

EQIA Submission – ID Number

Section A

EQIA Title

SS15124 Home to School Transport Taxi DPS Extension

Responsible Officer

Tim Edwards - GT TRA

Approved by (Note: approval of this EqIA must be completed within the EqIA App)

Phil Lightowler - GT TRA

Type of Activity

Service Change

No

Service Redesign

No

Project/Programme

No

Commissioning/Procurement

Commissioning/Procurement

Strategy/Policy

No

Details of other Service Activity

No

Accountability and Responsibility

Directorate

Growth Environment and Transport

Responsible Service

Public Transport

Responsible Head of Service

Phil Lightowler - GT TRA

Responsible Director

Haroona Chughtai - GT TRA

Aims and Objectives

Kent County Council (KCC) has a statutory duty to provide home to school transport for eligible children of compulsory school age under the Education Act 1996. In addition, under Adult Social Care, it supports clients with transport to a range of support functions.

The annual budget (based on 25/26) for HTST SEN transport is £83.9M and is a budget within CYPE. The cost of transport for Adult Social Care sits across a range of services within the ASC directorate.

The Home to School Transport (taxi) DPS, was put in place to enable the service to procure contracted services, for vehicles with eight seats or less. Although named taxi, the framework is open to operators with hackney carriage (taxi), private hire, school only private hire or bus operators focused on specialist services.

The framework is used to procure transport for children and adults, covering SEN school transport, SEN FE transport, Adult Social Care and specialist educational support. These are bespoke transport arrangements, which could be a single trip, a range of trips or a fixed period, up to a number of years.

Due to the nature of the transport required, tenders can be on a planned cycle ie transport into one

educational establishment every three years, to a need that has to be covered in 24 hours. Tenders can be released to the market in lots or as single needs. The volume of tenders is significant and there are service agreements in place with both CYPE and Adult Social Care, in respect of transport response times.

The DPS allows the Public Transport Team to run competitive and PCR2015-compliant tenders with pre-qualified operators.

The framework was determined as the most effective route to market in 2016. This determination was made, based on how transport contracts were tendered, the timescales sometimes involved and the volume of tenders undertaken. In addition feedback was sought from other local authority transport teams, in particular their preferred procurement routes and benefits of. Approval of the route to market involved full engagement with a range of stakeholders across the authority.

When the DPS was set up in 2016, the Public Contract Regulations 2015 applied. However, as of 24th February 2025, any new procurement or purchasing mechanism is subject to the Procurement Act 2023, which provides new procurement processes but does not have a directly comparable replacement for Dynamic Purchasing Systems. Under the Procurement Act 2023 (PA23), there is no longer the option to establish new Dynamic Purchasing Systems. However, two new arrangements were introduced: Open Frameworks and Dynamic Markets. These options have been explored and assessed, and it has been determined by Commissioning & Procurement that they are not currently viable routes to market for this service. In addition, 'Guidance: transitional and saving arrangements' was published to advise on managing the changeover from the previous legislation, including the lifespan of extant DPSs. With the current DPS set to expire at the end of next year, several options for fulfilling KCC's statutory obligations have been identified and evaluated.

Working alongside colleagues in Commissioning and Procurement, the service still believe that a DPS provides a procurement framework, that meets its needs in terms of being procurement compliant, flexible, allows planned tendering but also short term tendering, even for urgent needs. Therefore to not have a comparable replacement for the DPS under the new Procurement Act 2023, poses a risk to how the service tenders transport and ultimately users.

This is not an issue unique to Kent, a number of local transport authorities (those tender transport contracts) have conveyed to national government the risk of not having a DPS replacement and the limits that the procurement options available bring to transport tendering. It is hoped that this may see changes brought forward by national government. The recognition of this gap in the Procurement Act has led to the allowance for DPSs to continue under transitional provisions until 23 February 2029.

DPSs live at the time the new Act came into effect must expire by no later than 23rd February 2029. The current termination date is 31st October 2026, but can be varied as described in Section 34, and regulation 72, of the Public Contract Regulations 2015.

