

Annual procurement of pupil level data set and analysis tool – ALPs subscription

Date: 18th February 2022

Report of: Head of Service, Intelligence and Policy Service

Report to: Chief Officer Resources and Strategy

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

- This report seeks approval to enter into one further contract in accordance with the council's contracts procedure rule (CPR) 9.5, for the procurement of the ALPs subscription from Alkemygold Limited.
- The council has entered into contracts with this provider since 2016 to purchase annual subscriptions which provides a standard dataset and intelligence tool used by schools and Local Authorities (LAs) nationally. This subscription provides key intelligence resources; the underlying data set and analysis have developed over time to meet the sector needs and reflect changes in national policy and direction and are based on government datasets.
- Underlying the decision to purchase this subscription is the fact that the data provided within the subscription is vital, as it is important for learning providers to have a comprehensive understanding of academic year performance, both at school and LA level. This data set and intelligence tool allows the LA to perform its statutory duties.
- The tool is proprietary to the supplier, and there are no other providers in the market who provide a reasonable or alternative solution.

The subscription is: -

- ALPs – Alkemygold Limited – Key Stage 4 and 5 analysis and tracking from year 7 to year 13. Annual value: est. £18,000.00 (excluding VAT) from 10th August 2022 to 31st July 2023.
- Approval to procure the above subscription using the procedures as set out above is being requested as competition is not being sought due to the proprietary nature of the products. A full options appraisal of similar products by the Department for Education (DfE) accredited providers was undertaken and it concluded that this product provided superior functionality; ALPs continue to provide the most comprehensive package that fulfils the requirements of the LA and schools in Leeds.
- The purchase of this subscription will support work being taken to progress the ambitions and priorities for the organisation and the city, stated within the Best Council Plan 2020 – 2025, for the Best City priority 'Child Friendly City'.

Recommendations

- a) In respect of the contract with Alkemygold Limited, the Chief Officer Resources and Strategy is recommended to approve a further direct award of contract to Alkemygold Limited for the sum of approximately £18,000 ex VAT in accordance with CPR 9.5. The contract shall commence on 10th August 2022 (results day for A Levels) and expire on 31st July 2023, with the option to extend for one further period of 12 months.

Please note: the ALPs contract involves the LA effectively acting as an agent and is likely to cost circa £18,000.00; with the exact cost dependent on take-up by schools in 2022-23 (but the LA is only charged for the schools that subscribe and the LA recovers all costs from schools). The total value of the contracts directly awarded to Alkemygold Limited since 2016 to date for the delivery of these services is £95k inc. VAT.

1.0 Why is the proposal being put forward?

- 1.1 Approval to procure the above subscription is being sought for the ongoing procurement of annual dataset relating to pupil progress and attainment, via subscription, so that information can be used to inform school improvement strategies, allow school improvement to fulfil their statutory duties and to ensure that data can be made available to schools (with costs recovered).
- 1.2 A full options appraisal of similar products by the DfE accredited suppliers was undertaken and concluded that the three products provided superior functionality for the requirements of the LA and schools alike.
- 1.3 The data provided within this subscription is vital as it is important for learning providers to have a comprehensive understanding of academic year performance, both at school and LA level.
- 1.4 For several years, the LA has provided analytical information via a subscription with ALPs. The dataset provides key intelligence resources; the underlying data set and analysis has developed over time to meet the sector needs and reflect changes in national policy and direction and based on government data sets. It has also developed in terms of functionality. The usefulness and value for money of the subscription is regularly reviewed, as is the combination of resources needed. The fact that costs are recovered from schools minimizes the cost to the LA and validates the recognised value of the tools.
- 1.5 Waivers have historically been sought to purchase the subscription since 2016, with DDN reports submitted, and waivers granted on each occasion.
- 1.6 There has been a changing landscape regarding the accessibility of the data sets to both schools and the local authority. Historically, these were purchased by the LA and shared with schools. Costs are now recovered from schools. There are two significant advantages to this model; the LA receives detailed analyses for pupils within the city and schools receive analysis at a reduced cost with the LA using its purchasing power to buy at a reduced rate and offer a subscription to schools at a substantially lower cost. Their value to the LA and schools is regularly reviewed and is consistent with the strategic priorities for the city.
- 1.7 ALPs is relevant to KS4 and KS5 in secondary schools and colleges.
- 1.8 While school governance arrangements have changed with academies and free schools, local authorities continue to provide a middle layer between the schools and the provider that aids effective distribution of the datasets. This also enables the LA to access the data for the children and young people within its area.
- 1.9 Changes in national funding of education are reflected with costs now effectively being recovered from schools. For ALPs there is no risk as we only buy on behalf of schools who want this product; there is no up-front purchase for all schools as is the case with other subscriptions (National Consortium of Examination Results CIC (NCER) Nexus subscription and the Fisher Family Trust (FFT) Education Ltd - FFT Aspire subscription). At primary level, school interest remains at close to 100%, and has also been high in the secondary sector with almost all schools taking at least one product.

