

**Report of Head of Projects and Programmes**

**Report to Chief Officer Employment and Skills**

**Date: 15<sup>th</sup> July 2014**

**Subject: Community Learning Framework 2014-17**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: 10.4 (3) Appendix number: 1	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

**Summary of main issues**

1. The Council, acting as fund holder on behalf of the Skills Funding Agency (SFA), delivers a broad and balanced programme of community learning (including a small element of adult skills provision) each year in Leeds primarily through sub-contracting arrangements. Community Learning aims to re-engage adults aged 19 years plus (25 years plus for those people with a learning difficulty or disability (LLDD), often in an informal and safe environment, to acquire new learning, skills and interests for the benefit of the individual and their wider family networks. Community learning provides a progression gateway to more formal adult learning, social mobility and longer term employability opportunities.
2. The Council has recently undertaken an open and competitive procurement process to appoint local providers to a three year framework 2014-17 and, to deliver the programme for the first academic year between September 2014 and July 2015.
3. The funding allocation from the SFA available for delivery in 2014/15 is £2,035,488. The programme is expected to support 8,000 learners this year and will be targeted to disadvantaged individuals and communities across the City.
4. The information contained in this report supports key objectives set out in the Best Council Plan 2013-17, namely to 'promote sustainable and inclusive economic growth by improving the economic wellbeing of local people and businesses' with a specific focus on improving skills.

## **Recommendations**

5. Following an open and competitive tender process, the Chief Officer Employment and Skills is asked approve the appointment of 30 providers to a three year framework 2014-17 to deliver the Leeds Community Learning Programme and, funding allocations to the value of £2,035,488 for delivery of the provision in the academic year 2014-15.

## **1 Purpose of this report**

1.1 This report concerns the procurement of providers to a three year Community Learning framework from 1 August 2014 to 31 July 2017 and, delivery of the provision for the first academic year from 1 September 2014 to 31 July 2015.

1.2 The report provides:

- an overview of the budget available and type of provision to be delivered.
- outlines the procurement process undertaken to select providers.
- seeks approval for the appointment of providers to a framework agreement and, the awarding of first academic year delivery contracts with these providers, following the assessment and evaluation of tenders received.

## **2 Background information**

2.1 The Council receives a funding allocation from the Skills Funding Agency (SFA) each academic year to deliver a broad and balanced programme of community learning (including a small element of adult skills provision) in Leeds to support a target number of learners. The Council uses this funding for a combination of activities, the majority of which is delivered by a range of external providers including third sector organisations. An element of the provision, Family Learning, is delivered by the Employment and Skills Service.

2.2 The purpose of Community Learning is to:

- provide a broad range of learning that brings together adults, often of different ages and backgrounds to address a need, acquire a new skill, become healthier, pursue an interest or learn how to support their children;
- maximise access to community learning for adults, bringing new opportunities to improve lives, whatever people's circumstances;
- promote social renewal by bringing local communities together to experience the joy of learning and the pride that comes with achievement;
- maximise the impact of community learning on the social and economic well-being of individuals, families and communities.

2.3 For the academic year 2014-15, the total amount of funding available for delivery through this commissioning opportunity is £2,035,488. The total number of learners expected to benefit from this provision is in the region of 8,000 this year.

2.4 In May 2014, the Council sought tenders through an open and competitive process to appoint external providers to deliver the Leeds Community Learning Programme. The commissioning was carried out by the Employment and Skills Service, supported by the Council's Procurement Service.

## **2.5 Tender Specification**

2.5.1 Providers were invited to submit tenders to deliver any combination of:

- (i) standard learning activities remunerated at a set rate for each hour of guided learning (GLH) delivered and/or,
- (ii) targeted learning projects, where additional costs beyond the standard set rate may be incurred, depending on the amount of additional support required and the complex needs of the vulnerable learners involved,
- (iii) accredited learning towards eligible qualifications from a national catalogue remunerated at the rates defined by the Skills Funding Agency.

