

Report of Head of Workforce Development & Change

Report to Chief Officer, Partnerships

Date: July 27th 2017

Subject: Award of an interim contract to Leeds City College for apprenticeships by way of a waiver of contract procedure rules

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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The purpose of this report is to seek permission to award an interim contract to Leeds City College for apprenticeships by way of a waiver of contract procedure rules 8.1 and 8.2 intermediate procurements.
2. An apprenticeship framework contract is currently being procured but will not be completed until at least October. This means that at least one student cohort will be unsupported without an intermediate procurement.
3. In order to make best use of the apprenticeship levy and meet the development needs of existing staff we would like to support the purchase of 14 level 3 apprenticeships in childcare in September at a cost of £42k.
4. Leeds City College are the current provider and have been meeting the needs of students and Leeds City Council for some time.
5. Using the levy means that there will be no direct cost to Children and Families Services. The value of the contract will be £42k per cohort which is expected to be a one off, short term spend and will be no more than £84k in total
6. The decision to award a contract to Leeds City College is a significant operational one because the value of the contract is under £100K per annum but involves waiving contract procedure rules.

Recommendations

1. The Chief Officer, Partnerships is recommended to approve the waiver of the following Contracts Procedure Rule(s):

Contracts Procedure Rule No 8 – *Intermediate procurement* to award a contract to Leeds City College for the delivery of level 3 apprenticeships in childcare from 1st September 2017 to 31st January 2018 at a maximum value of £84k.

1 Purpose of this report

- 1.1 To seek approval to award a contract to Leeds City College for the delivery of Childcare apprenticeships funded by the apprenticeship levy. The levy was introduced nationally in May and the total fund for Leeds City Council to draw down is £2.6m per year.

2 Background information

- 2.1 The corporate apprenticeship framework contract being procured to support the delivery of learning funded through the apprenticeship levy is unable to meet the needs of Children and Families Services as it will not be complete in time for a September cohort of 14 learners. There is a further cohort of 14 learners planned for January. These colleagues are unqualified staff delivering services in Children's Centres. The aim of the apprenticeships is to improve confidence and competence among practitioners to improve outcomes for children and families.

3 Main issues

Reason for Contracts Procedure Rules Waiver

- 3.1 The current provider for childcare apprenticeships is Leeds City College. The quality of provision is high and until April 2017 there were no cost implications as this learning was fully funded through monies available to the college. This learning is now only accessible through the apprenticeship levy which came into force in May 2017. Corporate HR are establishing a framework contract for apprenticeship providers however this will not be finalized until after the September joining date for the apprenticeships. The Workforce Development team would like to support the use of apprenticeships to meet the learning and development needs of existing staff and to get best value out of our levy contributions. If the council supports fewer than 500 apprentices this year we may not recoup the full levy of £2.6 million. Therefore a short-term interim contract is needed with the current provider. As the spend will be from the levy fund there will be no direct cost to Children and Families Services. **The value of the interim contract will be £42k per cohort of students and the overall spend will be a maximum of £84k.** There is no internal provider capable of delivering this provision.

Consequences if the proposed action is not approved

- 3.2 If the apprenticeships are not supported, a cohort of up to 28 internal staff will not be suitably qualified for their roles and they have been unqualified for some time. This will have an impact on the quality of the service provided to children and families. There is also a risk of us not obtaining full value from our levy contributions.

Advertising

- 3.3 A framework contract has been advertised through YORTENDER and tenders are in the process of being evaluated. There has been a delay in the completion of the contract which has put apprenticeship programmes in childcare at risk.

4.1 Consultation and Engagement

4.1.1 The key stakeholders are internal customers i.e. Children and Families workforce and this request is to support effective learning and development. A positive decision will have a benefit to service users in Leeds in terms of quality of professional practice.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The learning opportunities created by the acceptance of this waiver will be offered to all unqualified staff at the appropriate level and will support the improvement of service delivery to the whole community. The apprenticeship programme pre-levy has increased the diversity of the workforce to better reflect the community of Leeds.

4.2.2 Please see Equality Impact screening tool attached as appendix 1

4.3 Council Policies and Best Council Plan

4.3.1 The support for the apprenticeship programme is a support for continual improvement in service delivery and sustainability. Making full use of the apprenticeship levy will be consistent with 'spending money wisely.' This learning for early years staff will 'support children to have the best start in life and be ready for learning.'

4.4 Resources and Value for Money

4.4.1 There are no direct financial implications for Leeds City Council in supporting this waiver. The value of the short term arrangement proposed with Leeds City College is a maximum of £84,000 which will be funded from the apprenticeship levy. It is expected that a framework contract will be in place by October but this would delay the next intake of apprenticeships until January 2018 at the earliest. This would create a risk of us 'underspending' against the apprenticeship levy and therefore not achieving best value.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The requested action would create a short- term intermediate contract pending the completion of a framework contract. The value of the contract is £42k per cohort and is expected to be a maximum of £84k per annum. This involves waiving contract procedure rule 8. This decision is therefore a significant operational one and does not require call in.

4.5.2 In making Their final decision the Chief Officer, Partnerships should be satisfied that the course of action recommended represents best value.

4.6 Risk Management

4.6.1 There is a small risk of challenge by other potential apprenticeship providers. There will however be an opportunity for providers to tender for future cohorts of apprentices through the pending framework. The delay from September 2017 to January 2018 in providing a cohort of learners could mean an unnecessary underspend, against the levy, of up to £84k.

The learners in question deliver front line Children's Centre services to vulnerable families and are currently unqualified. Access to the apprenticeships will improve practitioner confidence and competence in meeting the needs of children and families.

Conclusions

- 5.1 This is a straightforward request to support the learning and development of up to 28 colleagues at no direct cost to the council which makes best use of council resources. This learning and development activity will improve the quality of service provided and therefore outcomes for children and families.

6 Recommendations

- 6.1 The Chief Officer, Partnerships is recommended to approve the waiver of the following Contracts Procedure Rule(s):

Contracts Procedure Rule No 8 – *Intermediate procurement* to award a contract to Leeds City College for the delivery of level 3 apprenticeships in childcare from 1st September 2017 to 31st January 2018 at a maximum value of £84k.

7 Background documents¹

- 7.1 N/A

¹ 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.