

## Record of officer decision

Decision title:	Contracts awarded for the delivery of Adult and Community Learning for the academic year 2021/2022	
Date of decision:	25 November 2021	
Decision maker:	Director for Children and Families.	
Authority for delegated decision:	<p>This is an operational decision in regard of Part 3 Functions Scheme, Section 7 Officer Functions 3.7.6 Delegation to Chief Executive. The chief executive’s scheme of delegation updated 7 June 2021 sub -delegation from chief exec to officers Appendix 1 line SA33,</p> <p>In addition, the Children and Families directorate scheme of delegation dated 17 November 2020 (line 137) 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>	
Ward:	Countywide	
Consultation:	N/A	
Decision made:	THAT, following the annual adult and community learning delivery competitive tendering process, open to those providers on the Adult and Community Learning Service (ACLS) provider framework 2019-2022 and undertaken within the council’s contract procurement rules, the following list of providers have been awarded contracts for the academic year 2021/2022:	
	Name of provider	Contract up to the Value of (£):
	Nationwide Community Learning Partnership CIC	69523.00
	ECHO for Extra Choices in Herefordshire Ltd	8386.00
	Red Spark Learning CIC	75890.00
	The Cart Shed Charity	56194.00
	The Houghton Project	31688.00
	Total value of contracts awarded	£241,681.00
Reasons for decision:	<p>The 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 2021/2022 is £538,652.</p> <p>The cabinet member for children and families agreed the Adult and Community Learning Plan 2019/2022, including the procurement process to establish a list of preferred providers and an annual competitive tender process for the delivery of adult and community</p>	

	<p>learning provision in Herefordshire, on 2 May 2019.  <a href="https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=5929">https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=5929</a></p> <p>The aim of the council's Adult and Community plan is to deploy the ESFA funding to ensure that Herefordshire residents aged 19 and over have access to a range of high quality learning opportunities that will contribute to their personal, social, educational and economic development. Helping 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.</p> <p>Although the council does not directly deliver learning provision, it remains responsible for contract management, compliance, delivery, performance and the quality of the provision. Ofsted awarded a grade 2 'Good' for all areas at the last inspection in January 2016.</p> <p>The ESFA grant contributes to the Herefordshire County Plan 2020 - 2024, 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.</p> <p>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"> <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 adults including parents and carers</li> <li>• Achieving success in life, learning and future employment e.g. family learning, English, maths and employability programmes</li> </ul> <p>It also contributes to the Health and Wellbeing Strategy 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>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p>The ESFA grant for the academic year 2021/2022 is £538,652. Sub-contracted providers carry out all learning delivery. The council retains funding for its management and quality assurance of the provision.</p> <p>All providers are on the ACLS provider framework 2019-2022  <a href="http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=7069">http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=7069</a></p> <p>Only providers on the provider framework were invited to submit bids to the 2021/22 academic year competitive tender process for delivery of learning provision. This procurement is consistent with the Public Contracts Regulations 2015 and the council's contract procedure rules.</p>

	<p>This procurement was conducted under a single stage process.</p> <p><b>Risk Management:</b> The adult and community learning service (ACLS) has a risk register in place and a business continuity plan. Identified risks include:</p> <ul 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> <li>b) An audit is undertaken annually by external auditors to ensure that the council have satisfactory systems and controls in place to manage sub-contractors delivering education and training funded by the ESFA. The last audit undertaken by Grant Thornton in March 2020 provided satisfactory assurance.</li> <li>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, the council undertakes course-monitoring visits, annual Observation of Teaching, Learning and Assessment undertaken by independent assessors and learner feedback.</li> <li>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.</li> </ul> <p><b>Equality and Diversity:</b> 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>The council requires 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 are supported to undertake equality and diversity mandatory training. Equality and Diversity is embedded within the Observation of Teaching, Learning and Assessment process.</p> <p>The council monitors sub-contracted provider performance, including equality and diversity targets, policies and procedures. Any inequalities highlighted are acted upon.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>The council could choose not to accept the funding and therefore not contract with the providers identified above. This option was rejected because the use of external funding enables the council to continue to deliver adult and community learning across Herefordshire as per</p>

	<p>the council's Adult and Community Learning Plan 2019 – 2022, approved by cabinet member on 2 May 2019.</p> <p>There is also no guarantee that this funding would be reallocated to another provider in Herefordshire. This could result in a loss of £538k per academic year to invest in funding education and training provision in the county's most deprived wards and with the county's 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>
<b>Details of any declarations of interest made:</b>	None Declared

Signed

Date: 25.11.2021