2.5.2 Community Learning comprises the following programmes:

- Personal and Community Development Learning (PCDL) – for personal and community development, cultural enrichment, intellectual or creative stimulation and enjoyment. Does not usually involve any formal qualifications.
- Family English, Maths and Language (FEML) – designed to improve English, Maths and language skills of families.
- Wider Family Learning (WFL) – supports different generations of family members to learn together in order to support children’s learning and development.
- Skills for Jobs (SFJ) – this activity is aimed at adults aged 19 and over, with low skills levels, who are not currently in employment but want to work. Activities deliver tailored, individual support, integrated with other services/opportunities where possible. A key element of Skills for Jobs is ensuring progression to employment or further learning.
- Targeted Learning Projects (TLP) - aimed at learning provision where learners have multiple and/or complex needs/are difficult to reach e.g. recovering from drug abuse, at risk of offending, socially isolated etc. and/or the activity is innovative and delivers added value e.g. includes a work placement or residential element and/or delivers high levels of individual support.
- Adult Skills Budget Projects (ASB) - comprise accredited learning towards eligible qualifications from a national catalogue remunerated at the rates defined by the Skills Funding Agency e.g. level 1 and level 2 ICT, English and Maths courses.

2.5.3 For the academic year 2014-15, the activities and learner groups targeted through the Leeds Community Learning Programme have been informed by the objectives of the SFA, the Leeds Community Learning Strategy 2013-16 and aligned with the

Best Council priorities. The budget allocated to the Skills for Jobs provision was significantly increased, whilst standard and targeted budgets were reduced to accommodate this increase.

- 2.5.4 The Leeds Community Learning Trust Board (CLTB) has had an integral role in determining the priorities for the academic year 2014-15. The Area Lead Members for Employment, Skills and Welfare have also had the opportunity to shape the local offer that will be delivered in Leeds, as detailed in the tender Project Brief and summarised below:

#### Geographical

- Learners residing in the 20% most deprived Lower Super Output Areas (LSOAs) as identified nationally on the Indices of Multiple Deprivation
- Learners residing in neighbourhoods identified as having low skills (census 2011)

#### Learners

- With low skills levels or no qualifications or who are unemployed
- Who are marginalised and/or with specific needs e.g. lone parents, BAME groups
- Adults with learning difficulties and/or disabilities including mental health
- Men who are currently underrepresented within community learning
- Families at risk including those receiving Families First interventions
- With complex or multiple needs e.g. substance misusers, homeless, ex-offenders

#### Cross Cutting Themes (relevant to all provision)

- Development of employability/confidence skills aligned with growth areas
- Widening participation especially of marginalised groups
- Improving the learner journey (clear progression pathways)
- Promoting equality and diversity through teaching, training and assessment
- Have English and Maths embedded (functional skills)
- Offer appropriate, timely and impartial information, advice and guidance
- Promote and support e-learning and digital inclusion

- 2.5.5 The tender documentation incorporated the project brief which contained detailed specifications of the activities; an application form and a document describing the evaluation criteria and, the process that would be used to select providers.

- 2.5.6 The application form asked for details of the bidders' experience, resources, quality processes, capacity and proposed activity, including the number of guided learner hours (GLH) proposed to be delivered, the number of learners and what proportion would be expected to come from the Council's geographic priority neighbourhoods. Bidders were also required to evidence the need/demand for their provision and, to illustrate an understanding of barriers to learning and equality issues.

- 2.5.7 Bidders were also asked to quantify the 'pound plus' that would be generated from their activities and confirm how this would be evidenced. Pound Plus is the approach adopted by the Government to ensure that the focus of public funds used to support the programme remains on those least likely to participate in learning e.g. people on low incomes with low skills etc. Pound Plus seeks to

stretch the reach of existing funding allocations in a way that helps to lever in additional income or resources, including in-kind contributions, aimed at addressing local priorities around community learning. The Learner Fees Policy that has been in existence by the Council for many years also ensures that those who can afford to pay do pay and offers fee remissions to those on income related benefits. This approach is informed by the SFA's Skills Funding Statement 2012-15 and Funding Rules 2014-15 and, the Leeds Community Learning Strategy 2013-16.

- 2.5.8 Questions relating to quality and outcomes for learners were also included to assess bidders' awareness and ability to comply with Ofsted standards and related SFA and Council monitoring requirements.
- 2.5.9 The deadline for submission of tenders was noon on Wednesday 11<sup>th</sup> June 2014. Applications were received from 33 organisations by the deadline, with a total bid value of £3.4m for a total programme delivery allocation of £2m.

