

Contract Manager's Summary Report: Overview & Scrutiny Committee – January 2010

1. Focus

- 1.1 The pre -meeting interest of the Committee has focussed on 'safeguarded' children and the *wider context* of the Contract. This Report is framed accordingly. The Committee has made brief reference to SEN (not addressed in specific detail, though both the Contract Manager / colleagues can deal with questions about this client group / procedures etc).
- 1.2 'Safeguarded children' is BCC's definition of child protection / 'looked after' children and represents a specific client group for which Client Transport has responsibility both for home - school and respite care transport. This group is acknowledged in legislation and guidance nationally (e.g. in terms of required educational / care supports required of local authorities). At any time there may be 250 – 400 transported such young people in BCC.
- 1.3 'Special educational needs' (SEN) is a largely distinct client group of between 1500 and 1700 children. A minority of this group are also in care or subject to child protection legislation and identified in national / locally determined supports. Client Transport has a duty of care to *all* clients (adult and child, irrespective of child protection / age / special need) and this is reflected in detailed health and safety arrangements. Neither SEN / this wider duty of care to all pupils are the focus of this Report, though the Contract Manager / colleagues can deal with questions about this client group / procedures etc.
- 1.4 Amey Client Transport's standing on health and safety is reflected in its current status of BSI 9001 / 14001 and 18001 accreditation & all related health / safety / environmental requirements are met. Amey also possesses the Investors in People (IiP) Silver Award. Accreditation is subject to external annual inspection by BSI / IiP & internal Amey inspection (more frequent). There is liaison via the Compliance Manager to ensure 'joined up' working with BCC on relevant health and safety matters. On 'safeguarding' this includes all BCC staff associated with child / vulnerable adult protection.

2. Contract Overview

- 2.1 The Contract was signed in May 2008 and came into effect on 1st June 2008 and is for 5+3+2 years. In terms of 'safeguarding', the company follows the policies set by BCC (listed in the BCC Compliance Manager's Report to this meeting). Amey is fully represented on officer groups dedicated to this purpose, including specialist working parties (e.g. safeguarding in employment).
- 2.2 The principal activities within the Contract relate to:
- *procuring transport services* (for 'Mainstream' pupils; pupils with special educational needs (SEN); 'safeguarded' children; eligible adults in Adult Social Care);
 - undertaking aspects of *transport risk assessment* not already addressed in the transport referral made;
 - ensuring *statutory compliance by the supply chain* (CRB ; terms of contract / specification; suitability and roadworthiness of vehicles / aspects of driver capability);
 - *supervision* of Aylesbury Bus Park;
 - *training & developing the supply chain* (contractors / drivers / passenger assistants);
 - *provision of information / policy advice* to stakeholders on home – school transport & related matters (parents / carers / establishments / BCC staff & elected members / members of supply chain / members of local community, including staff & elected members of local / neighbouring district councils);
 - *advising on KPIs / undertaking activities associated with agreed KPIs.*
- 2.2 The Amey – BCC Contract does not include *transport entitlement / eligibility issues*. These are managed by the respective client department of BCC.

- 2.3 The majority of BCC staff transferred their employment to Amey in 2008 i.e. approximately 75% of the (then) work force (now around 60%). The Team is supplemented by Amey attached staff. This includes those undertaking the prestigious Amey Graduate Programme.
- 2.4 Amey's SMT comprises a Commercial / Training Manager; Transport Operations Manager; Compliance Manager; Finance Team Leader, led by the Contract Manager.