Extending the term of the current DPS would minimise service disruption by retaining processes which KCC staff and Suppliers are already familiar with. Additionally, it offers relative stability in the medium-term, while the potential impacts of Local Government Reform crystallise. Whilst this still does not directly resolve the matter of the route to market beyond 23rd February 2029, it does offer an interim solution which can be delivered by Place CPD and managed by the Public Transport team, while work progresses to develop a longer-term commercial strategy.

Section B – Evidence

Do you have data related to the protected groups of the people impacted by this activity?

Yes

It is possible to get the data in a timely and cost effective way?

Yes
Is there national evidence/data that you can use?
No
Have you consulted with stakeholders?
Yes
Who have you involved, consulted and engaged with?
Commissioning and Procurement Democratic Services Children and Young People Legal
Has there been a previous Equality Analysis (EQIA) in the last 3 years?
No
Do you have evidence that can help you understand the potential impact of your activity?
Yes
Section C – Impact
Who may be impacted by the activity?
Service Users/clients Service users/clients
Staff No
Residents/Communities/Citizens No
Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?
Yes
Details of Positive Impacts
In extending the DPS it will enable the service to procure the transport services needed by residents/clients in a timely, efficient manner and in a procurement compliant manner. The alternative would be an elongated process that could lead to significant delays in providing transport services.
Negative impacts and Mitigating Actions
19.Negative Impacts and Mitigating actions for Age
Are there negative impacts for age?
No
Details of negative impacts for Age
Not Applicable
Mitigating Actions for Age
Not Applicable
Responsible Officer for Mitigating Actions – Age
Not Applicable
20. Negative impacts and Mitigating actions for Disability
Are there negative impacts for Disability?
No
Details of Negative Impacts for Disability
Not Applicable
Mitigating actions for Disability
Not Applicable
Responsible Officer for Disability
Not Applicable
21. Negative Impacts and Mitigating actions for Sex
Are there negative impacts for Sex

No
Details of negative impacts for Sex
Not Applicable
Mitigating actions for Sex
Not Applicable
Responsible Officer for Sex
Not Applicable
22. Negative Impacts and Mitigating actions for Gender identity/transgender
Are there negative impacts for Gender identity/transgender
No
Negative impacts for Gender identity/transgender
Not Applicable
Mitigating actions for Gender identity/transgender
Not Applicable
Responsible Officer for mitigating actions for Gender identity/transgender
Not Applicable
23. Negative impacts and Mitigating actions for Race
Are there negative impacts for Race
No
Negative impacts for Race
Not Applicable
Mitigating actions for Race
Not Applicable
Responsible Officer for mitigating actions for Race
Not Applicable
24. Negative impacts and Mitigating actions for Religion and belief
Are there negative impacts for Religion and belief
No
Negative impacts for Religion and belief
Not Applicable
Mitigating actions for Religion and belief
Not Applicable
Responsible Officer for mitigating actions for Religion and Belief
Not Applicable
25. Negative impacts and Mitigating actions for Sexual Orientation
Are there negative impacts for Sexual Orientation
No
Negative impacts for Sexual Orientation
Not Applicable
Mitigating actions for Sexual Orientation
Not Applicable
Responsible Officer for mitigating actions for Sexual Orientation
Not Applicable
26. Negative impacts and Mitigating actions for Pregnancy and Maternity
Are there negative impacts for Pregnancy and Maternity
No
Negative impacts for Pregnancy and Maternity
Not Applicable
Mitigating actions for Pregnancy and Maternity
Not Applicable

Responsible Officer for mitigating actions for Pregnancy and Maternity
Not Applicable
27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships
Are there negative impacts for Marriage and Civil Partnerships
No
Negative impacts for Marriage and Civil Partnerships
Not Applicable
Mitigating actions for Marriage and Civil Partnerships
Not Applicable
Responsible Officer for Marriage and Civil Partnerships
Not Applicable
28. Negative impacts and Mitigating actions for Carer's responsibilities
Are there negative impacts for Carer's responsibilities
No
Negative impacts for Carer's responsibilities
Not Applicable
Mitigating actions for Carer's responsibilities
Not Applicable
Responsible Officer for Carer's responsibilities
Not Applicable