## **2.6 Appraisal of Tenders**

- 2.6.1 All applications have been technically appraised by officers in the Employment and Skills Service using the published evaluation criteria and process. Criteria were designed to ensure that quality of delivery was the determining component in the selection of providers. This was to ensure that the Council can meet its obligations to deliver provision in accordance with the requirements of the SFA and Ofsted.
- 2.6.2 Applications were scored on a 100% quality basis as the price is predetermined (i.e. set hourly rates for guided learning, crèche and learning support provision) and with a minimum possible quality score of 50% (500 points).
- 2.6.3 An Evaluation Panel met on 30<sup>th</sup> June 2014 to consider the applications. The Panel comprised the Heads of Projects and Programmes and Employment and Skills. Senior officers from the Employment and Skills Service who led on the scoring of applications were in attendance to present the appraisal results including scores and rankings. The Evaluation Panel discussed the strengths and weaknesses of the bids and those matters for further clarification, as identified by the officers.
- 2.6.4 Of the 33 organisations who submitted bids, the Evaluation Panel recommended that 30 should be appointed to the framework agreement, with a total bid value of £2,035,488. All 30 organisations recommended achieved the 50% minimum score and demonstrated that they could deliver appropriate Community Learning activities to the standard required. The remaining 3 organisations, bids did not achieve the minimum quality score of 50% and will not be recommended for appointed to the framework.
- 2.6.5 In reaching their recommendations, the Evaluation Panel also took into account the degree to which proposals met the SFA's objectives, in particular the mix of provision to be delivered and the total number of learners to be supported in 2014-15. Consideration was also given to the learner groups that would be supported, the geographical spread of provision proposed to achieve a broad and

balanced programme across the City in line with Council priorities and, the budget available to achieve this.

2.6.6 A summary of the proposed provision to be delivered in the academic year 2014-15 is set out in the table below.

<b>Provision in 2014-15</b>	<b>Number of Organisations</b>	<b>Total Value of Orders</b>	<b>Enrolment Numbers</b>
Personal and Community Development (PCDL)	17	£1,005,795	5,674
Family English and Maths (FEML)	2	£133,200	367
Wider Family Learning (WFL)	6	£138,957	1,013
Skills for Jobs (SfJ)	12	£293,263	1,368
Targeted Learning Projects (TLP)	7	£438,173	1,610
Adult Skills Budget (ASB)	3	£26,100	102
<b>Total</b>	<b>30**</b>	<b>£2,035,488</b>	<b>10,134</b>

\*\* Some of the 30 organisations to be appointed will deliver more than one programme type.

2.6.7 Further information on each application including activity, ranking and recommendations is attached at Appendix 1 and marked 'Confidential'. For those organisations where the Evaluation Panel felt it was unable to recommend appointing to the framework, the reasons for their decision is also summarised in the appendices.

2.6.8 All appointments to the framework agreement are subject to the satisfactory completion of the Council's organisation vetting and barring procedures. Any additional requirements that may apply to an individual provider are included in the appendices.

### **3 Main issues**

#### **3.1 Achievement of spend and learner numbers**

The proposed activities will contribute to the achievement of overall programme targets for delivery and learner numbers and, ensure the Council fulfils its contractual obligations to the Skills Funding Agency (SFA). The SFA does not provide a set target for learner numbers under the Community Learning programme, however there is an expected requirement that learner numbers are maintained or increased year on year. The proposed orders will include targets to work with approximately 8,000 learners in 2014-15 including in-house provision.

### 3.2 Broad and balanced provision

The mix of providers, types of activity and target groups proposed will enable the Council to provide a broad and balanced programme of community learning for a range of learners and covering a wide selection of sector subject areas. The provision reflects SFA requirements to deliver a broad programme of activities across the range of themes e.g. Personal, Community and Development Learning and reflects the SFA's objective that community learning provision will "maximise access to community learning for adults". The 2014-15 programme has significantly increased Skills for Jobs provision, especially in or near localities where large employment developments are planned that will require a local workforce. The local priorities identified in the Leeds Community Learning Strategy 2013-16 by the Council, in partnership with the Leeds Community Trust Board (CLTB), have also been taken into account. This includes widening participation for marginalised and underrepresented groups including men and people with mental health; improving impact measures and further development of progression pathways.

