

**Report of Head of Projects and Programmes**

**Report to Chief Officer Employment and Skills**

**Date: 10<sup>th</sup> June 2019**

**Subject: Adult Learning call-off contract awards for provision in academic year 2019/20**

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the decision be open 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: Appendix number: 1 CONFIDENTIAL AEB Provider Awards 2019-20 rule 10.4 (3)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Summary**

**Main issues**

- 1 In August 2019, the Council received confirmation of the annual funding allocation of £2.1 million from the Education and Skills Funding Agency (ESFA) under the Adult Education Budget (AEB), for the delivery of Adult Learning in the academic year 2019-20 from 1 August 2019 to 31 July 2020
- 2 In August 2019, the Council accepted the new ESFA Conditions of Grant Funding for the academic year 2019-20.
- 3 In March 2018 the previous Adult Learning Framework was replaced by the Employment and Skills Dynamic Purchasing System (DPS). Subsequently a mini-competition for Adult Learning 2019/20 provider contracts was held in April 2019. Confidential Appendix 1 contains 19 providers who it is recommended we award contracts to deliver provision in the next academic year starting on 1<sup>st</sup> August 2019. Those providers are comprised for 18 external organisations plus the Council's own Library and Information Service.
- 4 This report seeks authorisation to award provider funding allocations for the academic year, commencing on 1<sup>st</sup> August 2019 and running through to 31<sup>st</sup> July 2020.

## 1. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- The Best Council Plan 2019-20, sets out the Council's ambition for Leeds to have a strong economy and to be a compassionate city, tackling poverty and reducing inequalities. Supporting residents into Adult Learning and work is an important contributor to this ambition. In 2018-19 the Employment and Skills service helped 5,127 people into work and 7010 adults learn new skills
- The Council's Adult Learning Programme is funded by the Education and Skills Funding Agency (ESFA) under the Adult Education Budget (AEB), this provision makes significant contributions to the delivery of the Best Council Plan 2019-20 ambitions. This includes supporting Inclusive Growth by helping adults learn new skills to benefit from the economy to their full potential and tackling poverty in priority neighbourhoods; building a Child Friendly City by supporting families to give their children the best start in life; helping parents and carers improve their young children's educational attainment and closing achievements gaps for children and young people vulnerable to poor learning outcomes

## 2. Resource Implications

- The activities proposed will be funded through the 2019-20 Adult Education Budget, allocated to the Council by the ESFA. A total amount of £1.6 million will be awarded to external providers on the Councils Employment and Skills Dynamic Purchasing System (DPS) to support the delivery of activities detailed in the Confidential Appendix 1 for the academic year 2019-20
- The awarding of DPS call-off contracts was influenced by a robust contract management process led by the Employment and Skills Service which assessed factors such as quality of provision, learner outcomes and cost per learner to ensure the programme delivers value for money.
- The set tariff rates for standard provision under the Adult Learning Programme are comparable with those set by other local authority districts where provision is externally 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 the minimum target threshold will not normally be funded without good reason.
- The Employment and Skills Finance Manager has been consulted on the proposed awards to ensure financial integrity of the 2019-20 budget.

## **Recommendations**

The Chief Officer Employment and Skills is asked to approve:

- The proposed funding allocations for external delivery of the Council's Adult Learning Programme to the total value of £1.6 million for the 2019-20 academic year, and award one year DPS call-off contracts to 19 providers as set out in the Confidential Appendix 1.
- The recommended maximum funding allocation variations set out in the Confidential Appendix 1 allowing individual provider allocations to be varied in accordance with Contract Procedure Rules to enable effective programme management to maximise delivery outcomes.
- The Head of Projects and Programmes, Employment and Skills Service will be responsible for the implementation of the recommendations set out in this report and, the management of the Adult Learning Programme on behalf of the Council.

## **1. Purpose of this report**

- 1.1 This report seeks authorisation to award contracts for the academic year 2019-20 to 18 providers on the Council's Employment and Skills Dynamic Purchasing System (DPS) established in March 2018, plus the Council's own Library and Information Service.
- 1.2 The recommended awards to individual providers and learner targets are set out in the Confidential Appendix 1.

