



Audit and Performance Committee Report

Meeting	Audit & Performance Committee
Date:	23 September 2020
Classification:	<i>TBC</i>
Title:	Report on progress of Minibus Contract Model
Wards Affected:	All
City for All Summary	The award of new contracts will supported plans to make services greener and cleaner and support vibrant communities over a five to seven year period.
Financial Summary:	Travel Care minibus contracts are valued at c.£2M per/annum in WCC.
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1. Executive Summary

This report provides an update on progress and key performance indicators for the new minibus operating model.

2. Recommendations

That the report content be noted.

3. Reasons for Decision

There is no decision required as an outcome of this report.

4. Background, including Policy Context

- 4.1. In January 2018, the Procurement Strategy for Passenger Transport was agreed by Cabinet Members in WCC and the Leadership Team in RBKC following extensive consultation and co-design with pupils, parents, carers, Schools, Day Services and stakeholders.

- 4.2. In August 2018, one of two minibus providers for pupil transport unexpectedly went into administration and an emergency tender process was undertaken to award an interim contract for 12 months and this contract expired on 31 July 2019. Lessons learned from this were applied and for the new contracts, providers had to pass a rigorous financial and economic standing assessment and contracts now include financial distress clauses to enable the Councils to regularly monitor providers' financial stability.
- 4.3. The procurement for minibus contracts took place from February 2019 to April 2019 and the new services went live for Adult Social Care in 01 August 2019 and Children's Service from early September 2019.
- 4.4. The new minibus transport service will deliver and continually improve on the following outcomes:
- All Service Users are picked up on time, arrive at their destination on time, and are taken home on time
 - Children and young people arrive at school ready to learn, giving them the best start to their school day
 - Vulnerable adults maintain their independence as long as possible to enhance their quality of life and reduce social isolation and loneliness
 - All Service Users spend the minimum necessary amount of time being transported
 - All Service Users are safe, protected and their needs are met
 - All Service Users are treated with dignity and respect at all times throughout their journeys
- 4.5. The children and young people accessing minibus transport have Special Educational Needs and Disabilities (SEND) and have been assessed by the SEND Service as eligible for travel assistance in the form of transport.
- 4.6. Vulnerable adults are assessed for transport to and from day activities as part of their social care package, aimed to enhance their quality of life, maintain independence as long as possible and increase engagement with the community to reduce social isolation and loneliness. For Adult Social Care, the outcomes for vulnerable adults are person centred and based on promoting the person's wellbeing, including the person's needs, goals and wishes. The focus will be on supporting people to live as independently as possible for as long as possible. The aim is to prevent, delay and reduce the need for care and support. People can access information and advice to take control of and make well-informed choices about their care and support and how they fund it.
- 4.7. A key consideration in planning the shape of future transport services is patterns and needs of the Day Centres that it serves. Passenger Transport Minibus service has been designed to be flexible to volume and route changes to ensure that the model is adaptable to the implementation of the Personalisation agenda and the use of personal budgets and direct payments.
- 4.8. To enable the outcomes and vision for children and young people and vulnerable adults to be realised, within the context of both Councils' financial pressures, the Passenger Transport procurement strategy set out the strategic objectives for the minibus contracts. These included:
- Shared framework for Children's Services and Adult Social Care
 - Minibus provision rationalised into three main contracts, two for Children's Services and one for Adult Social Care
 - Strategic long term partnerships with minibus providers to develop a consistent service that is value for money

- Significant contract durations of five years plus option to extend for a further two years to enable investment in fleets, and factors that contribute to service quality such as recruitment and retention of staff
 - Bi-borough shared routes and management with economies of scale and route optimisation
 - Co-designed specification explicitly detailing service requirements
 - A clear and transparent pricing schedule that delivers the most cost effective service
 - Continued oversight and contract management by the Travel Care and Support Team
 - A robust KPI framework and 'Never Events' relating to minimum standards
- 4.9. The procurement strategy was based on extensive consultation and engagement with stakeholders including parents, parent representative groups, young people, adult service users, schools, day centres as well as internal Council services such as the Special Educational Needs, Adult Social Care and Safeguarding teams.