### 3.3 Community responsible provision

The main purpose of community learning is to maximise access for adults (19 years plus and 25 years plus for people with learning difficulties or disabilities (LLDD)) to the benefits of learning, with activity delivered in local community settings where possible. The new Community Committees launched this summer will be consulted each term on delivery, outcomes and impact to ensure provision in the respective localities continues to meet the needs of local residents.

### 3.4 Engaging those from the most deprived neighbourhoods

The SFA requires the funding to be focused on "people who are marginalised and least likely to participate including workless adults, people on low incomes with low skills and those who did not achieve at school." As part of their tender submission, organisations were required to demonstrate the need for their proposed activity, how learners will be engaged and what measures are in place to remove barriers to learning. Bidders were also required to state what learner groups they would work with and what proportion would come from the Council's geographic priority areas. These are defined as those SOAs which either fall into the 20% most deprived nationally and/or have residents with low levels of skills. An appropriate percentage of at least 70% was included in the brief for geographical targeting. This % takes into consideration that not all target learners may reside in the 20% most deprived SOAs for example those with learning difficulties or recovering from substance misuse.

### 3.5 A wide provider base

A key objective of community learning is that it encourages delivery across a wide provider base including the third sector, statutory and specialist sectors. The use of an open procurement process has enabled organisations that have not previously delivered SFA funded activity for the Council to bid. Bids were submitted by 22 out of the current 24 providers appointed in the academic year 2013-14 and all 22 were successful. In addition, 11 new providers submitted



applications of which 8 were successful; all new providers are third sector organisations. Many of the new providers will introduce fresh capabilities into the Leeds Community Learning offer.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The Leeds Community Learning Programme is delivered by the Council under a contract with the Skills Funding Agency with clear objectives and as such, the opportunity to vary outcomes is limited. However, the priority groups and geographical areas targeted have been informed by the objectives set out in the Leeds Community Learning Strategy 2013-16 and the Best Council priorities.
- 4.1.2 The commissioned activity has also been developed following consultation with the Executive Member for Creative and Digital Technology, Culture and Skills.
- 4.1.3 The Area Lead Members for Employment, Skills and Welfare have also had an opportunity to shape the local offer. The new Community Committees launched this summer will be consulted each term on delivery, outcomes and impact to ensure provision in the respective localities continues to meet the needs of local residents.
- 4.1.4 The provision has also been influenced by the Leeds Community Learning Trust Board. The Board is chaired by the Lead Member for Creative & Digital Technologies, Culture and Skills and includes representatives from FE and HE education, Children's Services, Adult Social Care, Employment and Skills, NHS Leeds and the Third Sector.
- 4.1.5 Feedback from community consultation, provider and learner forums is also used to inform the project brief each year i.e. information obtained through the self-assessment reporting (SAR) process; learner satisfaction feedback, observations, teaching and learning and learner focus groups etc.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 All bidders were required to submit an Equality Diversity and Community Cohesion (EDCC) Impact Assessment as part of their tender submission to demonstrate that equality issues have been considered and will be embedded in the planning, delivery and review of provision. These submissions have been assessed as part of the commissioning, through the quality criteria.
- 4.2.2 An equality screening was initially undertaken by the Employment and Skills on 25<sup>th</sup> April 2014 to establish that appropriate equality issues had been considered prior to tendering.
- 4.2.3 A further equality screening was carried out on 8<sup>th</sup> July 2014 to ensure that equality, diversity, cohesion and integration issues have been appropriately considered prior to the awarding of contracts. The key findings are that the EDCC assessment of providers, as part of the commissioning process, ensures that the proposed activities that will be delivered have effectively been considered in terms of equality issues.

4.2.4 Ensuring that all providers have undertaken and addressed EDCC considerations at this early stage, supports the Council to effectively monitor those issues identified and the actions agreed during the delivery phase. This will be achieved through well-established contract management arrangements by the Employment and Skills service.

4.2.5 Finally, the nature of this universal programme, in delivering provision in local community settings where possible, will promote positive relationships between different equality groups.