## **2. Background information**

- 2.1 Leeds City Council receives a funding allocation from the Education and Skills Funding Agency (ESFA) each academic year to deliver a broad and balanced programme of Adult Learning in Leeds. Managed by the Employment and Skills Service on behalf of the Council, this funding enables delivery of a wide range of activity, the majority of which is commissioned out to external providers including third sector organisations. One element of the provision, Family English, Maths and Language Learning is delivered internally by the Employment and Skills Service, and Digital Inclusion activity is delivered by the Council's Library and Information Service.
- 2.2 The purpose of the Council's Adult Learning Programme is to develop the skills, confidence, motivation and resilience of adults of different ages and backgrounds in order to:
  - Improve their health and well-being, including mental health and/or
  - Progress towards formal learning or employment, and/or
  - Develop stronger communities
- 2.3 For the academic year 2019-20, the total funding available for external delivery is £1.6 million. The programme is expected to support up to 7,000 learners and will continue to target disadvantaged individuals and communities across the City. A greater focus will be given this year to working with residents experiencing mild to moderate mental ill-health and digital inclusion activities in line with Council priorities.
- 2.4 The Council's Adult Learning Programme is funded entirely under the Employment and Skills Funding Agency (ESFA) Adult Education Budget (AEB), enabling a continued focus on supporting local residents aged 19 years plus with skills development through a broad and balanced range of activities. Adult Learning also provides a progression gateway to more formal learning, social mobility and longer term employability opportunities.
- 2.5 The Programme will comprise a range of activities delivered under the following themes:
  - Personal and Community Development Learning (PCDL) – activities for personal and community development, cultural enrichment, intellectual or creative stimulation and enjoyment. This provision does not usually involve any formal qualifications. This year, there will be a stronger focus on digital inclusion in line with Council priorities
  - Family English, Maths and Language (FEML) – aimed at Mothers, Fathers and Carers and designed to improve English, Maths and Language skills in 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) – activities aimed at adults aged 19 and over, with low skills levels, who are not currently in employment but want to work. This provision will offer tailored, individual support and where possible, will be aligned with other services/opportunities. A key element of the Skills for Jobs programme is to support progression to employment opportunities.
- Targeted Learning Projects (TLP) – targeted learning provision for learners who have multiple and/or complex needs/or are difficult to reach e.g. recovering from drug abuse, at risk of offending, socially isolated etc. This provision also supports activities that are innovative and delivers added value to the wider programme e.g. includes a work placement or residential element and/or delivers high levels of individual support.
- Accredited Learning – these activities help learners to achieve eligible qualifications as defined by the Education Skills Funding Agency e.g. Level 1 and Level 2 ICT, English and Maths courses and create opportunities for individuals to progress into employment, including Apprenticeships.

2.6 For the academic year 2019-20, the activities and learner groups prioritised have been informed by the objectives of the ESFA and the Council’s Adult Learning Plan 2016-19. The programme has also been aligned with the priorities set out in the 2019-20 Best Council Plan, namely to promote sustainable and inclusive economic growth by supporting businesses and residents to improve skills, helping people into work and into better jobs and building a Child Friendly City by supporting families to give their children the best start in life; helping parents and carers improve their young children’s educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes.

### **3. Main issues**

3.1 In August 2019, Leeds City Council accepted the ESFA Conditions of Grant Funding for the academic year 2019-20. £1.6M of the ESFA funding is being awarded to providers on the Framework to deliver Adult Learning across the city.

3.2 This report seeks approval to award funding allocations to providers on the Councils Adult Learning Framework, for academic year commencing 1<sup>st</sup> August 2019 to 31<sup>st</sup> July 2020, as set out in the confidential Appendix 1 and summarised below.

Provision in 2019-20	Number of Providers	Total Value of Orders (£)	Learner Targets
Personal and Community Development (PCDL)	11	£695,785.00	2616
Family English and Maths (FEML) <i>Incl. crèche &amp; tutor support</i>	2	£121,030.00	388
Wider Family Learning (WFL)	4	£25,160.00	191
Skills for Jobs (SfJ)	12	£457,600	2189
Targeted Learning Projects (TLP)	7	£303,977	1000
Accredited Learning (ASB)	3	£105,500	59
Curriculum development	1	£10,000	0
<b>Totals</b>	<b>42</b>	<b>£1719,052.00</b>	<b>6502</b>

3.3 18 organisations on the DPS who applied to deliver activities in 2019-20, plus Leeds Libraries, are recommended to receive a contract award following the evaluation panel meeting in May 2019. One organisation passed the bid threshold but will receive no contract award as their proposal duplicated proposed delivery of other organisations whose bids scored higher. Two organisations bids failed to meet the pass threshold to be considered for contract award. No submissions were received from 19 other organisations invited to bid in the DPS Adult Learning category.

3.4 To enable the Council to maximise grant expenditure and programme impact, recommended allocations are over-programmed by up to a maximum of 10% for each provider. This is compliant with Contract Procedure Rules and supports effective programme management to enable individual allocations to be varied throughout the year within the total funding allocation of £1.6m.

### Compliance with the ESFA's Conditions of Funding

3.5 A positive change to ESFA Adult Education Budget (AEB) 2019-20 funding rules concerns in-work adult learners earning up to £15k, who now become eligible for free AEB funded provision.