5. Covid-19 pandemic

- 5.1. The Covid-19 pandemic has had a considerable impact on the minibus contracts due to changing service requirements, operating procedures and in order to support emergency response activities.
- 5.2. Many schools and day centres initially closed in March 2020 with some reopening shortly afterwards for a limited number of residents. Providers acted rapidly and flexibly to meet new and different service requirements. This included rescheduling routes and, in some cases, carrying different passengers as well as responding to a range of measures required to meet social distancing and additional hygiene requirements.
- 5.3. Both providers carried out additional functions as part of the emergency response to Covid-19. These included delivering free school meals, food vouchers, laptops to residents, and emergency supplies for shielding residents.
- 5.4. The collection of KPI has not continued through this period and instead both providers have had regular virtual meetings with the Travel Care team at least once a week throughout the period.
- 5.5. Both providers have enthusiastically engaged with the council in order to provide the critical services that have been needed and have received praise from a range of services that they helped to support.
- 5.6. The KPI for this report is based in information relating to the first term of provision on this contract prior to the Covid-19 outbreak.

6. Key performance areas of Passenger Transport Minibus Services

- 6.1. The re-procurement of Passenger Transport Minibus Services represented an opportunity to respond to the themes raised during the consultation. Views of stakeholders have shaped the final specification, and improvements are featured in the new service. Many of the issues raised during the consultation have already been addressed at an operational level by the work of the Councils' Travel Care and Support Team, and the new service standardises this activity by including the service enhancements in the specification and contracts thereby giving the Councils the formal mechanisms to contractually enforce them with providers.
- 6.2. These themes have formed both Councils' vision for this service and have been developed, shaped and built into this specification. The Council's value of putting communities first will continue throughout the delivery of this service through an ongoing process of engagement and collaboration with stakeholders. This section sets out key features of the new minibus service.

Duty of Care

- 6.3. The key requirement of the new minibus service is to provide a duty of care towards the residents accessing the service by ensuring that transport is safe, secure, consistent, suitable, reliable and communicative. Providers will deliver a service that is centred around duty of care, by understanding and meeting the needs of service users, and ensuring they are treated with compassion and respect.
- 6.4. Providers worked with the Travel Care and Support Team (TCST), schools and day centres to understand the individual needs of service users, through analysis of each individual's Travel Care Plan and pen portrait, as well as a frequent review of needs to ensure requirements are reflected in the way in which the service is delivered.
- 6.5. The minibus service includes 'Never Events' which are a list of clear minimum standards, particularly in relation to safety and safeguarding of children and adults. Never Events have been included in the specification and contract. Contractual mechanisms have been put in place to enable the Councils to issue default notices and terminate contracts if Never Events occur.
- 6.6. On most measures the services have performed well. This includes all staff being fully DBS checked, there have been no safeguarding concerns raised and no incidents of providers not operating within legal or regulatory requirements in regard to road law or health and safety. There have been also been no incidents of staff failing to meet the welfare or safety requirements of service users.
- 6.7. There have been 3 vehicle accidents since the service began which were all minor with no injuries to any party. All were fully investigated with follow up actions clearly identified with providers putting effective measures in place to address the causes. In two of these case it was identified that the driver was likely to be, at least in part, at fault. Disciplinary action and/or further training and assessment was carried out as a result. Parents/carers and schools were also all fully informed at the time of the incidents.
- 6.8. There have been no 'never events' on Westminster services. One incident occurred on an RBKC service which was fully investigated by the provider with effective improvements put in place.
- 6.9. KPI data:

KPI	Target	Actual	%
2.5 Number of identified 'never events' as detailed in the specification.	None	0 (1 RBKC)	N/A
2.6 Number of accidents against vehicle journeys made per operator whilst undertaking contract duties.	None	3	0.001%
2.7 Number of accidents against vehicle journeys made per operator whilst undertaking contract duties, where the accident was found to be the fault of contractor staff.	None	2	0.001%
2.8 Number of incidents where drivers do not operate within the requirements of the law [with particular regard to the requirements of the Road Traffic Acts and the Highway Code] whilst operating on Bi-borough Passenger Transport routes.	None	0	0%
3.1 Number of referrals in relation to safeguarding incidents.	N/A	0	0%
3.2 Number of safeguarding incidents that are substantiated, where the incident was found to be the fault of contractor staff.	None	0	0%
3.3 Number of incidents where the standards of service delivery, including the behaviour of staff fails to meet the welfare and safety requirements of the service user.	None	0	0%
3.4 Number of staff with DBS checks.	100%	219	100%