### **4.3 Council policies and City Priorities**

4.3.1 The Community Learning provision will support the delivery of the Best Council Business Plan 2013-17 and specifically impact on the Best Council Objective: Promote sustainable and Inclusive Economic Growth by increasing the number of people with improved skills.

### **4.4 Resources and value for money**

4.4.1 The activities proposed will be funded through the 2014-15 Community Learning budget £2,035,488 allocated to the Council by the Skills Funding Agency to support the delivery of activities shown in Appendix 1 for the academic year 2014/15.

4.4.2 The appointments to framework and awarding of contracts follows a competitive and transparent procurement process which assessed factors such as quality of provision, learner outcomes and cost per learner contributes towards ensuring the programme delivers value for money. Value for money will also continue to be monitored and measured as part of the robust contract management arrangements in place.

4.4.3 The set tariff rates for standard provision are comparable with those set in other local authority districts where provision is commissioned. Payments made to providers will be subject to the submission of invoices and satisfactory evidence of delivery and learner achievement. Courses being proposed or delivered where learner numbers fall below a minimum of 6 will not normally be funded without good reasons.

### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 The providers have been selected and will be appointed in accordance with the Council's Contract Procedure Rules and Financial Procedure Rules (September 2013). On 2<sup>nd</sup> May 2014 the decision was notified on the Forward Plan for July 2014 and is subject to "call-in". Following approval, the appointment of providers to framework and awards of funding for provision in academic year 2014-15 will be undertaken in conjunction with Legal Services and will be managed on an on-going basis by senior officers in the Projects and Programmes Team, Employment and Skills Service.

4.5.2 The information contained in Appendix 1 to this report relates to the financial or business affairs of applicant organisations and is considered to be commercially

sensitive. This information has been obtained through a procurement process which is still subject to negotiation in some areas. It is therefore considered that this element of the report should be treated as exempt under rule 10.4 (3) of the Access to Information Procedure Rules.

## **4.6 Risk Management**

4.6.1 The procurement of the Leeds Community Learning Programme has been undertaken with the support and advice of the Council's Procurement Service. Advice on the terms and conditions and evaluation methodology/criteria has been sought from the Procurement Governance and Regulation Manager.

4.6.2 Any contracts awarded will be subject to robust financial and quality monitoring procedures in accordance with Leeds City Council and Skills Funding Agency's regulations to ensure compliance, delivery and learner achievement and to ensure Ofsted standards are met.

4.6.3 Based on previous experience of delivery this provision and, to maximise expenditure and impact in Leeds, there is an element of over-programming to minimise the risk of underspend during the year (approx. 12% of total programme costs). Contracts are closely monitored throughout the year and where necessary, adjustments will be made to ensure the programme comes in on budget at the end of the academic year.

## **5 Conclusions**

5.1 Through the undertaking of an open and competitive tender process a number of organisations have been identified as suitable providers to be appointed to a three year framework 2014-17 to deliver the Leeds Community Learning Programme and, to be awarded funding contracts for the 2014-15 academic year.

5.2 The funding available for delivery in the academic year starting this September 2014 is £2,035,488. The programme is expected to support in the region of 8,000 learners.

5.3 The recommended appointments to framework and award of contracts to these providers will provide a broad and balanced programme of community learning across Leeds targeting priority learner groups, primarily from disadvantaged areas and, with provision delivered by range of public, third sector and specialist organisations. This will play a key role in the Council fulfilling its contractual obligations to the Skills Funding Agency and will support the delivery of the Best Council Business Plan 2013-17.

## **6 Recommendations**

6.1 Following an open and competitive tender process, the Chief Officer Employment and Skills is asked approve the appointment of 30 providers to a three year framework 2014-17 to deliver the Leeds Community Learning Programme and, funding allocations to the value of £2,035,488 for delivery of the provision in the academic year 2014-15.

## **7 Background documents<sup>1</sup>**

7.1 None.

## **8 Appendices**

- 8.1 Appendix 1 – CONFIDENTIAL Information on each application including activity, ranking and recommendations.
- 8.2 Appendix 2 - Equality Impact Assessment Screening 8<sup>th</sup> July 2014.
- 8.3 Appendix 3 - Community Learning Framework 2014-17 Project Brief published to tenderers.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.