

## Record of officer decision

<b>Decision title:</b>	Contracts awarded for the delivery of Adult and Community Learning for the academic year 2018/2019																			
<b>Date of decision:</b>	27 September 2018																			
<b>Decision maker:</b>	Director children and families																			
<b>Authority for delegated decision:</b>	<p>Following the decision taken by the Cabinet member for young people and children's wellbeing on 19 May 2016, approving the adult and community learning provider framework and sub-contracting policy in line with ESFA terms and conditions of grant and funding rules, a procurement process was undertaken which established an approved provider list for the delivery of the council's adult and community learning provision for the three year period 2016- 2019.</p> <p><a href="http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=3272">http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=3272</a></p> <p>Approval to award the preferred list of providers to the three year adult and community learning framework was taken on 4 August 2016 by the Director of Children's Wellbeing. The preferred list of providers apply on an annual academic year basis to deliver provision against the council's aims and priorities set out in the adult and community learning plan. In deciding to award contracts performance and quality of provision from the previous year is also taken into consideration.</p> <p><a href="http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=4365">http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=4365</a></p>																			
<b>Ward:</b>	Countywide																			
<b>Consultation:</b>	Consultation has been completed with the providers listed below to ensure that they are meeting the requirements of the ESFA grant and the priorities and aims of the Adult Community Learning Plan 2015-2018.																			
<b>Decision made:</b>	<p>The following list of providers have been awarded contracts for the provision of adult and community learning for the academic year 2018/2019:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Name of provider</th> <th style="text-align: right;">Contract up to the Value of (£):</th> </tr> </thead> <tbody> <tr> <td>Business Angel (Hereford) Ltd</td> <td style="text-align: right;">£56,814.23</td> </tr> <tr> <td>ECHO for Extra Choices in Herefordshire Ltd</td> <td style="text-align: right;">£28,292.00</td> </tr> <tr> <td>Herefordshire and Ludlow College</td> <td style="text-align: right;">£16,550.00</td> </tr> <tr> <td>Nationwide Community Learning Partnership</td> <td style="text-align: right;">£115,859.60</td> </tr> <tr> <td>Red Spark Learning CIC</td> <td style="text-align: right;">£73,092.00</td> </tr> <tr> <td>The Cart Shed Charity</td> <td style="text-align: right;">£96,670.52</td> </tr> <tr> <td>The Houghton Project</td> <td style="text-align: right;">£31,520.00</td> </tr> <tr> <td><b>Total value of contracts awarded</b></td> <td style="text-align: right;"><b>£418,798.35</b></td> </tr> </tbody> </table>		Name of provider	Contract up to the Value of (£):	Business Angel (Hereford) Ltd	£56,814.23	ECHO for Extra Choices in Herefordshire Ltd	£28,292.00	Herefordshire and Ludlow College	£16,550.00	Nationwide Community Learning Partnership	£115,859.60	Red Spark Learning CIC	£73,092.00	The Cart Shed Charity	£96,670.52	The Houghton Project	£31,520.00	<b>Total value of contracts awarded</b>	<b>£418,798.35</b>
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<b>Reasons for decision:</b>	Herefordshire Council receives an annual academic year grant for the delivery of adult and community learning from the Education and Skills Funding Agency (ESFA). The total value of the grant for the academic year 2018/2019 is £509,945.																			

The council's Adult and Community Learning Plan sets out the plans for the delivery of adult and community learning by the council in Herefordshire for the period 2015 - 2018. This plan was approved by Cabinet on 15 October 2015. The aim of the plan is to deploy the ESFA funding to ensure that Herefordshire residents have access to a range of appropriate learning opportunities that will contribute to their personal, social, educational and economic development

The council does not directly deliver learning provision.

Following the decision taken by the Cabinet member for young people and children's wellbeing on 19 May 2016, approving the adult and community learning provider framework and sub-contracting policy in line with ESFA terms and conditions of grant and funding rules, a procurement process was undertaken which established an approved provider list for the delivery of the council's adult and community learning provision for the three year period 2016.

Approval to award the preferred list of providers to the three year adult and community learning framework was taken on 4 August 2016 by the Director of Children's Wellbeing. The preferred list of providers apply on an annual academic year basis to deliver provision against the council's aims and priorities set out in the adult and community learning plan. In deciding to award contracts performance and quality of provision from the previous year is also taken into consideration.