3.5 Number of incidents where the Contractor does not meet the regulatory requirements for restraint equipment e.g. seatbelts, vehicle seat fixtures, wheelchair tie-downs and occupant restraints.	None	0	0%
3.6 Number of incidents where the Contractor does not meet the necessary health and safety requirements, as detailed in the specification.	None	0	0%

Implementation and Mobilisation

- 6.10. Effective implementation and mobilisation of the new contracts was essential to the success of the new minibus service, to ensure a smooth transition for Service Users and their families and minimise the impact of change. Key activities included stakeholder communications including the successful providers making initial contact and building relationships with Service Users, partners, schools, day services and the Council. Implementation and mobilisation activity. This included practice runs of routes to ensure timeliness of journeys; the option for parents and service users to meet with staff before the commencement of the service; and ongoing communication and updates in the lead up to service going live.
- 6.11. Following approval of the contract award, the TCST worked closely with providers to mobilise the new services and ensure all service requirements will be delivered successfully, with weekly meetings held for assurance that all activities were on track. The Adults contract was mobilised a month earlier in August 2019 to enable a phased transition and ensure council resources could be used effectively in mobilisation of SEN services in September.
- 6.12. For Children's Services, the new minibus services went live at the start of the new School year in September 2019. Mobilisation activity took place during July 2019 before parents, schools and stakeholders break up for the Summer holidays. The Children's service contracts were awarded to two incumbent providers, which enabled continuity of existing relationships between staff and service users and minimised potential disruption.
- 6.13. All services commenced effectively and on time for the start of both the day centre services and for the start of new school term.

Operational Requirements

- 6.14. The Councils' in-house Travel Care and Support Team (TSCT) are responsible for day to day management of the transport services. The team is key in delivering a 'help desk' function for schools, day centres, parents, carers and providers, to communicate updates, delays, any changes in journeys, and is best placed to communicate to all parties in the event of any emergency.
- 6.15. Minibus providers have ensured there is a consistent point of contact for day to day execution of the service and ensure provision of tracking technology to communicate and relay real-time information to the TCST who ensure all parties are kept up to date. Providers also monitor and regularly report on timeliness of pick-up and drop-off times, with Service Users spending no longer than 60 minutes on transport unless agreed by the TCST for long distance out of borough destinations.
- 6.16. The service has since performed well in terms of reliability and punctuality exceeding the specified target.
- 6.17. During the first term the figure for journeys taking less than 1 hour was below expectation with 87% of journeys scheduled within the hour. This was due to three regular routes which initially ran slightly over one hour. These have since been fully rescheduled to run within the hour.

6.18. KPI data:

KPI	Target	Actual	%
1.1 Number of occasions routes set out on time but arrived late (i.e. more than 15 minutes delayed for passenger collection/drop off at destination).	<10%	90	2.57%
1.2 Number of occasions route commenced late (ie. set out late from the Contractor's depot for minibus or arrived at first collection late for taxi services (more than 15mins).	<10%	15	0.34%
1.3 Percentage of vehicle journeys that are within 1 hour (unless agreed by TCST).	100%	7689	87%

