

Record of officer decision

Decision title:	Approval to add providers to the adult and community learning provider framework 2019 – 2022, preferred list of providers.
Date of decision:	11 August 2020
Decision maker:	Director for Children and Families
Authority for delegated decision:	<p>Within the directorate scheme of delegation (line 139) provides the necessary authority to take the decision; this specifies the contract agreements to be issued by the local authority under the adult and community learning provider framework.</p> <p>In addition, the delegated authority within the financial procedure rules is sufficient for the decision to be taken by the Director for Children and Families.</p>
Ward:	Countywide
Consultation:	<p>The procurement process to establish a list of preferred providers for the delivery of adult and community learning provision in Herefordshire 2019-2022, agreed by the cabinet member for Children and Families on 2 May 2019.</p> <p>https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=5929</p>
Decision made:	<p>THAT, following a competitive tendering process, the following providers be added to the adult and community learning preferred provider framework 2019-2022:</p> <ul style="list-style-type: none"> • Dynamis Enterprises Ltd • Go Train Ltd • Whitehead-Ross Education and Consulting (WREC) Ltd <p>These are in addition to the following providers who are already on the framework:</p> <ul style="list-style-type: none"> • Business Angel (Hereford) Ltd • ECHO for Extra Choices in Herefordshire Ltd • Herefordshire, Ludlow and North Shropshire College • NCLP • National Star College • Red Spark Learning CIC • Standglide Ltd • The Cart Shed CIC • The Houghton Project • Walsingham Ltd <p>Acceptance onto the preferred provider framework list does not mean that an organisation will be awarded funding. However, the organisation will be awarded a framework contract and will be invited to tender for adult and community learning funding on an annual basis.</p>

<p>Reasons for decision:</p>	<p>To approve the completion of the annual adult and community learning framework procurement process for 2020, as agreed by the cabinet member for Children and Families on 2 May 2019.</p> <p>The recommendation is made to ensure effective spend of the Education and Skills Funding Agency (ESFA) grant against relevant government and Herefordshire Council priorities and meet the council’s procurement policies and The Public Contract Regulations 2015.</p> <p>The ESFA grant contributes to the Herefordshire County Plan, in particular the ambition for communities: strengthen communities to ensure everyone lives well and safely together; and the economy ambition to support an economy, which, builds on the county’s strengths and resources. Adult and community learning programmes contribute to the ambitions of the Herefordshire Children and Young People’s Partnership plan 2019-2024 by:</p> <ul style="list-style-type: none"> • Targeting resources and supporting vulnerable people aged 19 and over into learning including care leavers • Improving the emotional and mental health and wellbeing of adults including parents and carers • Achieving success in life, learning and future employment e.g. family learning, English, maths and employability programmes
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>This service is funded by a grant from the Education and Skills Funding Agency (ESFA). The ESFA grant for the academic year 2020/2021 is £538,652 and it is anticipated dependent upon performance and Government policy that we will be allocated at least the same amount in 2021/2022 academic year. Sub-contractors carry out all learning delivery. The council retains funding for its management of the provision.</p> <p>The list of preferred providers have been through the framework procurement process. They have submitted compliant bids and met the minimum quality thresholds set out in the tender. This procurement is consistent with the Public Contracts Regulations 2015.</p> <p>In accordance with section 4.6.13 of the Council’s Contract Procurement Rules this procurement was conducted under a single stage process.</p> <p>Risk Management: The adult and community learning service (ACLS) has a risk register in place and a business continuity plan. Identified risks include:</p> <ol style="list-style-type: none"> a) Sub-contractor underperformance or failure – mitigated by robust contract management processes and procedures and business continuity plan. 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 in March 2020 provided satisfactory assurance.

	<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. In addition, we undertake course monitoring visits, annual Observation of Teaching, Learning and Assessment undertaken by independent assessors and learner feedback.</p> <p>d) Learner Health and Safety and Welfare – 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 Safeguarding, PREVENT and risk assessment. PAT testing of equipment is undertaken.</p> <p>Equality and Diversity: 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. We do not tolerate discriminatory behaviour or harassment.</p> <p>We require all our sub-contracted providers to comply with the Equality Act 2010 and actively promote Equality and Diversity in the delivery of ACLS provision.</p> <p>Staff, sub-contracted providers and tutors undertake equality and diversity mandatory training. Equality and Diversity is embedded within the Observation of Teaching, Learning and Assessment process.</p> <p>We monitor sub-contracted provider performance, including equality and diversity targets, policies and procedures. Any inequalities highlighted are acted upon.</p>
<p>Details of any alternative options considered and rejected:</p>	<p>To not allow the providers to be part of the adult and learning provider framework list 2019-2022; this option is not recommended as we have received an increase in funding from the ESFA and need to ensure that we have the capacity to deliver the provision.</p> <p>The completion of an annual adult and community learning framework procurement process was agreed by the cabinet member for Children and Families on 2 May 2019.</p>
<p>Details of any declarations of interest made:</p>	<p>N/A</p>

Signed

Chris Baird
Director for children and families

Date: 11 August 2020