

Report to Chief Officer (Highways and Transportation)

Date: 27 February 2018

Subject: Request to Waiver of Contract Procedure Rules 8.1 and 8.2 to subscribe to the National Highways and Transportation Customer Satisfaction Survey

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The Best Council Plan includes objectives to undertake effective maintenance of highways assets, to engage with citizens and to be the best city in the UK by 2030.
2. The latest national best practice for the delivery of highway maintenance supports these aspirations and recommends the use of a customer satisfaction survey to influence service delivery and share best practice.
3. The National Highways and Transportation Network offer a nationwide customer satisfaction survey that has already been adopted by 112 local authorities that provides engagement with citizens about local highway maintenance and facilitates national benchmarking and sharing of best practice.
4. Leeds City Council has participated in the survey for the last three years
5. This report seeks authority to waiver Contract Procedure Rules to engage the survey directly as there is no comparable alternative.

Recommendations

6. The Chief Officer (Highways and Transportation) is requested to waive Contract Procedure Rules 8.1 and 8.2– Intermediate Value Procurements - and approve the annual subscription to the National Highways and Transportation Public Satisfaction Survey for a period of up to three years without seeking competition.

1. Purpose of this report

1.1. The purpose of this report is to seek approval from the Chief Officer, Highways and Transportation, to waive Contract Procedure Rule 8 (Intermediate Value Procurement, contracts between £10k and £100k), to subscribe to the National Highways and Transportation Public Satisfaction Survey (NHT survey) for a period of up to three years at an annual cost of £14,630 (based on 2017) without seeking competition.

2. Background information

2.1. The NHT survey collects public perspectives on, and satisfaction with, Highway and Transport Services in local Authority areas. It is a unique, standardised, collaboration between Highway Authorities across the UK enabling comparison, knowledge sharing, and the potential to improve efficiencies by the sharing of good practice.

2.2. The NHT survey gives participating authorities:

- A better understanding of how they are performing in the eyes of their public
- A consistent datum for setting service levels and a means of measuring the impact of service improvements
- Access to the best performers and the opportunity to learn from the good practice of others
- Full transparency of data for benchmarking purposes

2.3. The Department for Transport (DfT) award additional funding for highway maintenance, via the Incentive Fund which is subject to authorities being assessed to be implementing efficient asset management principles. One of the key assessment criteria for authorities is communication and stakeholder engagement. DfT are keen to see that authorities understand the road user perceptions of highway maintenance and recommend that perception surveys are undertaken. The NHT survey is cited as good practice and brings the benefit of being able to compare results across the region and nationally. Failure to undertake road user perception surveys will lead to a reduction in our DfT efficiency score when being assessed for additional reward funding.

2.4. Leeds City Council has subscribed to this survey for the last three years and along with the other West Yorkshire Combined Authority members have agreed that the use of this survey is beneficial to determine highway asset management strategy. All six authorities have agreed to continue participating. The results will be used to compare the perception of maintenance across the region against any differences in current strategy to work towards aligning maintenance interventions to stakeholder needs.

2.5. The alternative that has been used to date is the West Yorkshire Combined Authority Tracker Survey. This survey focuses more on transport in its wider sense rather than highway maintenance. It includes similar questions to the NHT survey but is bespoke to West Yorkshire and as such does not provide a national perspective of performance. The benefits of the NHT survey provide value for money in respect of the assessment of the authority in delivering best practice and the comparisons that can be made with others to identify learning opportunities.

2.6. The NHT survey is provided by annual subscription and managed by Measure2Improve through the National Highways and Transportation Network with assistance from Ipsos Mori.

3. Main issues

3.1. Reason for Contracts Procedure Rules Waiver

3.1.1. The NHT survey is the most widespread national customer satisfaction benchmarking survey available with around 112 local authorities participating annually. It has been operating since 2008 as a national benchmarking tool. Leeds has been participating since 2015

3.1.2. The NHT survey and its benchmarking opportunities are only available through the National Highways and Transportation Network and there is no known alternative independent comparative national benchmarking available.

3.1.3. The alternatives to the proposal will involve generating a Leeds own survey using the questions taken from the NHT survey. This would allow an indirect comparison with other authorities and take significant staff time in generating the questionnaires, postage and analysis. The benefits of the NHT survey with the already tried and tested approach and national benchmarking opportunities therefore present value for money.