Staff Recruitment, Employment and Continuity

- 6.19. Key to the success of the minibus service is the recruitment, employment and retention of qualified and quality staff, as the development and consistency of relationships has been identified as an important element of successful service delivery.
- 6.20. The Service Specifications set out detailed and robust recruitment standards to assess their abilities to deliver the service, and this includes Safer Recruitment and enhanced DBS checks to ensure safeguarding of vulnerable children and adults is the first priority.
- 6.21. Successful providers demonstrated a clear understanding that the focus of this service is meeting a duty of care and support to vulnerable service users, and not solely the provision of transport. Given that staff are the key element of the service, providers were required to remunerate staff appropriately to ensure they were qualified and capable of delivering the enhanced quality requirements, and all providers are now paying staff at least London Living Wage. In addition, providers have staff support packages and retention strategies to contribute to continuity of staff and key relationships on routes.
- 6.22. Both providers performed well maintaining high levels of staff consistency with low staff turnover rates. All staff working on the contracts receive London Living Wage as a minimum.
- 6.23. The only area where providers were not able to meet the specification was in regard to meeting the full specification in terms of employee records. The figure for this is 74% against the target of 100%. The reason for this is because some staff had transferred from a previous minibus provider who went into liquidation. This provider did not provide documents to the new provider and hence there are gaps in the employment records for this cohort. All staff details within this cohort were reviewed with the council at the point of transfer and confirmed to have worked on the service for a number of years. It is important to note also that all key legislative and regulatory employment documents are held as well as up to date DBS checks.

6.24. KPI Data:

KPI	Target	Actual	%
2.12 Number of staff with required employment checks and other recruitment requirements.	100%	223	100%
2.13 Number of staff for whom contractor complies with requirements for accurate recording and upkeep of staff records.	100%	147	74%
2.15 Number of new Passenger Assistants and Drivers that have joined the contractor in this period.	N/A	6	0
2.16 Number of Passenger Assistants [PA's] and Drivers that have left the contractor.	No more than 15% in turnover of PA's and Drivers in a 12 month period	3	2%
2.17 Consistency of Drivers and Passenger Assistants assigned to routes.	>90%		95%
2.18 Number of days lost, due to sickness absence, of Drivers and Passenger Assistants working on the contract.	<10%	523	2.3%
2.19 Number of eligible staff receiving at least London Living Wage.	100%	219	100%

Staff Training

- 6.25. Given the complexity of needs for Service Users eligible for transport services, it is an essential requirement for staff to be suitably trained and qualified to ensure the safety of service users and provide the appropriate care. The Council has set out a training matrix of mandatory and essential training requirements before staff commence their duties for the service. Mandatory training requirements include safeguarding; accredited Minibus Driver Awareness Scheme (MiDAS) and Passenger Assistant Training Scheme (PATS) which include modules on disability awareness, securing passengers and restraint of wheelchairs; advanced emergency first aid; and communications and customer care.
- 6.26. In addition, epilepsy awareness training will be a requirement for all Passenger Assistants, and additional training is provided for administration of medication including seizure medication and carrying of oxygen and other specialist apparatus where this is identified as a requirement. Service User specific training will also be delivered for example Parent Perspective Training delivered by local parent representative groups, and for adults the Councils' day centres will deliver training such as dementia awareness where it is required.
- 6.27. Providers have worked closely with the council and schools to ensure that both the standard training is rolled out for all staff on the service. Staff have also attending additional training such as specific medical training and some have attended sessions at school to better understand ways of working with individual pupils.

6.28. KPI Data:

KPI	Target	Actual	%
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2.14 Numbers of managers and staff completed all core training within the agreed timescales.	100% for core training including managers	226	100%
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Vehicles

- 6.29. The Councils set out clear requirements in relation to the provision of suitable, safe and roadworthy vehicles. Transport will be delivered in a range of wheelchair accessible and non-accessible vehicles of up to 16 seaters which are air conditioned and with appropriate on-board equipment to maximise the safety and comfort of service users during their journeys.
- 6.30. Vehicles all comply with legal and compliance standards with regular checks and maintenance and all vehicles used on this contract are no older than three years.
- 6.31. All minibus vehicles comply with Euro 6 emissions standards, the highest possible standard for diesel vehicles. There is currently no reliable alternative fuel option for accessible minibuses in the market at present. In addition, all providers comply with London's new Ultra Low Emission Zone standards, and providers educate drivers on eco-driving best practice such as fuel-efficient driving and anti-idling.
- 6.32. KPI Data:

KPI	Target	Actual	%
2.9 Number of incidents where vehicles do not meet the requirements of the specification e.g. roadworthiness, maintenance, breakdown arrangements, vehicle equipment, seat belts etc.	None	0	0
2.10 Number of occasions assigned vehicle was changed	<15%	293	4%
2.11 Number of times an appropriate replacement vehicle was provided, or you were able to use the same vehicle	90%	9	100%