3.6 Any subsequent in-year ESFA AEB funding rules amendments will be cascaded to providers call-off contracts to ensure compliance.

3.7 Adult Learning provider 2019-20 call-off contracts terms and conditions have been updated to ensure compliance with recent GDPR legislation.

### Alignment with Council Priorities

3.8 To ensure alignment with Council priorities the 2019-20 Project Brief specified providers must recruit learners from priority neighbourhoods in the SOA's in the 1% most deprived areas and especially the Council-wide **6 Priority Localities** at:

- Stratford Street, Beverleys, E01011372, City & Hunslet
- Crosby St, Receptions, Bartons, E01011368, Beeston & Holbeck

- Lincoln Green, E01033035, Burmantofts & Richmond Hill
- Cliftons, Nowells, E01011347, Burmantofts & Richmond Hill
- Boggart Hill, E01011658, Killingbeck & Seacroft
- Holdforth's, Clyde Approach, E01011363, Armley

3.9 Local priorities, identified in the Council's Adult Learning Plan 2016-19, continue to determine this year's provision. There will be increased focus on digital inclusion, improving impact measures and further development of progression pathways, including into employment. Adults who are marginalised and least likely to participate will continue to be prioritised including workless adults, people on low incomes with low skills, those who did not achieve at school and people residing within communities that lie within the 20% most deprived nationally on the Indices of Multiple Deprivation.

3.10 Recruitment from deprived areas will be facilitated through increased programme focus to target priority localities and groups under Skills for Jobs, Family English and Maths and Targeted Learning Projects. These targeted priorities will widen participation for marginalised and underrepresented groups, including people with mental ill-health.

3.11 The mix of providers, types of activity and target groups will enable the Council to continue to provide a broad and balanced programme for a range of adult learners. The ESFA does not provide a set target for learner numbers but there is an expectation that learner numbers will, as a minimum, be maintained year on year. It is anticipated that the proposed awards to providers including the in-house provision will support up to 7,000 learners in 2019-20.

## 4 Corporate considerations

### 4.1 Consultation and engagement

4.1.1 The allocation of resources between activities under the programme has been informed by feedback from elected members, providers and learner forums. This includes information obtained through the annual Adult Learning self-assessment reporting (SAR) process, from classroom observations and through learner surveys.

4.1.2 The Executive Member for Learning, Skills and Employment was consulted in May 2019 on the proposals set out in this report.

4.1.3 A member of the Adult Learning Trust Board (includes providers and representatives from other Council services, FE and HE learning institutions and the third sector) was included on the Evaluation Panel to assess bids received and recommend the allocation of awards to providers on the Council's extended Adult Learning Framework for 2019-20.

## **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 All providers are required to submit Equality Diversity and Community Cohesion (EDCC) information as part of their contractual reporting to demonstrate that equality issues have been considered and will be embedded in the planning, delivery and review of provision. The process for reporting and monitoring equality and diversity information is clearly defined in the Adult Learning Programme provider handbook that is updated annually.
- 4.2.2 The provision is also subject to Ofsted requirements through the Education Inspection Framework which are built into the contract monitoring and quality assurance processes. This includes a key focus on equality and diversity including providing quality inclusive services, identifying and removing barriers and narrowing any gaps in learner participation and achievement.
- 4.2.3 An EDCI screening was carried out on 07 June 2019 and is detailed in Appendix 2. The findings from this assessment are that equality, diversity, cohesion and integration issues have been appropriately considered in relation to the proposed allocation of awards to providers on the Councils Adult Learning Framework.

## **4.3 Council policies and the Best Council Plan**

- 4.3.1 The proposals set out in this report contribute to the Best Council Plan 2019-20 priorities around supporting Inclusive Growth by helping adults learn new skills to benefit from the economy to their full potential and tackling poverty in priority neighbourhoods; building a Child Friendly City by supporting families to give their children the best start in life; helping parents and carers improve their young children's educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes.
- 4.3.2 The objectives of the Council's Adult Learning Programme will also help deliver outcomes under other Council initiatives by increasing digital inclusion; supporting the early integration of refugees; engaging vulnerable and isolated adults and skills support to those with mild to moderate mental ill-health.

### **Climate Emergency**

- 4.3.3 This decision has no direct impact on the climate emergency in the city. Further work will be undertaken to ensure that the delivery model seeks to maximise opportunities for local delivery to reduce the need for travel and reduce staff and programme participant travel to attend the Adult Learning Programme through effective programme planning and the use of on-line technology where possible.