2. Principal Contract Achievements to Date

Pre Contract		Amey 2008 - Date	Future
2.1	240 + suppliers on an approved list. No formal monitoring of supplier quality or commitment.	Around 50 suppliers. Routine monitoring of supply chain with financially - regulated Rectification Matrix for non - compliance. This includes depot as well as onsite checks (vehicles / CRB / training / licensing / insurance especially).	Integrated supply chain with broader responsibilities for service improvement; sustainability; training outcomes.
2.2	PATS Training. No formal training obligations placed on suppliers. Training funded by BCC. Narrow accreditation; no wider training partnerships.	Training a contractual requirement on all suppliers & any sub contractors. Training wholly paid for by supply chain. Comprehensive modular training programme (PATS; Behaviour; Vulnerable Child / Adult Protection; Safeguarding in Employment) with wide range of national accreditation at NVQ Level 2 working in partnership. Both child protection & <i>Team Teach</i> training are consistent with the training already in place for establishments in BCC to ensure client expectations are met in a coherent way.	Additional training / briefing based on government expectation e.g. ISA / Vetting & Barring.
2.3	Budget £23M+.	Budget £20M- (FY 09/10). Full year effects of major procurements felt for first time in next financial year.	Retain & consolidate principal savings & advise on additional efficiencies e.g. in relation to MTP.
2.4	No sustainability strategy.	18% reduction in carbon emissions resulting from route optimisation relating to SEN. Larger capacity buses from Jan 2010 on some routes which are Euro 5 / DDA compliant. Securing of government investment for 'green' vehicles.	New all - electric powered coaches to be trialled in Spring / Summer 2010. Among first vehicles (6) anywhere in UK.
2.5	Procurement of individual routes on <i>ad hoc</i> basis by a range of officers not trained in procurement & uncoordinated by service area.	Procurement of bundles of routes by selected officers with extensive experience in commercial procurement, using industry standard score card procedures. Procurement coordinated based on strategic panel.	Future procurement activity in ASC / Safeguarding.
2.6	Separate transport teams, not geographically co-located.	Integrated transport teams; co- located.	Ongoing development and succession plan operations to ensure high levels of service continuity.
2.7	<i>Ad hoc</i> administrative staff development.	All staff subject to rigorously monitored PDR (Performance Development Review).	Further up-skilling of work force to ensure succession planning and inter-

			changeability of staff.
2.8	Non - assessed management system quality.	BSI 9001 / 14001 / 18001 accredited Client Transport operation with no defects / rectifications.	Maintain this external accreditation & meet additional Amey HSEQ Compliance requirements in 2010.
2.9	Low level of annual allegations against professionals (child protection).	Annual reduction in allegations against professionals (2008 - 2009). See Section 6 below.	Contain / further reduce 'proven incidents' involving supply chain via more comprehensive training / briefing.
2.10	Risk assessment processes not fully documented. Specialist equipment not inventoried.	Risk assessment processes documented & criteria for identification in place. Supply chain guidance on specific issues re risk assessment. Specialist equipment checks & inventory now undertaken.	Benchmarking with best practice elsewhere.
2.11	Moribund links with some stakeholders.	Regular links with agencies such as district council licensing officers / schools e.g. in the logistics of re-procurement of SEN / parent partnership etc.	Broaden contact with stakeholders.

3. Performance Management Arrangements & KPIs

- 3.1 Performance management arrangements are via TRANSTAT; Partnering Board and Transport Management Board. TRANSTAT (officers / members) meets monthly to receive progress reports based on the KPIs and is chaired by BCC with Client Transport's SMT in attendance. KPIs are set annually and are recommended by TRANSTAT to Partnering Board. Partnering Board, chaired by BCC on which there is joint representation meets quarterly and deals principally with the progress of the overall Contract and any ambiguity in the Contract terms / Contract variations / BCC policy variations. Transport Management Board (officers / members) meets shortly after Partnering Board and has two Amey senior (director) level representatives. It deals with broader strategic issues e.g. scope of Contract.
- 3.2 In summary, the seven (current) challenging KPIs (reviewed annually) are:

- 3.2.1 Meet agreed Target Cost for each FY to a specified formula;
 - 3.2.2 Punctuality of transport within agreed specification thresholds by client group;
 - 3.2.3 Vehicle licensing & condition / compliance including CRB;
 - 3.2.4 Contracts monitored by Client group including depot checks for sub contracting;
 - 3.2.5 Customer feedback specifying complaints (reductions in all client categories);
 - 3.2.6 Improving the quality of supply chain by training & briefing (500 staff in 2009 / 10);
 - 3.2.7 Reducing carbon emissions by a 2011 target of 10% overall.
- Substantive failure will have a corresponding impact on the management fee paid to Amey. Current challenging issues relate principally to aspects of punctuality and *overall* carbon emissions reductions.