Risk Management and Quality Assurance

- 6.33. Minibus providers have worked in partnership with the Council to monitor, manage and improve services. Requirements include the need to identify, manage, reduce and mitigate risks to Service Users in the execution of the contract. This has been especially evident during the Covid-19 pandemic where providers have engaged extensively with the council and other stakeholders in order to respond to service needs. Where complaints or issues have occurred, providers have responded well to resolve to the benefit of all parties with full involvement of the TCST.
- 6.34. The conditions of contract outline the Councils' right to carry out unannounced site visits, checks and audits, and to issue default notices where the provider has failed to meet requirements of the contract set out in the service specification. A number of such inspections were carried out prior to the pandemic and information fed into the KPIs reported here.
- 6.35. A customer satisfaction survey was scheduled to take place in the summer term but did not go ahead due to the pandemic. The service focus at the time of writing is re-mobilising to ensure that services are fully available to meet needs for returning to school in September.

6.36. Complaints have been low since the start of the contract and there have been a number of informal compliments received about the service, including from parents and school heads.

6.37. KPI Data:

KPI	Target	Actual	%
2.3 Number of new complaints per journey.	0.20 complaints per journey over a rolling 12 month average.	2	0.004%
2.4 Timeliness of response to requested information from the TCST in relation to complaints.	100%	N/A	100%

Social Value

6.38. Both successful minibus providers have committed to increasing opportunities for residents to help them towards employment with commitments to advertising jobs locally first, providing supported employment schemes, internships and apprenticeships within their organisations including commitments to specific numbers of posts. Providers have committed to making a positive impact on neighbourhoods by supporting local voluntary groups and charitable organisations.

6.39. Many of the above elements required a close connection with multiple partner agencies and the council to develop pathways to the offers and ensure they were joined up with council priorities. Work was being undertaken with providers and the economic development team to map out the important connections and contacts to enable the offers to be delivered. However, whilst this was in development the Covid-19 shutdown occurred and priorities have been focused elsewhere. Some of these opportunities had however already been realised such as transport being regularly provided for community football team in Westminster.

6.40. Both providers have clearly set out measurable deliverables and milestones for reducing the impact on the environment for example with targets relating to reducing the organisations carbon footprint and working towards Green Mark accreditations. Both providers are already providing vehicles which meet Euro 6 emissions standards and ULEZ requirements and have recycling schemes at their offices and depots. As part of the work mentioned above to ensure that social value is fully captured for the council we will be providing links to the Westminster Greener City Scheme.

6.41. As part of the Covid-19 response, the contracts supported a range of additional services to support members of the community including the delivery of 550 laptops to Westminster residents homes.

6.42. The social value offerings will continue to be reviewed along with performance in order to develop and realise the value to our communities. As these are developed further, achievements and progress will be fully tracked and monitored as part of the contract review process.

7. Financial Implications

There are no financial implications arising from this report.

The service currently carries 185 Westminster students to 16 destinations at a cost of c.£1,850K per year.

8. Legal Implications

There are no legal implication arising form this report.

9. Staffing Implications

There are no legal implication arising form this report.

**If you have any queries about this Report or wish to inspect any of the
Background Papers, please contact:**

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BACKGROUND PAPERS:

There are no background papers.

NB: For individual Cabinet Member reports only

For completion by the **Cabinet Member** for (add portfolio title)

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: _____ Date: _____

NAME: _____

State nature of interest if any

.....

(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled

.....and reject any alternative options which are referred to but not recommended.

Signed

Cabinet Member for (add portfolio title)

Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Head of Legal and Democratic Services, Chief Operating Officer and, if there are resources implications, the Director of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

Other Implications

1. Resources Implications
2. Business Plan Implications
3. Risk Management Implications
4. Health and Wellbeing Impact Assessment including Health and Safety Implications
5. Crime and Disorder Implications
6. Impact on the Environment
7. Equalities Implications
8. Staffing Implications – see paragraph 4.8, 4.9 and 4.10 of guide
9. Human Rights Implications
10. Energy Measure Implications
11. Communications Implications

Note to report authors: If there are particularly significant implications in any of the above categories these should be moved to the main body of the report.