

## **Cabinet**

**29 July 2025**

### **Gateway 1 Project Commencement/Options Appraisal - Medway Test**

Portfolio Holder: Councillor Tracy Coombs, Portfolio Holder for Education

Report from: Lee-Anne Farach  
Director of People & Deputy Chief Executive

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#### Procurement Overview

Total Contract Value (estimated): £1,514,982

Regulated Procurement: Yes

Proposed Contract Term: 36 months plus 3x24 month extension options

#### Summary

This report seeks permission to commence the procurement of the Medway Test Contract.

#### 1. Recommendation(s)

1.1. The Cabinet is asked to acknowledge the contents of this report and approve the recommendations, to:

1.1.1. Pursue the procurement of the delivery of the Medway Test as per the preferred option identified in paragraph 7.2.5.

1.1.2. To entrust the client lead to finalise the quality questions initially proposed in 7.5.1.

1.1.3. To agree the undertaking of the designed procedure as illustrated in paragraph 7.2.5.

1.1.4. To agree that the procuring officer will not seek a PCG/Bond.

## 2. Suggested reasons for decision(s)

- 2.1. To ensure that an appropriate contract is awarded for a provider to deliver the Medway Test through a robust process.

## 3. Budget & Policy Framework

- 3.1. The Medway Test is undertaken annually to ascertain which pupils are deemed to be of grammar ability and so qualify for entry into one of the six grammar schools in Medway. This forms part of the wider statutory duty of the Local Authority to ensure all pupils can access a suitable school place and supports the Council Plan priority of Medway's children achieving their potential in schools.
- 3.2. The current contract expires in January 2026. The Medway Test Team will need to start planning the September 2026 test with the successful supplier from January 2026 in order for the tests to be written and relevant arrangements to be made in time.

## 4. Background Information and Procurement Deliverables

### 4.1. Background Information

- 4.1.1. The successful contractor will provide Medway with the tools to undertake the Medway Test annually which includes a three-paper test for approximately 4,500 pupils taken in September each year.
- 4.1.2. This will require the timely delivery of sufficient documents and test paper to enable the test to be taken on the set days, the collection of papers for marking and the timely production of results to meet strict deadlines.
- 4.1.3. Whilst the Medway Test is bespoke, there are similarities to the Kent Test in terms of the current contractor, type of assessments and timescales.

### 4.2. Procurement Deliverables

- 4.2.1. As part of the successful delivery of this procurement requirement, the following procurement project outputs / outcomes within the table below have been identified as key and will be monitored as part of the procurement project delivery process.

Outputs / Outcomes	How will success be measured?	Who will measure success of outputs/ outcomes	When will success be measured?

Successful delivery of the Medway test annually	<ul style="list-style-type: none"> <li>• All documents received and collected to time.</li> <li>• Results delivered to time and accurately</li> <li>• All documents to be quality assured</li> </ul>	The Medway Test Manager	Annually in December
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## 5. Parent Company Guarantee/Performance Bond Required

5.1. The procuring officer does not deem it necessary to seek a PCG/Bond.

## 6. Procurement Dependencies and Obligations

### 6.1. Project Dependency

6.1.1. This project is standalone and is not dependent upon another project, nor is another project dependent upon this.

### 6.2. Statutory/Legal Obligations

6.2.1. Not applicable.

### 6.3. Procurement Project Management

6.3.1. The management of this procurement process will be the responsibility of the Category Management team.

### 6.4. Post Procurement Contract Management

6.4.1. The management of any subsequent contract will be the responsibility of the School Admissions & Medway Test Programme Lead.

6.4.2. To ensure the needs of the requirement are met and continuously fulfilled post award, the following KPIs that support the delivery of the project outcomes as outlined in 4.2.1 will be included in the tender and will form part of any subsequent contract.

