



**Lancashire
Constabulary**
police and communities together

JOINT MANAGEMENT BOARD

ITEM 5	DATE: 7 JULY 2015
NATIONAL DRIVER OFFENDER RETRAINING SCHEME (NDORS) (Appendix A refers)	
REPORT BY: LARA BARR, CENTRAL PROCESS UNIT MANAGER	

Executive Summary

To permit the use of qualified advanced driving instructors and suitably qualified trainers to deliver the National Driver Offender Retraining Scheme (NDORS) courses to allow sufficient time to undertake a fully compliant procurement process for November 2016.

Recommendation

The Police and Crime Commissioner is recommended to waive contract standing order 3.1.2 to permit the use of qualified advanced driving instructors and suitably qualified trainers to deliver the National Driver Offender Retraining Scheme (NDORS) courses for a period of 12 months from 2nd November 2015 to allow sufficient time to undertake a fully compliant procurement process for November 2016.

Signature	Signature
Police and Crime Commissioner	Chief Constable
Date	Date

1. Background and Advice

- 1.1. Following research and analysis by a small project team in early 2014 it was identified that the NDORS service provision in Lancashire could be managed and administered by Lancashire Constabulary in a more effective and efficient way.
- 1.2. Use of alternative venues would provide a better quality of service to motorists completing their courses in Lancashire and efficiency savings in respect to staffing were also identified; a formal decision for the force to adopt the courses was subsequently taken by ACPO and on 28/10/14 the Constabulary served 12 months' notice (as per the protocol agreement) on Lancashire County Council (LCC).
- 1.3. In addition, following the introduction of a self-funding model for the Central Process Unit and the associated increase in NDORS course fees to £95, a further objective was to decrease Lancashire's course fees to bring them in line with other regional service providers; from 01/11/15 the course fees will be reducing by £10 to £85 per course (excluding National Driver Improvement Course) and the opportunity to make further reductions will be considered once the project has been running for 12 months.
- 1.4. In July 2015 in readiness for the delivery of NDORS courses (from 02/11/15) the force will be required to publish course dates and times so motorists can review availability in Lancashire before booking.
- 1.5. The venues have been identified and procured, however appropriate trainers will need to be booked prior to 02/11/15 to ensure the courses can be delivered in line with the National Driver Offender Retraining Policy.
- 1.6. At present, LCC pay a number of advanced driving instructors and suitably qualified trainers to deliver the courses on a fixed hourly rate of £22 per hour. LCC have confirmed that the individuals are not under a formal contractual arrangement and they are booked on an ad hoc basis, based on availability and suitable experience/qualifications. It should also be noted that TUPE regulations would not apply as each individual is only undertaking a few hours on an ad hoc, self employed basis.
- 1.7. In order to ensure continuity of the service from November Lancashire Constabulary intend to follow a similar process and have contacted LCC's trainers to explain the transition of responsibility for course delivery from November 2015 and offer them an opportunity to continue to present courses in Lancashire for the next 12 months.
- 1.8. The same rate of pay is being offered at this time (£22 per hour) and the presenters will be asked to agree to a set list of terms and conditions before they can be engaged.
- 1.9. The National Driver Offender Retraining Scheme insist each trainer is internally monitored once a year and they also perform external auditing once every 2/3 years. Certain qualifications must also be evidenced e.g. behavioural specialism

required for the Rider Intervention Developing Experience course (RiDE) along with suitable insurance for practical courses. Therefore, quality monitoring systems will be in place with appropriate reviews to ensure a professional and qualitative delivery to the motorists of Lancashire.

1.10. Based on current projections in relation to the volume and duration of courses, it is anticipated that the potential aggregate value for all trainers will be in the region of £335K per annum. This figure will be spent with a large number of individuals (approx. 70) and thus average individual spend with each trainer will be in the region of £4785 per annum. There isn't sufficient time or resource available to support an immediate full procurement process. It is therefore requested that Lancashire Constabulary adopt the procedure utilised by LCC for a 12 month period from 2nd November 2015 and a fully compliant OJEU tender process will be undertaken for a contract start date of November 2016.

1.11. Therefore, this is a request for the approval for the waiving of contract standing order 3.1.2 to permit the use of qualified advanced driving instructors and suitably qualified trainers to deliver the National Driver Offender Retraining Scheme (NDORS) courses for a period of 12 months from 2nd November 2015 to allow sufficient time to undertake a fully compliant OJEU procurement process for November 2016

2. Links to the Police and Crime Plan

2.1. To reduce offending and anti-social driving and protect vulnerable people

3. **Consultation** - N/A

4. Implications

4.1. By authorising the use of these individuals the force will be able to deliver the extended suite of NDORS courses from the agreed start date in November 2015. However, by not permitting the use of existing trainers without a full procurement exercise the Constabulary will not have sufficient trainers to present the courses from November 2015.

- a. **Legal** – N/A
- b. **Financial** – N/A
- c. **Equality considerations** – N/A

5. Background Papers

6. Public access to information

Information in this form is subject to the Freedom of Information Act 2000 and other legislation.

Part 1 of this form will be made available on the PCC website within 3 working days of approval. Any facts/advice/recommendations that should not be made available on request should not be included in Part 1 but instead on the separate Part 2 form.

Officer declaration	Date
LEGAL IMPLICATIONS – As above	
FINANCIAL IMPLICATIONS – As above	
EQUALITIES IMPLICATIONS – As above	
CONSULTATION – As above	
<p data-bbox="156 689 1286 723">Director to the Office of the Police and Crime Commissioner (Monitoring Officer)</p> <p data-bbox="156 759 1374 891">I have been informed about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lancashire.</p> <p data-bbox="156 960 1174 994">Signature.....Date.....</p>	