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

- 4.4.1 The activities proposed will be funded through the 2019-20 AEB allocated to the Council by the ESFA. A total amount of £1.6 million will be awarded to external providers on the Council's Employment and Skills Dynamic Purchasing System (DPS) to support the delivery of activities detailed in the Confidential Appendix 1 for the academic year 2019-20.
- 4.4.2 The awarding of DPS call-off contracts to providers was influenced by a robust contract management process led by the Employment and Skills Service which assessed factors such as quality of provision, learner outcomes and cost per learner to ensure the programme delivers value for money.

- 4.4.3 The set tariff rates for standard provision under the Adult Learning Programme are comparable with those set by other local authority districts where provision is externally 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 the minimum target threshold will not normally be funded without good reasons.
- 4.4.4 The Employment and Skills' Finance Manager has been consulted on the proposed awards to ensure financial integrity of the 2019-20 budget.

#### **4.5 Legal implications, access to information, and call-in**

- 4.5.1 Providers were selected from the Council's Employment and Skills DPS and will be awarded one year call-off contracts for the next academic year 2019-20 in accordance with the Council's Contract Procedure Rules and Financial Procedure Rules.
- 4.5.2 This is an officer delegated key decision which was notified in June 2019 on the Forward Plan for July 2019 and is subject to "call-in".
- 4.5.3 Officers in Legal Services were consulted on the changes proposed to contract terms and conditions in response to the recent GDPR legislation.
- 4.5.4 Subject to approval, processing of call-off contracts for the academic year 2019-20 will be undertaken by officers in the Employment and Skills Service in conjunction with Legal Services and PPPU.
- 4.5.5 The information contained in Confidential Appendix 1 relates to the financial or business affairs of provider organisations and is therefore considered to be commercially sensitive. This information has been obtained through the contract management 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 For the 2019-20 academic year, ESFA AEB funding rules allow a continuation of the existing delivery arrangements. This academic year also provides an opportunity for the Council to understand the implications of potential new AEB delivery models that could arise as part of future devolution changes.
- 4.6.2 Advice on the terms and conditions, award methodology and criteria to award contracts for the 2019-20 academic year has been sought from the Procurement Governance and Regulation Manager.
- 4.6.3 Advice on maximum award amounts for the 2019-20 academic year has been sought from the Finance Manager in conjunction with the overall budget.
- 4.6.4 All contracts awarded will be subject to robust financial and quality monitoring procedures led by officers in the Employment and Skills Service and in accordance with the Council's and the ESFA's regulations.
- 4.6.5 To enable the Council to maximise grant expenditure and programme impact, recommended allocations could be varied by up to a maximum of 10% for each provider where required to absorb any underperformance that may arise elsewhere. Contracts are closely monitored throughout the year and where

necessary, adjustments will be made to ensure the programme is delivered within budget and that learner targets are achieved by the end of the academic year.

- 4.6.6 A GDPR compliant privacy impact assessment screening was carried out on 25<sup>th</sup> June 2018 to ensure that the Council and its external providers on the Adult Learning Framework remain compliant with information governance policies and statute. The screening found that a full DPIA was not needed.

## **5 Conclusions**

- 5.1 Following an open tender process in March 2018, 39 organisations were appointed to a ten year Dynamic Purchasing System. In April 2019 those organisations bid in a competitive mini-competition for one year call-off contracts to deliver the Council's Adult Learning Programme, funded by the ESFA.
- 5.2 This report deals with the award of call-off contracts for the academic year starting on 1 August 2019 to 31 July 2020. The funding available for external delivery is £1.6 million and along with a small internal provision, is expected to support up to 7,000 learners across the city.
- 5.3 The recommendations contained in this report will ensure the Council can continue to deliver a broad and balanced programme of Adult Learning across Leeds, targeting priority learner groups and those living in priority neighbourhoods.
- 5.4 The Council's Adult Learning Programme makes significant contributions to the delivery of the Best Council Plan 2019-20 ambitions. The includes supporting Inclusive Growth by helping adults learn new skills to benefit from the economy to their full potential and tackling poverty in priority neighbourhoods; building a Child Friendly City by supporting families to give their children the best start in life; helping parents and carers improve their young children's educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes.

## **6 Recommendations**

- 6.1 The Chief Officer Employment and Skills is asked to approve:
- The proposed funding allocations for external delivery of the Council's Adult Learning Programme to the total value of £1.6 million for the 2019-20 academic year, and award one year DPS call-off contracts to 19 providers as set out in the Confidential Appendix 1.
  - The recommended maximum funding allocation variations set out in the Confidential Appendix 1 allowing individual provider allocations to be varied in accordance with Contract Procedure Rules to enable effective programme management to maximise delivery outcomes.
  - The Head of Projects and Programmes, Employment and Skills Service will be responsible for the implementation of the recommendations set out in this report and, the management of the Adult Learning Programme on behalf of the Council.

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

- 7.1 There are no background documents.

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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.