4. Data Protection / Security

BCC staff (who make all the individual transport referrals) determine what information is to be divulged to Amey, case - by - case, on a need to know basis. Amey only shares information that is directly relevant to day- to- day transport arrangements. Thus it will be known to the transport contractor that a child is in respite care, or that s/he has carers rather than parents but the details behind that will not be shared with the supply chain. Electronic information is password protected. Paper files are secured at the end of each working day. The two offices comprising Client Transport's accommodation (in a remote

part of the building) are locked (including an electronic keypad) to restrict access. Release of information is subject to national F.o.I., Data Protection, Audit Commission legislation.

5. CRB Checks

All staff members (Client Transport and supply chain) are subject to enhanced CRB checks and follow national guidance and that of the BCC Local Children's Safeguarding Board. There is a trained and dedicated officer for CRB within the team with responsibility for liaising also with relevant BCC staff. The officer reports directly to the Compliance Manager. Following the introduction of the Independent Safeguarding Agency (ISA) in October 2009, additional guidance on vetting and barring transport - related staff is awaited from DCFS. Future training and briefings will reflect that guidance.

6. Child Protection Related Allegations / Incidents Statistics (2006- Date)

Alleged incidents are always promptly reported to the specialist investigation team of BCC for independent verification. If children are from other LAs, then appropriate agencies in those areas are contacted by BCC for follow up. Cases investigated by BCC where there are child protection issues to address may be referred for Section 47 consideration. Where there is a case to answer, sanctions are implemented, including removing staff from transport contracts / removal of contracts from the supplier/s /additional training. Often, there is no clear evidence, but precautions may still be taken in follow up. Family issues are a matter for BCC Education Welfare / Social Care. If the allegations are malicious, they will be followed up accordingly. Data for the Contract period is reported to Partnering Board, Chief Officer Group (COMTE) / other BCC agencies as required. Cases are low incidence and indicative trends have been declining since Contract Commencement in June 2008:

Complex Cases Summary

Academic Year	06/07	07/08	08/09	09/10
Number of Allegations	14	18	9	5
% Allegations per pupil trip	0.00023	0.00030	0.00015	0.00008
Alleged Incident type				
Inappropriate Handling	7	1	2	
Sexual Abuse	1	1		
Inappropriate behaviour	2	8	2	5
Inappropriate Language	1	5	1	
Physical Abuse	3	3	3	
Other details				
Number upheld by SIAT	1	0	3	1
Criminal proceedings	1	0	0	0
Section 47 met prior to investigation	3	9	2	1

7. Risk Assessment

There is a trained & dedicated Risk Assessment Team that undertakes risk assessments on children and adults, including safeguarded children. These assessments principally relate to mobility issues. Other risks, including children with challenging behaviour are assessed by BCC, for example via the Statement / Annual Review processes.

8. Supply Chain Training / Training of Client Transport staff

This is undertaken by specialist Amey staff who are experienced; nationally accredited and subject to external monitoring / verification. Amey also has contracts to deliver child protection training in other UK local authorities / schools etc. Safeguarding training is given to Client Transport staff contractors, drivers and passenger assistants including all approved sub contractors. It is modular in form; nationally accredited and designed and delivered in a public – private sector partnership involving Wycombe District Council at no cost to BCC. To date, around 120 staff have completed a range of modules, including child protection and behaviour management.

Jim Waddington

Service Director & Contract Manager, Amey (December, 2009).