

Report of the Manager - Governor Support Service

Report to the Director of Children & Families

Date: 29 March 2018

Subject: Waiver of Contract Procedure Rules (CPRs) no 8.1 and 8.2 – intermediate value procurement

Are specific electoral wards affected? If relevant, name(s) of ward(s):	No
Are there implications for equality and diversity and cohesion and integration?	No
Is the decision eligible for call-In?	No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number:	No

Summary of main issues

1. As a fully traded service Governor Support Service (GSS) needs to retain/increase custom within a changing education landscape and changing demands from governing boards
2. GSS needs to provide a more attractive, comprehensive package in line with competitors
3. GSS needs to attract more multi academy trusts (MATs) to buy into the service
4. GSS needs to find ways to free up staff to deliver more training and consultancy work as this generates the greatest amount of additional income
5. GSS does not have the capacity to provide and update the wide range of information documents required to ensure that governing bodies in Leeds meet statutory and best practice guidance

Recommendations

6. The Director of Children & Families is recommended to approve the waiver of the following contracts procedure rule(s)

Contracts procedure rules no 8.1 and 8.2 – intermediate value procurements

and award a contract to The Key Support Services Ltd (Company number 08268303) the sum of **£50,000**. The contract shall commence on the **(1 April 2018)** and expire on the **(31 March 2019)** [with the option to extend for a period of **(12 months)** such option not to be taken up more than **(1)**].

1 Purpose of this report

- 1.1 To provide information on the anticipated benefits of a contract with the Key for Governors, for access to the site for all governing boards which buy into the GSS SLA, aligned with the GSS business strategy

2 Background information

- 2.1 GSS has a three tiered SLA with schools and academies. Each level includes advice guidance and consultancy. The team identified at a recent away day that the majority of their time is spent giving general advice and guidance by email and telephone. This then limits the time available to generate additional income through training and consultancy work. There is a need for general advice and guidance, which is constantly updated, to be available for governors when they need it, which may be evenings and weekends. We currently have one 0.5 FTE officer at SO2 level who is trying to fulfil this need through the publication of documents on Leeds for Learning. The team has agreed that we should look at outsourcing this general guidance to free up more time to deliver bespoke services and training and consultancy opportunities which generate further income.

The expected benefits aligned with the GSS business strategy

The expected benefits of outsourcing general advice and guidance to a well-respected national advice service is that GSS officers will have more time for training and consultancy work both within Leeds and regionally; thus bringing additional income into Leeds City Council.

Why a particular option is preferred from among the others

The Key for School Governors is a national information service that provides governors with guidance, insight and instant answers to questions on all general aspects of school governance. At the last regional meeting of LA and independent providers of governor services, the Yorkshire and Humber Governor Support Group (YHGSG), it was agreed to explore whether The Key would be able to offer a discounted subscription to all schools in the Yorkshire and Humber region.

As Chair of the group I met with Emma Temperley the Regional Development Manager for The Key in December 2017. Emma explained that they were able to offer a 24 hour quality service as they had a team who looked proactively at what governors might need in the future, another team who constantly check that material on the site is up to date and a team who quality assure all material. This is not something we are able to replicate currently within GSS and could not do so even if more than one new member of staff were recruited.

The Key provides a wide variety of documentation, for example different proformas for governors to consider and is therefore not prescriptive. The Key is keen to work in partnership and already works with Kirklees Council. Any governor who seeks guidance specific to Kirklees is directed to Kirklees governor support service.

The cost for schools would be £250 compared to the normal cost of £545. The Key are looking to work with the LAs to develop other functions such as a mobile app and live reporting back to the LA. This would then provide information about what information governors are looking for and would help us to develop new training and consultancy packages. The Key have also said they would look at training notifications – particularly interesting on a regional basis to cross promote training services.

3 Main issues

Reason for contracts procedure rules waiver

There is no internal service provider which could provide 24 hour advice and support to governors. GSS does not have the capacity to provide this in line with external competitors.

.How external resources were sourced and why this offers the best value for money

The Key is the only information service for governors which provides such a breadth of information. Others that have been considered both regionally by YHGSG and Leeds GSS are:

- The NGA. Subscription to the NGA is cheaper at £260 per school. However, the NGA information and advice documents for governors are limited to their own product. There is a limited range of documentation which is prescriptive. They do not work in partnership with local authorities.
- The School Bus offers subscriptions on a sliding scale dependant on the number of pupils for a primary school with 180 pupils the cost is £400. The actual governance content is quite limited.

How funding will be provided and whether the cost will be affordable

The cost is factored into the 2018-2019 SLA. We have endeavoured to limit the increase in the cost of the Gold and Silver packages so as not to deter re-subscriptions from schools. However, the number of meetings in the packages has reduced from six to four. This allows for the cost of the subscription to The Key to be included at no actual increased price of the SLA. Governing bodies will be able to buy additional clerking for meetings as required.