2.0 What impact will this proposal have?

Wards affected:

Have ward members been consulted? Yes No

- 2.1 No council wards will be affected by the proposal negatively, and as such ward members have not been consulted.
- 2.2 Furthermore, there are several positive impacts resulting from the purchase of the subscription. Making these intelligence tools available to schools and the LA supports the LA's equality duty. These tools inform a robust analysis of progress and attainment in learning including differences between genders, ethnicities, children with special education needs, those who do not speak English as a first language and those where poverty is a factor. They allow matching of vulnerable cohorts with their learning outcomes. Not utilising resources like this could weaken the ability of the council to fulfil its equality duty in this area. Developing a better understanding of outcomes for vulnerable learners and drawing up plans to narrow these attainment gaps is an increasingly important area of work for children's services, as well as being an ambition that unites services from both the universal and the targeted and specialist areas of the directorate. The Ofsted and Care Quality Commission's inspection of the local area's support for children with SEND highlighted the need for child level data, some of which is provided by these data sets.
- 2.3 Not purchasing the subscription would have several negative impacts on both schools and the local authority's ability to perform its statutory functions. Without the data set the LA's commitments to schools will not be met and schools would need to procure these resources directly. The costs to the city would be higher if all schools still procured them without going through the LA, given reductions are in place for the LA acting as the local agent. If schools don't procure, the LA is not directly aware and would have concerns on those schools' level of self-awareness and vulnerability to poor Ofsted judgements.
- 2.4 The LA would have less intelligence on local school performance and the underlying trends in city educational performance. Due to the end of the RAISEonline contract, there would be no ability to replicate this work locally as buying data sets is our only route to obtaining this data.

3.0 What consultation and engagement has taken place?

- 3.1 There is an annual review of the procurement of the data sets (subscriptions – including FFT Aspire and NCER Nexus). This involves discussions with learning improvement colleagues, including their experiences with schools, and their value to the local authority. Dependent on the decisions needed each year this conversation can be widened to include representative schools. Fundamentally, schools are recharged for a proportion of the cost of the products and are written to with the offer each year and they have the choice to sign up or to opt out. There are forums for performance colleagues from across regional LAs where views on the value of the data sets are also shared.
- 3.3 A paper was presented to the Learning Leadership Team in November 2021 to outline the options for learning performance analysis systems subscriptions in 2022/23 (including an options appraisal of all existing products produced by DfE accredited suppliers and a risk evaluation). The Learning Leadership team confirmed their ongoing support for the use of these tools and agreed they represent good value for money for schools and the LA. The decision was taken to continue using the learning performance analysis systems (datasets) in order that the LA and schools can continue to use the software.

4.0 What are the resource implications?

- 4.1 The procurement of this product by the LA represents value for money and reduces the Leeds pounds spent by the city on these resources. The passing on of costs to schools adds an additional check on the value for money of the resources, it also reduces the cost to the LA as support in kind as facilitator. There is unlikely to be a direct financial cost to the LA, and, if subscriptions remain at the rate of the years before, it will result in income-generation.

5.0 What are the legal implications?

- 5.1 The value of the contract detailed within this report are below the level for key decisions as prescribed within the council's constitution and therefore this decision is not subject to call-in.
- 5.2 There is the potential risk of challenge that there are no real technical reasons justifying the use of CPR 9.5 of the Council's Contract Procedure rules, and that the Council is simply seeking to circumvent the application of the procurement rules. However, due to the reasons set out in in this report this risk is perceived to be low.
- 5.4 The above comments should be noted when making the final decision, the Chief Officer Resources and Strategy should be satisfied that the course of action chosen represents best value for the Council.

