



CABINET – 12/12/2006

SUBJECT: HSE TRANSPORT IMPROVEMENT NOTICE

REPORT BY: DIRECTOR OF EDUCATION & LEISURE

1. PURPOSE OF REPORT

- 1.1 To seek approval from Members to submit a response to the Health & Safety Executive (HSE) in relation to the Improvement Notice served in June for compliance by 20 December 2006.

2. LINKS TO STRATEGY

- 2.1 The report links directly to the Education for Life and Sustainability Strategies.
- 2.2 The report also links to 2 of the 'Unlocking the Potential' strategies, namely better and improving services and better use of resources.

3. THE REPORT

- 3.1 Members will recall that details of the Improvement Notice were considered by Cabinet, at its meeting on 18 July 2006. Details were also reported to the Education for Life Scrutiny, at its meeting on 20 July 2006.
- 3.2 The Notice required a review of the management of transport contracts within Education, to include:-
- (a) objective criteria for the selection of contractors
 - (b) clearly defined roles and responsibilities of operators, drivers and escorts
 - (c) information exchange with other departments
 - (d) information exchange with other agencies
 - (e) procedure, frequency and information retained for CRB checks
 - (f) frequency and types of monitoring activities
 - (g) recording and review of monitoring activities
 - (h) collation of information held and its accessibility
 - (i) provision of suitable and adequate resources to effectively manage the contractor control system
- 3.3 The Notice anticipated a written report, action plan and the formalisation of the Council's arrangements for the safe use of contractors providing transport to educational premises. This information is covered within this report and the accompanying "The Complete Guide to Home to School/College Transport in Caerphilly County Borough Council" which has been copied to Cabinet Members and copies are also available in the Members Library.
- 3.4 The Head of Planning & Strategy (Education & Leisure) has led a cross Directorate Working Group of officers to address the issues contained within the Improvement Notice. Three meetings have been held and the progress identified below has evidenced improvements in cross Directorate working practices.

Objective Criteria for the Selection of Contractors

- 3.5 The practice of awarding contracts based on a combination of price, quality and ability to fulfil tenders applied for, allied to value for money, needs to be regularised.
- 3.6 Meetings have been held with Procurement Services and revised contract specifications will be drawn up jointly by Education & Leisure/Procurement Services staff by end November 2006. Details will be advertised in December with a view to awarding new 1 year mainstream contracts from the commencement of the summer term 2007, as agreed by Cabinet on 31 October.
- 3.7 This process will include invitations to contractors to attend an open day to allow the Council to explain its proposals and the longer term objectives for home to school/college transport.

Clearly defined roles and responsibilities of operators, drivers and escorts

- 3.8 Separate and detailed operator and driver/escort specifications have been incorporated into the guide. Section 5 of the guide (form of conditions of contract) detail a wide variety of operator/driver/escort responsibilities.
- 3.9 The HSE letter accompanying the Improvement Notice made reference to the children not wearing seatbelts on the bus (reference to the Hafodyrynys accident). A separate section within the guide (paragraph 11 of section 5) makes specific reference to this. Staff routinely monitor compliance re seat belts during monitoring activities.

Information Exchange with Other Departments

- 3.10 A joint information sharing protocol has been agreed between Licencing/Education & Leisure/Social Services. Education & Leisure staff, as well as Social Services, are now able to access and exchange information from the Diamond system used by Licencing Services. This facility will be extended to include Engineering Services.
- 3.11 A shared mail box system has also been introduced for the 3 service areas to share relevant information. As with above, Engineering Services will be added to the facility.

Information Exchange with other Agencies

- 3.12 An arrangement has now been established with VOSA who meet with Education & Leisure staff on the third Friday of each month. At these meetings, VOSA share information they have regarding operators, including their 'traffic light system' which categorises the operators by levels of concern.
- 3.13 Education & Leisure staff also now access the Freight Transport Association's Public Authority Transport Network (PATN) which discusses a wide variety of topical issues. Staff are also aware of relevant issues via the ATCO (Association of Transport Co-ordinators) list newsgroup.
- 3.14 Any relevant information via VOSA, ATCO newsgroup and the PATN is shared through the mail box facility.
- 3.15 ADEW has recently agreed to the establishment of an All Wales transport group. It is intended to create an e mail network of all members of the group and is designed to share best practice, resolve queries, share information, etc. The arrangement will work as with the ADEW Planning of School Places group.

Procedure, frequency and information retained for CRB checks

- 3.16 Revised CRB procedures have been developed in conjunction with the Council's recently appointed CRB project officer.
- 3.17 The new procedures are outlined in section 8 of the Guide.
- 3.18 The procedures will be reviewed again over the next few months in view of the Member involvement regarding Licencing. This will be the subject of a future Cabinet report.

Frequency and types of monitoring activities

- 3.19 The monitoring arrangements are outlined in greater detail in section 7 of the Guide.
- 3.20 Every school with contracted transport will be monitored at least once per academic year. Monitoring will additionally be arranged, having regard to information gathered e.g. VOSA, complaints, information sharing.
- 3.21 The Guide also now makes provision for on-site monitoring. This will include driver and escort records as well as operator and vehicle documentation checks.