The council remains responsible for contract management and the quality of the provision. The quality is monitored and managed by the council's adult and community learning service (ACLS) and is subject to Ofsted inspection. The service was awarded a grade 2 'Good' for all areas in the last inspection in January 2016.

Adult and Community Learning engages with people aged 19 and over who are least likely to participate in learning and enables them to access a range of high quality learning opportunities. This can help people to lead more independent lives, support their families, gain a qualification, improve their English, Maths and ICT skills, get a job, volunteer and become less socially isolated. Four areas in south Hereford and one in Leominster are in the 10 per cent most deprived in England for adult skills deprivation. Adult skills – which includes qualification levels and the ability to speak English – is a particular issue for the county (Understanding Herefordshire Report 2016).

- The ACLS work with local partners to deliver a programme of high quality learning, which contributes to the priorities of the council's Corporate Plan by: enabling residents to live, safe, healthy and independent lives; providing help to families to improve education, health and employment outcomes; supporting the growth of our economy by improving English, Maths, ICT and employability skills of local residents.
- It also contributes to the Health and Wellbeing Strategy

	<p>vision of 'Herefordshire residents are resilient, lead fulfilling lives, are emotionally and physically healthy and feel safe and secure' and the Marches Local Enterprise Partnership Skills Plan, European Investment Strategy and Strategic Economic Plan.</p> <ul style="list-style-type: none"> <li>• Learning programmes support the priorities of the Children and Young People's Partnership to make sure that children and young people in the county are given the best possible start in start in life so that they grow up healthy, happy and safe within supportive family environments by:</li> <li>• Targeting resources and supporting vulnerable people aged 19 and over into learning including care leavers</li> <li>• Improving the emotional and mental health and wellbeing of parents and carers</li> <li>• Helping families, parents and carers to help themselves</li> <li>• Achieving success in life, learning and future employment e.g. English and maths provision</li> </ul>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p>The acceptance of the ESFA grant and the adult and community 3 year provider framework and sub-contracting policy and subsequent procurement consulted with and took into consideration, finance, legal and equality of opportunity.</p> <ul style="list-style-type: none"> <li>• The ACLS seeks to provide high quality learning opportunities that are inclusive and free from discrimination. The ACLS aims to provide learning that is safe, accessible and welcoming. Discriminatory behaviour or harassment will not be tolerated.</li> <li>• We require all our providers to comply with the Equality Act 2010 and actively promote Equality and Diversity in the delivery of ACLS provision, as outlined in the Ofsted Common Inspection Framework.</li> <li>• Staff and providers and tutors are supported and developed through equality and diversity mandatory training and through the tutor handbook. Equality and Diversity is also embedded within the Observation of Teaching and Learning process.</li> <li>• Equality and Diversity provider performance is monitored against targets, policies and procedures and act on any inequalities highlighted</li> </ul> <p><b>Risk Management</b></p> <p>The ACLS service has a risk register in place and a business continuity plan. Identified risks include:</p> <ol style="list-style-type: none"> <li>a) Sub-contractor underperformance or failure – mitigated by robust contract management processes and procedures and business continuity plan.</li> </ol>

	<p>b) An audit is undertaken annually by external auditors to ensure that we have satisfactory systems and controls in place to manage sub-contractors delivering education training funded by the ESFA. The last audit undertaken by Grant Thornton provided satisfactory assurance with no recommended actions and was signed off on 25 May 2017.</p> <p>c) Poor Ofsted inspection result – mitigated through the high focus on quality improvement within the service – having a rolling self-assessment report and quality improvement plan in place. Annual Observation of Teaching, Learning and Assessment is undertaken by independent assessors.</p> <p>d) Learner Health and Safety – All contracts have specific clauses relating to the health, safety and welfare of learners and staff and include all venues, courses and learners being risk assessed. Tutors undertake mandatory training on risk assessment. PAT testing of equipment is undertaken.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>1. The council could choose not to accept the funding and therefore not contract with the provider identified above. This option is not recommended because the use of external funding enables the council to continue to successfully deliver adult and community learning across Herefordshire as per the council's Adult and Community Learning Plan 2015 – 2018, approved by Cabinet on 15 October 2015.</p> <p>2. There is also no guarantee that this funding would be reallocated to another provider in Herefordshire and could result in a loss of £509k per academic year to invest in funding education and training provision in our most deprived wards and with our most disadvantaged residents. It would also mean a loss of funding to sub-contractors, the majority of whom are local voluntary and community organisations, which in turn would lead to job losses.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None Declared</p>

Signed

Date: 27 September 2018