Title	Short Description	%/measurement criteria
Test planning	The three papers are designed and signed off by the Medway Test Manager by the deadline set in the delivery schedule. The requirements for all three tests including questions previously used in Medway	- Provider worked collaboratively with the Medway Test Manager to create test materials per the criteria set out by Medway Council

	and/or other tests have been met per the contract specifications.	<ul style="list-style-type: none"> <li>- Speed of query response times</li> <li>- Query responses were of a high quality and answered the queries</li> <li>- The deadline for test paper sign off was met</li> <li>- Criteria for test papers set out in Appendix A fully met</li> <li>- Criteria for reusing questions from other tests was fully met</li> </ul>
Test materials	The relevant test materials are provided per the requirements set by Medway Council.	<ul style="list-style-type: none"> <li>- Question booklets, answer sheets and staff manuals are delivered to the correct destination on-time (according to the delivery schedule).</li> <li>- The correct number of each are delivered.</li> <li>- Materials are of high quality and the content of the papers is as signed-off by the Medway Test Manager.</li> </ul>
Results	Results are provided to Medway Council on time and per the requirements set out in the contract.	<ul style="list-style-type: none"> <li>- Medway receives the correct number of results for all children they were expecting results for</li> <li>- Results are provided in the agreed format</li> <li>- There are no mathematical errors in the marking or results</li> <li>- The standardisation and weightings are correctly and consistently applied to every child</li> </ul>
De-brief	A de-brief involving the provider and Medway Council takes place after each test, to review performance and identify areas for improvement.	<ul style="list-style-type: none"> <li>- A de-brief takes place between each test</li> <li>- Positive processes are discussed to outline the areas of the project that worked well</li> <li>- Improvements are identified by both the provider and Medway Council</li> <li>- Actions from the de-brief are successfully implemented for the next test</li> </ul>

- 6.4.3. The KPIs as denoted within paragraph 6.4.2 will be monitored on an annual basis. Those not performing will be reported to the next available CADMT meeting for discussion and agreed remedial action.

## 7. Market Conditions and Procurement Approach

### 7.1. Market Conditions

- 7.1.1. This is a limited market, with few providers to deliver the various 11+ tests across the country. The Medway Test is a bespoke test with strict requirements around how and when questions from other tests can be re-used. The procurement process must ensure that the winning contractor can deliver the required service to Medway and not be overburdened with similar contracts nationwide resulting in poor performance and risk to the Medway Test.

### 7.2. Procurement Options

- 7.2.1. The following is a detailed list of options considered and analysed for this report:
- 7.2.2. Option 1 – Do nothing: This option is not practical as the current contract is due to expire. Without a contractor the test would not be delivered and there would be no discernible way of determining eligibility for grammar schools, which makes up approximately one third of each cohort.
- 7.2.3. Option 2 – Extend the current contract: The current contract expires 31 January 2026 following an exemption to extend it. This cannot be extended any further.
- 7.2.4. Option 3 – Utilise a framework or existing contract to meet this need: No suitable framework exists.
- 7.2.5. Option 4 – Competitive procurement: This is the favoured option as it will provide the opportunity to secure the longer-term future of the test as well as make variations to align the contract with the updated requirements of the test. Medway Council will be able to demonstrate it has followed due process in achieving those aims.
- Open (single stage) Procedure: The Medway Test has well defined requirements with few known suppliers. A single-stage procedure would be sufficient to thoroughly determine what each bidder is able to offer and how well they meet the criteria, without the need for further questions which would prolong the process more than is necessary.

### 7.3. Contractual synergies

- 7.3.1. There are no similar contractual arrangements within the organisation that could be combined with this opportunity.

## 7.4. Advice and analysis

7.4.1. Option 4 is the preferred option as the other options are either not possible, practical or legal.

7.4.2. It is recommended that the contract length be a 36-month term with the option to extend for 3x24 months by mutual agreement.

## 7.5. Evaluation Criteria

7.5.1. 40/60 price to quality, to ensure that the most advantageous price is realised whilst enabling every facet of the test required to successfully deliver the test is in place. The winning provider will be overseen and scrutinised by the Education Access Team.

7.5.2. Whilst not finalised at this stage, Officers propose to evaluate bidders against the following quality criteria within the tender.

