

Record of operational decision

Decision title:	Decision to award English for Speakers of Other Languages (ESOL) Contract
Date of decision:	8 th September 2022
Decision maker:	Service Director All Age Commissioning
Authority for delegated decision:	The chief executive's scheme of delegation SA09; Commissioning, quality assurance and contract management relating to all ages.
Ward:	Countywide
Consultation:	The council has engaged with the West Midlands Strategic Migration Partnership (WMSMP) ESOL lead, local VCS organisation and the previous provider in order to scope the new service.
Decision made:	To award a contract for the delivery of ESOL lessons to the South Wye Development Trust for 3 years from 19th September 2022 to the 31 st July 2025, with an option to extend by 1 year.
Reasons for decision:	Following competitive procurement and evaluation of 2 compliant bids by multi-disciplinary panel the highest scoring bid was the South Wye Development Trust.
Highlight any associated risks/finance/legal/equality considerations:	This contract has a value of up to £434,226 using government funding awarded to Herefordshire Council for the VPRS, ARAP/ACRS refugee resettlement schemes and the Homes for Ukraine Sponsorship Scheme. Low risk of non-delivery
Details of any alternative options considered and rejected:	<p>Not to re-commission an informal, non-accredited ESOL provision</p> <p>This option is not recommended. Herefordshire Council is provided with specific ESOL funding for resettled refugees. This funding is to be used to ensure that each adult beneficiary is able to progress towards the level of proficiency needed to function in their everyday life; to promote integration; and to support those resettling in the UK to progress towards self-sufficiency, including accessing services or joining the workforce.</p> <p>Extend the current contract with a variation to include enhancing the informal language support offer.</p> <p>This option is not recommended. While the contract for the service states an extension is possible Commercial Services colleagues have stated this would be in breach of the contract procedure rules (CPR) and leave the council open to legal challenge. The current contract was a direct award under an exemption to the CPRs as no bids were received at the time the procurement process was carried out. The exemption clearly states that at the end of the current contract any continuation of the requirement to</p>

	commission the service beyond July 2022 would be subject to an open procurement process, in line with regulations.
Details of any declarations of interest made:	None