The cost of buying The Key for 200 Leeds schools and academies would be £50,000. The GSS SLA for 2018/2019 shows how this additional revenue would be achieved.

Consequences if the proposed action is not approved

- 3.2 The risk of not buying a subscription to The Key is that GSS staff will not have the capacity to keep all documents and information up to date. Staff will need to spend more and more time updating current documents and producing new documents and will not have capacity for training and consultancy which brings in additional revenue from both Leeds schools and schools and academies within the region. Leeds GSS has recently had two successful conferences, the Ofsted autumn briefing and a regional clerks' conference which has brought in contacts and revenue from outside Leeds. Leeds GSS would like to capitalise on this and provide more opportunities for these governors and clerks as well as ensuring Leeds governors have the information, advice and training opportunities that they need 24 hours a day seven days a week.

Advertising

- 3.3 The procurement of a contract with a provider of on-line governance information and advice was discussed at the YHGSG meetings on the 28th September 2017 and 8th February 2018 (minutes attached). This gave the opportunity for representatives from local authorities, independent providers of governance support and the Diocese within Yorkshire and Humberside to put forward any external providers that they were aware of, for consideration. The members of YHGSG determined that through their collective knowledge and experience the Key for Governors was the preferred provider.

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Consultation took place with regional providers of governor services at the YHGSG meetings on the 28 September 2017 and 8 February 2018 (minutes attached). It was determined that The Key was the preferred provider.

4.2 Equality and diversity/cohesion and integration

- 4.2.1 The proposed contract with the Key has been considered with due regard to the legal requirement to assess the impact on staff and governors and any actions required to remove any obstacles identified with regard to
- Eliminating unlawful discrimination, harassment and victimisation
 - Advancing equality of opportunity
 - Fostering good relations

Consideration has also be given as to whether such a contract would discriminate against staff or governors because of the following protected characteristics:

- age (as appropriate for schools);
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation

It is considered that such a contract would not be discriminatory and those no additional measures would be required.

4.3 Council policies and best council plan

- 4.3.1 The procurement of The Key for Governors supports making Leeds Child Friendly City by ensuring that governors have access to high quality support and guidance documents 24 hours a day 7 days a week to ensure that they are the best position to hold schools to account for:
- Keeping children safe,
 - supporting families,
 - raising aspirations and educational attainment

4.4 Resources and value for money

4.4.1 The procurement represents value for money as it will provide all Leeds governors who buy into an SLA with GSS with good quality advice guidance and support and answers to questions 24 hours a day 7 days a week. This could not be provided internally by GSS. The Key has grown from a pilot project, funded by central government, in 2007 to become an independent company now serving more than 45% of schools in England. The Key has experts who can give accurate, impartial answers, quickly. Over the years they have carefully built up a well-rounded network of expertise, including an independent in-house research team, specialist associate experts, contacts throughout the sector and close relationships with teaching schools.

4.5 Legal implications, access to information and call-in

4.5.1 The business case for procurement of The Key has been discussed with Dawn Clough, Financial Manager, and agreed by Andrew Eastwood, Chief Officer Learning Improvement on 29 March 2018

4.6 Risk management

4.6.1 The risk of going ahead with the preferred option is that insufficient governing boards will buy into the GSS SLA for the 2018/2019 financial year. To 30 March 2018 41 SLAs have already been purchased with a revenue of £82,080. As of the 15 March 2018 the amount received through GSS SLAs was £37,410 which is 173% from 2016/2017.

GSS has generated income over budget for the past three years:

2016/17 Income Budget £500k, Actual to 5 March 2018 £526k, therefore £26k more than budget
2016/17 Total Traded Expenditure (inc 15% overheads) £456k therefore £70k income over expenditure

A comparison to last year is:

2015/16 Income Budget £500k, Actual outturn £505k, hence £5k more than budget
2015.16 Total traded Expenditure (inc 15% overheads) £485 therefore £20k income over expenditure

4.6.2 The risk of not going ahead with the procurement is that GSS will be unable to give the accurate timely advice, support and answers to questions that governing boards need. This could then result in them not buying the GSS SLA.

5 Conclusions

5.1 The risks of not procuring a contract with The Key outweigh the cost of buying the service for all Leeds school who have an SLA with GSS.

6 Recommendations

6.1 The Director of Children & Families is recommended to approve the waiver of the following contracts procedure rule(s)

Contracts procedure rules no 8.1 and 8.2 – intermediate value procurements

and award a contract to The Key Support Services Ltd (Company number 08268303) the sum of **£50,000**. The contract shall commence on the **(1 April 2018)** and expire on the **(31 March 2019)** [with the option to extend for a period of **(12 months)** such option not to be taken up more than **(1)**].

7 Background documents

7.1 None