

# HAMPSHIRE COUNTY COUNCIL

## Decision Report

<b>Decision Maker:</b>	Executive Member for Highways Operations
<b>Date:</b>	23 September 2021
<b>Title:</b>	Future Partnership Arrangement for MiDAS
<b>Report From:</b>	Director of Economy, Transport and Environment

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### Purpose of this Report

1. The purpose of this report is to seek approval to enter into a Partnership Agreement with the Community Transport Association and Motability to continue the development and operation nationally of the Minibus Driver Assessment and Training Scheme (MiDAS), subject to a satisfactory outcome of negotiations.
2. The report also seeks delegated authority for the Director of Economy, Transport and Environment to agree and finalise the detailed arrangements of any Partnership Agreement, according to the principles set out in Section 14 of this report and enter into and manage any resulting Partnership Agreement for its duration.
3. MiDAS is recognised nationally as a standard for minibus driver assessment and training, making a key contribution to improving driving standards and minibus safety whilst also influencing and shaping the delivery of passenger transport services. These proposals will provide a future framework to develop and operate MiDAS whilst continuing to promote this as the national standard for minibus driver training across the UK.

### Recommendations

4. That the Executive Member for Highways Operations approves that Hampshire County Council enters into a Partnership Agreement with the Community Transport Association and Motability to continue the development and operation nationally of the Minibus Driver Assessment and Training Scheme (MiDAS), subject to a satisfactory outcome of negotiations.
5. That the Executive Member for Highways Operations approves the principles set out in this report, and that authority is delegated to the Director of Economy, Transport and Environment to develop the detail and finalise the arrangements

for any Partnership Arrangement according to these principles in consultation with the Head of Legal Services.

6. That authority is delegated to the Director of Economy, Transport, and Environment, in consultation with the Head of Legal Services, to enter into a Partnership Agreement and to manage the scheme for its duration.

### **Executive Summary**

7. This report identifies an opportunity to work with two other organisations on the future development and delivery of MiDAS. Both organisations, the Community Transport Association (CTA) and Motability, recognise the benefits MiDAS offers to the safety of passengers travelling in minibuses. The proposed mechanism in the report for this joint working arrangement is a Partnership Agreement. Initial negotiations on a possible joint working arrangement have been taking place with both parties.
8. This report seeks approval for the Council County to continue negotiations with both parties, and if agreement can be reached, to enter into a Partnership Agreement with both. The report also seeks delegated authority for the Director of the Economy, Transport and Environment Department to agree the actual detail of the Partnership Agreement in consultation with the Executive Member for Highways Operations
9. The joint working arrangement will help to maintain the position of MiDAS in the market as the national standard for minibus driver assessment and training in the non-profit making sector. It will also provide the framework for developing a MiDAS training offering to other providers, for example commercial operators undertaking contract work for local authorities, who do not currently access this training. This will allow MiDAS to influence and shape the delivery of passenger transport services, both within and outside of Hampshire, across a wider range of passenger transport sectors and providers.

### **Contextual information**

10. MiDAS was developed and introduced by Hampshire County Council in 1995. The scheme was designed to offer assessment and training to minibus drivers in educational establishments, local authorities and the voluntary sector. The scheme aims to ensure that drivers have the required skills to safely drive a minibus and transport passengers safely with a particular focus on the needs of older and disabled passengers.
11. Training is provided on a cascade basis with MiDAS training trainers who then assess and train drivers in their own organisations. Regular Refresher Training for both trainers and drivers aims to maintain the standard of MiDAS drivers. A similar MiDAS training scheme is also available to passenger assistants used on minibuses. MiDAS is currently used by a number of departments within the County Council including Childrens' Services and Adult, Health and Care.
12. Following national interest, MiDAS was made available to organisations across the UK through an arrangement between the County Council and the Community Transport Association (CTA). The CTA are recognised as the figurehead organisation nationally for community transport operators across the

UK and were well placed to offer this training nationally. The current arrangement with the CTA is due to expire on 31 March 2022.

13. MiDAS has served the County Council well for 25 years. However, the scheme has become outdated and now needs to be refreshed and modified to ensure it continues to meet market needs and make use of the latest training practices and technology. The target for completing this exercise is April 2022 when the next round of Refresher Training is due. With the redesign of the scheme there is the opportunity to develop a training offering to other providers, for example commercial operators undertaking contract work for local authorities, who do not currently access this training. This would extend the influence and market shaping which MiDAS can contribute to across a wider range of passenger transport providers.

### **Partnership Agreement**

14. As the redesign of MiDAS takes place for April 2022 there is an opportunity for the County Council to undertake this work in partnership with the CTA. This would see both parties resourcing and completing this work with joint ownership of the resulting redesigned MiDAS product.
15. A third party, Motability, who currently provide leased vehicles to disabled people, has also expressed an interest in being involved in the proposed partnership. Motability sees MiDAS as a product that will benefit the delivery of community transport services and more widely the specific transport needs of disabled people. Motability offers the opportunity to co-design training materials with disabled people thus ensuring that MiDAS offers the most relevant training for the needs of disabled people. They could also help with the resourcing of the redesign and scaling up of the MiDAS training offer across the UK.
16. The Council is currently engaged in discussions with both parties about the possible arrangements for a Partnership Agreement. This will set out how the parties would work together to redesign, develop and operate MiDAS over the period of an agreement, potentially up to 10 years, and include areas such as governance, process, operational and funding arrangements. Progress has already been made on reaching an outline agreement for many of these areas. Under this arrangement the County Council would continue to be responsible for the administration of MiDAS in the County of Hampshire, Southampton, Portsmouth and the Isle of Wight with the CTA being responsible for the rest of the United Kingdom.
17. This report seeks approval for the Council County to continue negotiations with both parties, and if agreement can be reached, to enter into a Partnership Agreement with both.
18. The report also proposes that authority is delegated to the Director of Economy, Transport and Environment, in consultation with the Head of Legal Services, to agree and finalise the detail of a Partnership Agreement according to the following principles:
  - a) Offers public as well as commercial value, given the business of the Council, which benefits service users by ensuring that the transport market offers safe customer focused transport, which promotes inclusion and equality.

