

DECISION NUMBER: PCCG-2019-005	
<u>OFFICE OF THE POLICE AND CRIME COMMISSIONER</u>	
LEAD CHIEF OFFICER:	Nigel Stephens – Assistant Chief Officer Resources
TITLE:	Provision of National Driver Offender Rehabilitation Courses
DATE:	24th January 2019
TIMING:	VERY URGENT
PURPOSE:	For Approval
1.	<u>RECOMMENDATION</u>
1.1	It is recommended that the contract for the Provision of National Driver Offender Rehabilitation Courses with TTC Group be extended for an additional four (4) months, in accordance with paragraph 124(b) of the Manual of Governance.
1.2	The four (4) month extension will commence on 1 February 2019 and will expire on 31 May 2019. The original contract terms and conditions will apply to this extension.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	In April 2014, the Police and Crime Commissioner for Gwent awarded a three force contract for the Provision of National Driver Offender Rehabilitation Courses to TTC Group following a restricted Official Journal of the European Union (OJEU) procurement process. The contract was awarded for a three (3) period with an option to extend for an additional one (1) year period, and commenced on 1 July 2014. The final extension period commenced on 1 July 2017 and expired on 30 June 2018. A further six (6) month extension beyond the original contract terms was issued whilst the tender process was being completed. The new tender is being completed by the Senior Collaborative Procurement Officer in South Wales Police. The tender is required to be checked by Joint Legal Services who have a large volume of tenders to review for both forces.
2.2	The contract was awarded by Gwent Police (GP) on behalf of South Wales Police (SWP) and North Wales Police (NWP) to obtain a service provider to supply courses to the public, who would be identified to attend a course following a driving offence. The courses provided under the contract are created and developed by the National Drivers Offenders Re-Training Scheme (NDORS). The purpose of the NDORS Courses is to educate drivers and reduce reoffending.
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	SWP and NWP have confirmed their approval to extend the current framework for the additional four (4) month period, to allow for completion of

	the new tender process.
3.2	Over the last four and a half (4 ½) years, TTC Group, the providers of the NDORS, has provided an excellent service for the forces, delivering a quality service to the public in each force area. TTC Group assists with any specific requirements and attends quarterly review meetings to ensure the contract remains fit for purpose and in compliance with contractual requirements.
3.3	For the extension period TTC Group will continue to deliver the full suite of NDORS courses in English and Welsh. The courses they provide are listed below; <ul style="list-style-type: none"> • National Speed Awareness • National Speed Awareness 20 • National Driver Alertness • RIDE • What's Driving Us? • Driving 4 Change
3.4	Offenders are able to book courses up to 3 months in advance and by the end of January 2019 there will not be any course dates available and the forces will not be able to offer courses.
3.5	There are no available frameworks/contracts available for the additional four (4) months that the Commissioner can utilise for the extension period.
4.	<u>NEXT STEPS</u>
4.1	On approval of this report, an extension document will be drafted and issued to TTC Group for signature.
5.	<u>FINANCIAL CONSIDERATIONS</u>
5.1	The cost of the courses is paid for by the offender directly to TTC Group, the forces do not incur any costs.
5.2	The estimated Gwent expenditure for the extension period is £600,000.
5.3	The estimated value for the four (4) month extension across the three forces is £1,800,000. The estimated value is based on the number of courses undertaken in the period July 2017 to December 2017.
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	There are no personnel considerations applicable for this extension. Transfer of Undertakings Protection of Employment (TUPE) does apply to this contract.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	The original procurement process was carried out in accordance with the European Union Directives and the Manual of Corporate Governance. Legal advice has been sought and included into this report.
7.2	The proposed extension period is not provided for under the terms of the

	original contract and therefore any further extension is not permitted.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
8.1	This proposal has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.
8.2	In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.
9.	<u>RISK</u>
9.1	There is a risk that this 4 (four) month extension may be challenged by a competitor to our contracted provider. For the previous six month extension a VEAT notice was issued. Legal Services have advised there is no benefit of doing this this time as the small risk of challenge shall be mitigated by the new tender going live in early February.
9.2	Should the extension not be approved the 3 forces utilising this contract will not be able to provide driver education rehabilitation courses to the public.
10.	<u>PUBLIC INTEREST</u>
10.1	Following approval of this report by the Police and Crime Commissioner, this document will be made available to the public.
11.	<u>CONTACT OFFICER</u>
11.1	Sian Gunner, Interim Head of Procurement
12.	<u>ANNEXES</u>
12.1	None.

For OPCC use only

Office of the Chief Constable

I confirm that Provision of National Driver Offender Rehabilitation Courses report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for approval purposes.

Signature:



Date: 25/01/2019

Police and Crime Commissioner for Gwent

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.

The above request has my approval.

Signature:



Date:

31/1/19