

# Extension of Co-operation Agreements to Area Inclusion Partnerships 2024-25.

Date: 27<sup>th</sup> March 2024

Report of: Commissioning Manager

Report to: Deputy Director for Learning

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

This report seeks approval to roll forward existing contractual arrangements with Area Inclusion Partnerships (AIPs) from 01/04/24. These are implied arrangements following expiry of cooperation agreements on 31/03/22.

This report is being published for reasons of transparency and accountability.

## Recommendations

- a) The Deputy Director for Learning is recommended to approve the proposals in this report for the Council to roll forward existing arrangements with Area Inclusion Partnerships from 1<sup>st</sup> April 2024 to 31 March 2025.

## What is this report about?

- 1 There are five Area Inclusion Partnerships in Leeds (AIPs). The AIP's bring schools together in a recognised & equitable partnership to deliver & coordinate services to keep children and young people in vulnerable circumstances and at risk of exclusion from education, included in high quality learning. The AIP's have an important role in supporting and challenging schools in their partnership.
- 2 The Council has devolved funding from the High Needs Block to the AIP's for a number of years. This approach is innovative and unique to Leeds and has enabled Leeds to achieve some of the lowest numbers of permanent exclusions in the country in recent years.
- 3 Agreements have been in place with AIPs since 2017. The agreements are refreshed each time we issue a new agreement to ensure the expectations of the partnership are clear and represent latest guidance, legislation and strategy. The agreements set out the expectations of

the partnership and ensures accountability for the high needs block funding that is devolved to the AIP's.

- 4 Existing arrangements are implied following expiry of the most recent cooperation agreements on 31/03/22.
- 5 A decision was taken in March 2023 to award new cooperation agreements for the period 01/04/23 to 31/03/24 with three 12-month extension options. However, a number of factors have impacted on the process for review and co-production of new agreements, and this has led to delays in completing the consultation and award.
- 6 In the interim, rather than award new agreements, the agreements previously awarded for the period April 2020 to March 2021 and extended to March 2022 were reissued. The funding for 2023/24 was governed by these terms and conditions.
- 7 We are now in a period of review for these arrangements and so it is preferable to continue with holding AIPs to the implied agreements, whilst longer-term arrangements are developed.

### What impact will this proposal have?

- 8 An Equality Impact Assessment Screening document has been undertaken. This identifies there is no impact in respect of equality and diversity because it continues existing arrangements.

### How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing       Inclusive Growth       Zero Carbon

- 9 This proposal provides strong support for the refreshed Children and Young Peoples Plan and the Council's ambition to be a Child Friendly City. The outcomes delivered through this grant funding will contribute to a number of the outcomes and priorities within the plan, including the outcome to ensure all young people are safe from harm and the priority to help children live in safe and supportive families.
- 10 This proposal also supports the 2020-25 Best Council Plan priority to make Leeds a Child Friendly City where families are supported to give children the best start in life.

### What consultation and engagement has taken place?

Wards affected: n/a

Have ward members been consulted?       Yes       No

- 11 There are no particular legal or statutory requirements to undertake consultation as part of this decision. Consultation takes place regularly with AIP Leads/Chairs alongside Learning Inclusion colleagues to manage these arrangements.
- 12 Legal colleagues in Procurement & Commercial Services were consulted for advice in producing letters to re-issue the agreements previously awarded for the period April 2020 to March 2021 and extended to March 2022 and hold AIPs to these terms and conditions.

### What are the resource implications?

13 The total value of the agreements is determined annually and is approximately £5.06m per annum.

14 The funding for AIP's is from the High Needs Block and includes a sum of 'base' funding for promotion of inclusion in schools, and further funding to deliver intensive support interventions to individual learners in vulnerable circumstances and at risk of exclusion from school. Individual schools/members of each AIP, also make financial contributions to their AIP in order that they can enhance their offer of support to these vulnerable learners.

### **What are the key risks and how are they being managed?**

15 If this decision is not approved, we will continue to fund the AIPs for this activity but we will not have any legally binding arrangement in place by which we can properly hold the AIPs to account in order to effectively support and challenge schools in their area. Ultimately this will impact on the outcomes we can achieve for children and young people and our ability as a city to ensure they have access to high quality mainstream education.

### **What are the legal implications?**

16 This is a significant operational decision and not subject to call in. This report is being published for reasons of transparency and accountability, pending implementation of the decision taken on 30/3/23 (reference D56221)

17 The decision to award these co-operation agreements falls within Contracts Procedure Rule (CPR) 1.5.2 as it is a co-operation between contracting authorities performing public services to achieve common objectives and falls outside the remit of the Public Contract Regulations 2015 (PCR) pursuant to Regulation 12(7). Therefore, it is not a procurement for the purpose of the PCRs as the co-operation is governed solely by considerations relating to the public interest (i.e. not for profit) and the participating contracting authorities perform on the open market less than 20% of the activities concerned by the co-operation.

## **Options, timescales and measuring success**

### **What other options were considered?**

18 No other options were considered for the reasons set out in paragraph 5.

### **How will success be measured?**

19 AIPs are required to submit termly returns. The performance and outcomes of the agreements will be monitored by representatives from Commissioning and Learning Inclusion services to ensure best value during the period of review.

### **What is the timetable and who will be responsible for implementation?**

20 Following approval for this decision, letters will be issued to AIPs.

### **Appendices**

- Appendix 1 - Equality, diversity, cohesion and integration (EDCI) screening

### **Background papers**

None