.1. There are two main risks to this procurement exercise:
  1. The risk of failure to procure suitable suppliers to a new contract arrangement. This is mitigated by market engagement which will ensure current suppliers are aware of the new arrangement, as well as engaging with any alternative potential suppliers
  2. Rising costs from suppliers bidding for routes. This is already a risk for the supply of home to school transport. By incorporating an appropriate mechanism for costs to increase in line with CPI the Transport Manager will be able to ensure ongoing discussion with suppliers is fair and equitable to control price increases.
- 2.2. Opportunities This will ensure the Council is still able to meet the needs of children who are eligible for Home to School transport and prevent complaints from parents who may not receive an appropriate service without contracts in place. A new contract arrangement creates the opportunity to update our approach to quality assuring the way providers meet our safeguarding requirements through ensuring that Providers maintain up-to-date safeguarding policies and evidence of staff training. Compliance will be monitored through audits, spot checks, and performance reviews. Failure to meet these standards may result in suspension or termination of contracts. It is identified that the new arrangement will include annual checks of providers compliance with requirements and a commitment to all staff accessing training to meet statutory guidelines from the Department for Education.
- 2.3. An Equalities Impact Assessment will be completed as part of the procurement process to ensure inclusive design and accessibility.

## **3. OTHER OPTIONS CONSIDERED**

- 3.1. Discussion was held with North Lincolnshire to consider a joint procurement arrangement for a future contract. It was identified that the work to co-ordinate requirements between the two authorities would create additional work for both authorities and could delay the ability to go out to tender as documents would need to be agreed by both authorities and two separate governance routes would need to be followed. There was no benefit to a joint approach identified that would outweigh the additional work required.

- 3.2. The option to allow the current DPS to close and have no ongoing contract arrangements in place for purchase of routes was not considered as this would not be in line with the Procurement Act 2023.
- 3.3. The Procurement Act 2023 means that it is no longer possible to use a DPS. Consideration was given to utilising a different procurement mechanisms and legal advice will inform the identification of the most appropriate procurement route to ensure we have in place arrangements for home to school routes.

#### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1. There are potential positive reputation implications from putting in place a new arrangement that is more specific on the Safeguarding requirements of providers than the current DPS.
- 4.2. Communication with current and potential providers, setting out the clear expectations for the new arrangement will take place through market engagement consultation issued to providers. Their feedback will inform the development of the service specification.

#### **5. FINANCIAL CONSIDERATIONS**

- 5.1. The undertaking of the procurement process will be delivered within existing Council resources through the School Transport, Children's Commissioning and Procurement staff.
- 5.2. The funding of home to school transport routes commissioned from the new arrangement will be from core Children's Services budget for School Transport. The last full financial years' spend was £3,725,390 for 2024/25. It is anticipated that spend will increase due to inflationary pressures.

#### **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

- 6.1. The service is for Children and Young People with Special Educational Needs so will ensure that children with high levels of need are able to access education.
- 6.2. The service will ensure continued delivery of transport requirements under the Home to School Transport Policy.

#### **7. CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS**

- 7.1. The proposed arrangement for commissioning home to school transport could have an environmental impact through the use of fuel by transport providers and the carbon emissions of vehicles utilised. It does not involve physical infrastructure or land use changes.
- 7.2. In design of the new arrangement the Council will encourage providers to adopt environmentally responsible practices where possible, such as:
  - Minimising travel by prioritising local delivery models to minimise the journey from provider location to the start of the commissioned route

- Using sustainable fuels, such as electric vehicles.

7.3. These considerations will be embedded into the procurement process where appropriate, in line with the Council's commitment to sustainability.

## **8. CONSULTATION WITH SCRUTINY**

The proposals within this report will be shared with Children's scrutiny panel prior to implementation, in line with the Council's governance arrangements. Feedback from Scrutiny will be considered and incorporated where appropriate.

## **9. FINANCIAL IMPLICATIONS**

Home to School Transport is funded from the Council's core budget. In recent years, expenditure in this area has risen significantly. It is therefore essential that the Council ensures the service delivers value for money in line with established procurement principles.

## **10. LEGAL IMPLICATIONS**

- 10.1. The Preliminary Market Consultation and the procurement exercise are governed by the Procurement Act 2023. The Preliminary Market Consultation activity will enable the specification to be developed, in line with the appropriate contractual documentation. Such activity enables the seeking or accepting of advice from independent experts, authorities or from market participants providing it does not distort competition nor breach the requirements for non-discrimination and transparency. The contract is the key governing document through which the resulting relationship will be governed and Legal Services will complete the contractual documentation on award.
- 10.2. The procurement exercise will be conducted so as to comply with the Council's policy and legal obligations, specifically in compliance with the Council's Contract Procedure Rules and the Procurement Act 2023, and supported by relevant officers.
- 10.3. The delegations sought are consistent with an exercise of this nature.
- 10.4. Officers should be cognisant of recent budgetary announcements made by central government in relation to the centralisation of SEND provision and ensure that flexibility exists within any arrangement so as to ensure that Council can adapt to any emerging national policy that may impact on transportation.

## **11. HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications arising from the contents of this report.

**12. WARD IMPLICATIONS**

All wards are likely to be affected.

**13. BACKGROUND PAPERS**

Equality Impact Assessment

**14. CONTACT OFFICER(S)**

Mary Ryan, Head of Commissioning, Children's Services

**COUNCILLOR MARGARET CRACKNELL**

**PORTFOLIO HOLDER FOR CHILDREN AND EDUCATION**