

Agenda Item: 7

Report to: Schools Forum  
Date: 12 July 2019  
Title of Report: Services to Schools Terms and Conditions  
By: Roger Snell, Orbis Schools Lead  
Purpose of Report: To inform Schools Forum about updated terms and conditions for traded services to schools

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**Recommendation:** Schools Forum are asked to note the updated terms and conditions outlined in the report and share with the wider schools network.

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## 1. Purpose of Report

1.1 To inform Schools Forum about the updated terms and conditions for the traded services and provision provided by ESCC to schools, academies and educational providers and to provide clarity for the contractual agreements in place.

## 2. Background

2.1 The Authority provide a diverse range of traded services and provision to schools, academies and educational settings delivered in a variety of delivery models including multi-year contracts, annual contracts and Pay-As-You-Use (PAYU).

2.2. These services are delivered directly by the Authority, through the Orbis shared services partnership and Childrens' Services and in managed contracts with third parties.

2.3 The delivery of the traded provision to schools is coordinated by a central dedicated Services 2 Schools team with a one-stop- shop purchase of services delivered through the Webshop purchasing system.

2.4 Details of the current traded services terms and conditions (T&Cs) are viewable via the Webshop system with the explicit acceptance of these T&Cs required for the purchase of any traded service.

2.5 The current T&Cs need to be reviewed and updated to comply with new GDPR legislation and to provide clarity for the novation of services and contracts of traded provision following academisation.

2.6 During the 2019/20 buyback of services, there was feedback from schools that the current terms and conditions were not always easy to navigate and lacked accessibility for individual services areas.

### **3. Proposed Changes**

3.1 The purpose of this report is to outline details of the updated terms and conditions and to provide transparency and clarity of these contractual agreements to ensure schools and academies can make informed decisions, in a timely manner, about their current and future traded services provision.

3.2 The new terms and conditions can be seen, as set out in Appendix 1 and 2. These have been updated for GDPR compliance with the terms remaining the same as the current agreed contracts.

3.3 The standard notice period for services will remain at 6 months, unless there is a third party reliance on software/ licenses or contracts that have been procured by the services on the schools behalf. These contracts already hold longer notices, so there is no change from the current operating model. There are different sets of terms for the following contracts:

- Directly provided services
- Directly provided services with dependencies on third party services, third party software or applications
- Services provided or managed through 3<sup>rd</sup> party agreements, contracts and frameworks

3.4 The new annual contract terms will be implemented in line with the 2019-20 academy buy-in process in September 2019. All maintained schools will be communicated and provided access to the new Terms and Conditions available via the Webshop system.

3.5 In providing more transparency, schools will be able to view details of each service and their contractual agreements via dedicated service level agreements. These will be pre-loaded on the Webshop to ensure schools can view, download and save a copy when they make a purchase.

### **4. Communication and Future Developments**

4.1 The proposed updates to the Terms and Conditions were outlined at the Business Lead Area Forums which took place throughout June across the county. Business Managers welcomed the approach and echoed earlier feedback for clarity and transparency of the contractual agreements to ensure they can make informed decisions with their Senior Leadership Team.

4.2 Going forward, the possibility of rolling contracts will be consulted on, to further simplify the buy-in process and allow schools to add or remove to existing provision and services rather than administering the re-purchase of the whole catalogue. This would be helpful for Federations or Multi Academy Trusts, whereby one individual currently purchases on behalf of a number of schools individually a number of times

4.3 To further support the purchasing process, the Services 2 Schools Team and respective traded services teams are exploring options to provide details about future traded pricing and provision earlier to help facilitate strategic and budgetary taking place within schools and MATs.