- b) The ongoing costs of developing and maintaining MiDAS being shared with other partners on a lawful full cost recovery basis.
  - c) The costs to the Council of developing and operating MiDAS being contained within its available resources.
  - d) The opportunity to bring a financial return to the Council through a proposed training levy on people trained through the scheme nationally.
  - e) The Council retaining at least 50% ownership of any future MiDAS products.
  - f) A commitment to develop a training offer to commercial operators to raise standards on contracted services.
  - g) Good partnership principles of quality and fiscal management which ensure that the Council's key outcomes are being met at all times.
19. The report also proposes delegated authority for the Director of Economy, Transport and Environment to enter into and manage any resulting Partnership Agreement for its duration to prevent the need for any further reporting. The proposed Partnership arrangement will provide a framework for redesigning and operating MiDAS in the future, ensuring that the training offer has an appeal across the widest possible range of transport providers, whilst also providing the necessary infrastructure for the MiDAS training offer to be scaled up across the UK.
20. The proposed arrangement will enable MiDAS to continue to make a key contribution both locally and nationally to improving driving standards and minibus safety for passengers. Given the reach of the Community Transport Association, the County Council's influence in the local authority sector and the resources which Motability can bring to the Partnership, it should also ensure that MiDAS continues to be promoted as the national standard for minibus driver training in the future.
21. It will also ensure that the ongoing costs of developing and maintaining MiDAS are shared with other partners. In addition, the arrangement is expected to bring a modest financial return to the Council through a proposed training levy on everyone trained through the scheme nationally.

## **Finance**

22. The cost of the MiDAS redesign, including that of moving some of the training to online e-learning modules and expanding the training offer to commercial operators, would be shared by the three partners. The County Council's contribution is expected to be met from within existing Passenger Transport Budgets. The cost of developing Refresher Training is normally met from within these budgets and the pace at which training is moved on-line will be dependent upon the availability of finances.
23. The MiDAS redesign is primarily aimed at continuing to provide a relevant training product which will help to ensure a common high standard across the delivery of transport services which will both maintain and improve passenger safety and thus mitigate against the ever-present risks. There is, however, the potential for the scheme to offer a modest financial return to the Council through a proposed training levy for everyone trained through the scheme nationally.

## **Consultation and Equalities**

24. The proposals in this report have been developed with due regard to the requirements of the Equality Act 2010, including the Public Sector Equality Duty and the Council's equality objectives. The proposals should result in an improved training offer to drivers and passenger assistants involved in providing minibus transport. Many of the passengers who travel on these minibuses will be older and disabled people. The development of the revised training offer will also involve co-design with disabled people to ensure that this training reflects their specific needs. Extending the MiDAS training offer to the commercial sector should also result in an improved transport experience for a wider number of older and disabled people. There should therefore be a positive impact upon those with protected characteristics as a result of the proposals in this report.

## **Climate Change Impact Assessments**

25. The proposals in this report are still considered to have a positive impact on the climate. The proposed Partnership Arrangement will support the ongoing provision and development of training for drivers of passenger transport vehicles which as well as offering safe transport will also have a positive impact on the climate because these vehicles transport groups of people resulting in less journeys being made by individuals in cars. Given the plans to scale up the offer of MiDAS training and develop community transport services and extend this training to commercial operators, the proposals in this report should make a positive contribution to carbon reduction.
26. As identified by the County Council's adaptation assessment tool, no climate variables have been identified as being a vulnerability to the scheme as there is no dedicated infrastructure required for this project, being administrative in nature.

## **Conclusions**

27. This report sets out the opportunity for the County Council to work together with two partners, the Community Transport Association and Motability, on the future development and operation of MiDAS. This will be achieved through the parties working together under a proposed Partnership Agreement.
28. The Partnership will provide the framework for redesigning MiDAS and ensuring that the training offer has an appeal across a wider range of transport providers who may not have previously used MiDAS. It will also enable the MiDAS offer to be scaled up across the UK.
29. The arrangement will ensure that MiDAS continues to make a key contribution both locally and nationally to improving driving standards and minibus safety for passengers. It should position MiDAS as the national standard for minibus driver assessment and training with the scheme making a key contribution to improving driving standards and minibus safety across all passenger transport sectors both within and outside of Hampshire.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	no
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	no
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	no

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

None

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

The proposals in this report have been developed with due regard to the requirements of the Equality Act 2010, including the Public Sector Equality Duty and the Council's equality objectives. The proposals should result in an improved training offer to drivers and passenger assistants involved in providing minibus transport. Many of the passengers who travel on these minibuses will be older and disabled people. The development of the revised training offer will also involve co-design with disabled people to ensure that this training reflects their specific needs. Extending the MiDAS training offer to the commercial sector should also result in an improved transport experience for a wider number of older and disabled people. There should therefore be a positive impact upon those with protected characteristics as a result of the proposals in this report.