Recording & Review of Monitoring Activities

- 3.22 An explanation of what monitoring will be undertaken is outlined in section 7 of the Guide.
- 3.23 The default points system has also been reviewed and updated and is incorporated into the Guide as section 6.

Collation of information held and its accessibility

- 3.24 The HSE letter accompanying the Improvement Notice made reference to current information being held in a number of different formats and in a number of different places.
- 3.25 The letter acknowledged that a new computerised system was being developed which should assist this process. Additionally temporary staffing resources have been dedicated to the new system (a module of the Directorate's IDEAR information management system).
- 3.26 It is anticipated that the new system will be operational from 1 January 2007, which will make cross referencing of information easier.

Provision of suitable and adequate resources to effectively manage the contractor control system

- 3.27 There is a need for additional staffing in order to comply with the Improvement Notice and to respond to the recent HSE review re pedestrian etc. activities on school sites.
- 3.28 A proposed revised staffing structure with 2 additional staff has been identified in sections 4 and 5 below. This new structure will facilitate the necessary changes.

Action Plan

- 3.29 All of the above represent significant changes to the arrangements for the selection and monitoring of transport contracts. In view of this an Action Plan has been developed with the objective of reviewing many of these new arrangements and is attached as an Appendix to the report.

4. FINANCIAL IMPLICATIONS

- 4.1 In order to comply with the accompanying Guide and in meeting the requirements of the Improvement Notice, will require an increase in the staffing resources within the Transport team. The estimated cost is £50,000 per annum, inclusive of on costs.
- 4.2 The additional cost will be the subject of consideration as part of the Authority's 2007/08 budget process.

5. PERSONNEL IMPLICATIONS

- 5.1 The present establishment of the Transport team comprises 6 permanent posts as follows:- SO1+, Scale 5/6, Scale 3/4 (complaints), Scale 3/4, Scale 1/2 (invoicing), Scale 1/2 (clerical support).
- 5.2 In order to effectively comply with the Improvement Notice and the revised requirements contained within the Guide, requires 2 additional support staff. The main additional roles generated relate to increased monitoring (school sites), monitoring at operators premises, CCTV support, interviewing prospective drivers/escorts in accordance with revised CRB procedures and increased information exchange/liaison with both internal departments and external agencies. There will also be a need to be more involved following recent HSE review of pedestrian etc. activities on school sites.
- 5.3 The revised structure proposes a SO1+ officer, assisted by two teams (mainstream transport and taxi's) comprising 1 Scale 5/6, 1 Scale 3/4 and 1 Scale 1/2 officer each with support from a Scale 3/4 complaints officer.
- 5.4 It is acknowledged that the precise grades of both existing and proposed staff would be subject to the Authority's GLEA job evaluation process.

6. CONSULTATIONS

- 6.1 As detailed below. There were no comments received other than those reflected in the report.

7. RECOMMENDATIONS

- 7.1 Members approve the changes proposed in the report, together with the action plan and endorse the revised guide for home to school transport arrangements within CCBC.
- 7.2 In recognition of the urgency to progress these improvements, Council, at its meeting on 9 January 2007, be recommended to include a budget provision for 2007/08 for the staffing changes, and subject to that, to approve the increased staffing arrangements outlined in the report.

8. REASONS FOR THE RECOMMENDATIONS

- 8.1 To enable actions to be progressed to ensure compliance with the Improvement Notice.

9. STATUTORY POWER

- 9.1 Section 3 of the Health & Safety at Work etc. Act 1974. Management of Health & Safety at Work Regulations 1999.

9.2 This is a Cabinet function which requires a recommendation to the Council because of the absence of an approved budget.

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Consultees: Directorate Senior Management Team
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Steve Lawrence, Divisional Manager, Forward Planning & Transport
Ruth Evans, Senior Transport Officer
Huw Morgan, Principal Passenger Transport Officer

Background Papers: School Transport (Hafodyrynys) file, much of which includes exempt information.

Appendix: Action Plan.

TRANSPORT IMPROVEMENT NOTICE ACTION PLAN

<u>NO.</u>	<u>ACTION</u>	<u>LEAD OFFICER(S)</u>	<u>TIMESCALES</u>	<u>COSTS & RESOURCE IMPLICATIONS</u>
1	Review the Home to School/College Guide following introduction of recent changes	Head of Planning & Strategy/Education Transport	Initially by 31 March 2007. Annually thereafter	Staff time
2	Review tender processes introduced for summer term 2007, in preparation for new mainstream contracts for summer term 2008	Education Transport/ Procurement	31 October 2007	Staff time
3	Review system for procuring taxi contracts	Education Transport/ Procurement	31 March 2007, for September 2007 contracts	Staff time
4	Review all Council transport operations via external consultancy, resulting in both transport and procurement strategies	All Directorates (facilitated by Procurement)	31 December 2007	Not known at present, subject to tender. Potential value for money initiative
5	Review CRB processes vis a vis arrangements adopted for Licencing Service, principally Member involvement	Head of Planning & Strategy	31 March 2007	Dependant on outcome
6	Review effectiveness of new monitoring arrangements	Head of Planning & Strategy/Education Transport	31 March 2008	NIL
7	Review of revised default points system	Head of Planning & Strategy/Education Transport	31 October 2007	NIL
8	Review effectiveness of IDEAR transport system	Education Transport	30 April 2007	NIL