6.0 What are the key risks and how are they being managed?

- 6.1 A full evaluation of risk was included in the paper outlining the options for learning performance analysis systems subscriptions in 2022/23. It also included an options appraisal of all existing products produced by DfE accredited suppliers and a risk evaluation. The options appraisal concluded that within the limited field of six DfE accredited providers, ALPs provided superior functionality to schools and the LA alike.
- 6.2 The key risk events with high probability and high impact, except for financial risk, which was included for visibility, despite it being a lower risk of probability, are summarised below.
- 6.3 The risk evaluation recognised further key risks to schools and the LA, if the LA does not subscribe to at least one of the products, and they are detailed in the section 'What impact will this proposal have?'
- 6.5 In relation to information governance and the processing of pupil-level data, all three subscriptions are subject to review by IDS Cloud & Platforms.
- 6.6 Following the discussion of the risk evaluation in the paper with the Learning Leadership team confirmed their ongoing support for the use of these tools and agreed they represent good value for money for schools and the LA. The decision was taken to continue using the learning performance analysis systems (datasets) in order that the LA and schools can continue to use the software.

7.0 Does this proposal support the council's three Key Pillars?

Inclusive Growth Health and Wellbeing Climate Emergency

- 7.1 The purchase of the product will support work taken to progress the ambitions and priorities for the organisation and the city stated within the Best Council Plan 2020 – 2025. The Best Council Plan 2020 - 2025 aims to tackle poverty and reduce inequalities alongside the city's three Key Pillars: Inclusive Growth Strategy, Health & Wellbeing Strategy and Climate Emergency declaration. One of the Best Council Plan's priorities for a Child Friendly City includes the objective 'Improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes', and the purchase of the three subscriptions will provide the data and analyses to assist schools and the LA to address that objective.

[BCP 2020-2025.PDF \(leeds.gov.uk\)](#)

- 7.2 *Do well at all levels of learning and have the skills they need for life* is a city outcome to support our vision for a Strong Economy and Compassionate City. There is an equivalent outcome in the Children and Young People's Plan 2018-23. The intelligence tools support these outcomes and are especially useful in terms of strategies and targeted approaches to addressing equality gaps in learning outcomes.

[Leeds Children and Young People's plan 2018-23](#)

- 7.3 The purchase of the subscription is not expected to have an impact (both positive and negative) on carbon emissions and the climate emergency.

Options, timescales and measuring success

8.0 What other options were considered?

- 8.1 As previously mentioned, an options appraisal of similar products to those offered by ALPs, was undertaken as part of the annual review of the learning performance analysis systems (datasets) in preparation for procurement in 2022-23.
- 8.2 The underlying data within this product is based on government datasets, supplied by the DfE. In 2017, The DfE introduced new commercial arrangements to accredit suppliers with early access to school performance data. The DfE has given accreditation to six providers (of which Alkemygold Limited is one), who create data analysis and insight tools and sell these to schools and LAs.
- 8.3 The options appraisal found that of the six suppliers, only three offer services to both LAs and schools, and Leeds City Council subscribes to two of these (FFT Aspire and ALPs). It is also important to note that schools and multi-academy trusts have an option of whether to subscribe to a product via the LA or opt to make their own arrangements.
- 8.4 In summary, the options appraisal concluded that within the limited field of six DfE accredited providers, ALPs provided superior functionality to schools and the LA alike.
- 8.6 The subscription offers sector tools developed over time between the providers (ALPs, FFT and NCER), LAs and schools. There choices about the offer from each provider and the combination of resources procured, accepting that they are complimentary to each other. They are premised on being used by a majority of LAs and schools nationally.
- 8.7 The most natural alternative is for LAs to do their own models, but this is proving not sustainable or as up to date as national models. There are choices of what is taken but there is not a competitive market in which to advertise.

9.0 How will success be measured?

- 9.1 It is difficult to measure success directly but the number of schools signing up to one or more product compared with the previous year is a measure of the system's effectiveness/usefulness to schools. The above is taken into consideration during the annual review of products prior to procurement.

10.0 What is the timetable for implementation?

- 10.1 The ALPs contract runs from mid-August 2022 to the end of July 2023 (effectively just prior to the start of the academic year 2022-23 and shortly afterwards) and the contract will be signed in April/May 2022.
- 10.2 It is proposed that the LA continues to offer subscriptions to ALPs to secondary schools who request it. An overall pricing strategy for schools' subscriptions will be agreed with the Learning Leadership Team in January/February 2022, and schools will be contacted with their 2022-23 subscriptions offer in February/March 2022.

11.0 Background papers

- 11.1 None.

12.0 Appendices

- 12.1 None.