#	Question	Weighting (%)	Purpose
1	Ability to deliver. Please confirm that your organisation has the ability to deliver all element of the specification. Should you not be able to evidence any area(s) of the specification then please detail below how you will ensure you will comply regardless. Please specify any element of the work stream you would outsource.	2	Obtain a high-level overview of the organisation's abilities.
2	Fulfilling requirements. Please provide details of how you will fulfil the requirements of the specification in the following areas: <ul style="list-style-type: none"><li>• Test development prior to test window</li><li>• Print and delivery of test materials prior to test window</li><li>• Marking and results after tests have been sat</li></ul>	2	Obtain a high-level overview of the organisation's understanding of our requirements and how they would fulfil the different elements of them.
3	Programme. Provide a programme delivery schedule in the form of a Gantt Chart illustrating key dates of delivery. If possible, please identify any time savings which will lead to the overall reduction of the programme.	2	Determine whether the organisation understands the stages of the process and our deadlines.
4	Social value. Selection of questions around growth and environment.	5	A minimum 5% for social value is mandatory.

5	Confirm that you will guarantee that the test papers are bespoke to Medway Council only across the lifetime of the contract. Outline how you will ensure test questions will not appear in test papers neighbouring LAs and any other school inside or outside the Medway boundary.	0 (pass/fail)	Pass/fail question to ensure the organisation can meet our strict requirements around re-using questions from other tests and to determine the organisation has clear methods in place to do so.
6	How will you ensure that the Maths questions match high national curriculum standards in order that the paper correctly stretches and assesses the highest academic achievers within Medway?	5	Find out whether the organisation can make the test relevant to the national curriculum.
7	How can you ensure a flexible approach will be given to the strict delivery schedule set by Medway Council for example the adaptation of a test paper?	5	Whilst we have a strict schedule to adhere to, we may need to adapt as we go through the process. This will identify whether the organisation is adaptable.
8	Confirm that the question and answer papers will be error free in terms of layout, formatting, spelling, grammar and branding etc.?	0 (pass/fail)	Pass/fail question to explore the organisation's quality control measures.
9	How will you guarantee the security of the question and answer papers throughout the whole design, production and delivery process?	5	Determine whether the organisation has appropriate measures in place to keep the test papers secure both from issues that could destroy them and scenarios that could expose to the public.
10	How will you account manage our contract to ensure successful conclusions throughout the test project, including named point of contact, agreed response times, correct quantities, proofs and print etc.?	6	This is a measure of customer service and customer satisfaction.
11	What flexible approach will you offer on modified papers including translation, braille etc. and to provide advice and/or modified papers as appropriate with regard to specific special arrangements e.g. where it may be necessary to laminate test materials or change the colour of answer sheet or booklet printing. How will we work together to control the cost implications of such activity?	6	Due to an increasing range of requirements of our children, we need to ensure the bidder can adapt test materials to make them accessible for those with SEND.

12	How will you ensure the marking process is accurate and the results provided are correct and to our specifications?	6	To ensure the organisation has a professional marking system with strong quality assurance processes e.g. papers being scanned by optical readers more than once and manual checks taking being made by trained operators where there are any discrepancies between the scans.
13	How will you ensure there is a) a wide range of questions covering different areas and b) variety in the context of how questions are presented e.g. cross section of scenarios?	5	To determine how the bidder would provide a varied test in terms of how questions are asked. Assess the bidder's ability to cover different areas of the national curriculum.
14	How will you ensure any changes highlighted by Medway regarding the presentation of test booklets and familiarisation guide are followed through in the next active year?	5	Measure how effective the bidder would be at correcting issues from one year to the next.
15	How do you ensure that the print quality of test papers is exceptional and how would you swiftly resolve any issues should we find poor quality papers?	6	Determine how the bidder would react to issues we might highlight about the test papers and whether they would provide a satisfactory solution.

## 8. Risk Management

- 8.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. Using the following table this section should therefore consider any significant risks arising from your report.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Failure to secure a test provider in time for the 2026 test	As the contract with the current provider expires in January 2026, there is a risk that we will not have a provider for the 2026 test.	Complete a procurement process to secure a provider for 2026 and longer term.	CII



Risk	Description	Action to avoid or mitigate risk	Risk rating
Lack of interest in the contract	Further to above, there are limited potential contractors. If none of the organisations wish to bid, we may not secure a provider.	Advertise per 10.4.1. to ensure organisations are made aware of the opportunity.	CII

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

## 9. Consultation

- 9.1. No consultation has taken place. However, regular working groups with head teachers have taken place over the past two years and we are aware that schools are content with the current process and supplier.
- 9.2. Our partnering schools are likely to vary post-local government reorganisation. We will need to consult with schools in our new local authority area as well as neighbouring authorities to review the test and how it is run in future.

