

## **Schools Forum – December 2018**

### **Matters Arising: Catering Contract**

#### **Background**

At the October meeting, a member of Forum raised concerns over visibility of what was believed to be a 12p per meal admin charge received by the Council in respect of the schools catering contract.

It was then noted by the Chairman that Schools Forum guidelines and responsibilities required the Council to bring the details of any contract for school to Schools Forum before the contract was tendered.

Subsequently to the meeting further queries were raised on Broadband & ICT services that were subject to retender.

#### **Catering Contract**

The schools catering contract is operated as a traded service. Individual schools therefore have the option on whether to buy-in or not and, as such, any retender would not fall under the criteria set out in the 'Schools forum powers and responsibilities' guidance, published by the DfE.

The Council funds the maintenance and upkeep of kitchens for schools who buy-in to the contract through the management charge levied for the service and an element of non-ring-fenced capital funds. The supplier operates a profit share (rebate) with the Council based on the overall performance of the contract each year. This is completely independent of the management fee paid by schools. The level of rebate received from the contract in the last financial period did not exceed the investment made by the Council under the current contract.

There is no agreed rate per meal, and therefore it is unclear where the quoted 12p was derived from.

Where schools who have bought into this traded service have further questions, these should be raised through their normal contract monitoring route. On the recent retender, full information was made available to schools to allow them to make an informed commercial decision about whether or not the contract is right for them.

In response to a question raised at the Bursars Briefing on 22<sup>nd</sup> November, if a school who has previously bought in has chosen not to renew when the contract expires in July 2019, the fee for 2019/20 will be pro-rata for the April to July period only. Those schools who have chosen to continue to buy in will be charged the single annual fee in April for the financial year in the usual manner.

## **Broadband & ICT**

As with the catering contract, both Broadband and ICT operate as a traded service where schools make individual decisions on buying-in.

### Schools Broadband

Approaching the end of a 3 year initial term and schools/academies have recently had free choice about whether to sign up for the 2 year contract extension 1 April 2019-31 March 2021. All but two of the schools/academies currently contracting signed up again.

### 'Schools MIS (Capita SIMS)'

Coming to the end of a two year contract extension, but schools/academies have just signed up individually to extend by one further year Apr 2019-Mar 20. During next year we expect to run a procurement to identify the Schools MIS supplier from April 2020.

### 'ICT/Online Safety Advice, Support and Training' and 'Schools Secure Email'

Work on an annual sign up, so don't have the same multiyear contracts as Broadband and Capita SIMS.

## **Summary**

DfE guidance on the roles and responsibilities of Schools Forum states that the Local Authority 'proposes at least one month prior to invitation to tender, the terms of any proposed contract' where entering into a contract to be funded from the schools budget.

The view of WBC is that where contracts are being taken forward in respect of a traded service, the above would not apply. Individual schools have the option to buy-in or not, and have access to advice and information on the terms of the contract to allow them to make that decision.

Should a school who is bought into a particular service have concerns over the contract at any time, then this should be raised through the usual contract monitoring routes.