3.2. Consequences if the proposed action is not approved

3.2.1. If approval is not given to waive Contract Procedure Rules in order to subscribe to the NHT survey it will not be possible to undertake a standardised customer satisfaction survey that facilitates national benchmarking of highway services. There is no recognised alternative that provides this service.

3.2.2. The lack of customer satisfaction measures will lead to a lower score in the DfT assessment of reward funding which may lead to a reduction in grant funding for highway maintenance.

4. Corporate Considerations

4.1. Consultation and Engagement

4.1.1. This decision is primarily related to the support of service provision within Highways and Transportation, so no formal consultation has been undertaken.

4.2. Equality and Diversity / Cohesion and Integration

4.2.1. The engagement of customer satisfaction surveys is not applicable for an Equality, Diversity, Cohesion and Integration Screening / Impact assessment to be undertaken at this time.

4.3. Council policies and City Priorities

4.3.1. A dedicated customer satisfaction survey for highway maintenance will support the Best Council Plan priority of maintaining highway assets to meet the needs of the road users.

4.3.2. Measuring the customer satisfaction with highway maintenance accords with the Best Council Plan Social Contract aspirations.

4.4. Resources and value for money

4.4.1. Subscription to the survey will cost approximately £15,000 for the 2018/19 financial year and is renewable annually. Costs will be taken from revenue cost code 27804.

4.4.2. The cost to undertake a similar exercise in-house and present the findings in a similar style to NHT would be between £5,000 and £9,000. The methodology would be different and so the benchmarking opportunity would be compromised. It is difficult to put a value on the benefits of the benchmarking. Wakefield Council have been subscribers to the service for over five years and they consider that the independence of the survey and the benchmarking benefits outweigh any additional cost to undertaking the survey in-house.

4.4.3. The DfT Incentive Fund grant is worth up to £4.474m over the next three years with. An independent survey such as the NHT survey will contribute towards achieving the criteria for this element of funding.

4.4.4. The NHT survey is considered to represent value for money.

4.5. Legal Implications, Access to Information and Call In

4.5.1. The report is a significant operational decision and is not subject to Call In. There are no grounds for treating the contents of this report as confidential with the Council's Access to Information Rules.

4.5.2. Awarding the contract directly to Measure2Improve in this way could leave the Council open to a potential claim from other providers to whom this contract could be of interest. It is up to the Council to decide what degree of advertising is appropriate. In particular, consideration should be given to the subject-matter of the contract, the estimated value, the specifics of the sector concerned (size and structure of the market, commercial practices, etc.) and the geographical location of the place of performance.

4.5.3. This has been considered, and given the nature and of the services provided and benefits brought by the adoption of the NHT survey by 78 authorities including the rest of WYCA only the NHT survey can offer this level of customer satisfaction survey.

4.5.4. There is a risk of an ombudsman investigation arising from a complaint that the Council has not followed reasonable procedures, resulting in a loss of opportunity. Obviously, the complainant would have to establish maladministration. It is not considered that such an investigation would necessarily result in a finding of maladministration however such investigations are by their nature more subjective than legal proceedings.

4.5.5. Whilst making the decision, the Chief Officer (Highways & Transportation) should acknowledge the risks identified above.

4.6. Risk Management

- 4.6.1. Although there is no overriding legal obstacle preventing the waiver of CPR 8.1 and 8.2. In making their final decision, the Chief Officer (Highways and Transportation) should be satisfied that the course of action chosen represents Best Value for the Council.

5. Conclusions

- 5.1. The NHT survey offers a unique service to undertake a customer satisfaction survey that facilitates benchmarking across 78 local authorities including all other West Yorkshire Combined Authority partners. The adoption of such a survey will allow the authority to benchmark highway maintenance services and satisfy the minimum requirements for stakeholder engagement in the pursuit of DfT reward funding for asset management.
- 5.2. As such the subscription to the service represents value for money and the waiver of Contract Procedure Rule 8.1 and 8.2 is an appropriate course of action.

6. Recommendations

- 6.1. The Chief Officer (Highways and Transportation) is requested to waive Contract Procedure Rules 8.1 and 8.2 – Intermediate Value Procurements - and approve the annual subscription to the National Highways and Transportation Public Satisfaction Survey for a period of up to three years without seeking competition. .

7. Background documents

- 7.1. None