## 10. Service Implications

### 10.1. Financial Implications

- 10.1.1. The Medway Additions and Medway Test services are funded by the central services schools block of the dedicated schools grant with a 2025-26 budget allocation of £642,555. The round one monitoring is forecasting a small overspend of £23,457.
- 10.1.2 In January, each year the schools forum is asked to ratify the funding for the following financial year. As a minimum the Medway Additions and Medway Test budget is increased to match the requirements of the service or in line with inflation.

### 10.2. Legal Implications

- 10.2.1. This procurement activity will be above threshold and therefore a tender notice will be required.

10.2.2. The procedure gives a high degree of confidence that the Council's primary objectives for procurement are met, as required by the Council's Contract Procedure Rules ("the CPRs").

10.2.3. Medway Council has the power under the Local Government (Contracts) Act 1997 and the Localism Act 2011 to enter into contracts in connection with the performance of its functions.

10.2.4. The process described in this report complies with the Procurement Act 2023 and Medway Council's Contract Procedure Rules.

### 10.3. TUPE Implications

10.3.1 Not applicable.

### 10.4. Procurement Implications

10.4.1. Procurement will follow Public Procurement Act 2023 and 2024 regulations. Competitive Tender will be above Threshold and will require a Tender Notice. Additional feedback provided has been actioned and reflected in the GW report.

### 10.5. ICT Implications

10.5.1. No additional ICT implications, the registration process through the portal remains unchanged.

## 11. Social, Economic & Environmental Considerations

11.1. In line with Medway Council's Social Value Policy, officers will include the following standard outcomes and measures (the units have also been included for illustrative purposes) within the tender. Whilst there will be no commitment for bidders to deliver against every line, the accumulative value provided by each bidder will be scored and form part of the price evaluation score.

11.2. The Social Value commitment from the winning bidder will be transposed into contractual KPIs.

Outcomes	Measures	Standard Units
More local people in employment	No. of local direct employees (FTE) hired or retained (for re-tendered contracts) on contract for one year or the whole duration of the contract, whichever is shorter	No. people FTE

More local people in employment	Percentage of local employees (FTE) on contract	%
Improved skills	No. of staff hours spent on local school and college visits e.g. delivering careers talks, curriculum support, literacy support, safety talks (including preparation time)	No. staff hours
Improved skills	No. of weeks of apprenticeships on the contract that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4+	No. weeks
More opportunities for local MSMEs and VCSEs	Total amount (£) spent in LOCAL supply chain through the contract	£
More opportunities for local MSMEs and VCSEs	Meet the buyer' events held to highlight local supply chain opportunities	£ invested including staff time
Social Value embedded in the supply chain	Percentage of contracts with the supply chain on which Social Value commitments, measurement and monitoring are required	%
Creating a healthier community	Initiatives taken or supported to engage people in health interventions (e.g. stop smoking, obesity, alcoholism, drugs, etc.) or wellbeing initiatives in the community, including physical activities for adults and children	£ invested including staff time
Carbon emissions are reduced	Savings in CO2 emissions on contract achieved through de-carbonisation (specify how these are to be achieved)	Tonnes CO2e
Sustainable Procurement is promoted	Percentage of procurement contracts that includes sustainable procurement commitments or other relevant requirements and certifications (e.g. to use local produce, reduce food waste, and keep resources in circulation longer.)	% of contracts

Social innovation to create local skills and employment	Innovative measures to promote local skills and employment to be delivered on the contract - these could be e.g. co-designed with stakeholders or communities, or aiming at delivering benefits while minimising carbon footprint from initiatives, etc.	£ invested - including staff time and materials, equipment or other resources
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## Service Lead Officer Contact

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## Appendices

Exempt Appendix 1 - breakdown of the financial analysis

## Background Papers

None