

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4964

Author:

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Department:

Growth and City Development

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Subject:

Education Skills Funding Agency (ESFA)- Adult Education Budget (AEB) 2023/24

Total Value:

£541,660 (Type: Revenue)

Decision Being Taken:

1) To accept funding from the ESFA and enter into a funding agreement for up to £541,660 to deliver the AEB Community & Family Learning programme for the academic year of August 2023 to July 2024.2) To authorise the allocation of a budget of £126,644 for the council associated projects management cost. (Table 2) This includes: a) Compliance Support Officer (0.6) b) Finance manager (0.1) c) Data Manager (0.5) d) Community Family Learning project Lead (fulltime)3) To commission £317,000 (Table 1) of the contract through Nottingham City Councils (NCC) procurement process via 7 LOTs. Delegate the authority to the Corporate Director for Growth and City Development to award the contracts for 12 months, with the option to extend 1 + 1 + 1 + years, subject to NCC receiving the ESFA contract and the devolution AEB outcome.4) The remaining £98,016 (Table 3) will support the NCC team meet the ESFA contract requirements, in addition the Ofsted Education Inspection Framework. This includes Management Information System (MIS), Information Advice & Guidance (IAG), standardised paperwork, marketing and Continued Professional Development of the delivery partners staff.5) To approve the Supply Chains & Fees Policy for 2023/24.

Reasons for the Decision(s)

Over the last 20 years, NCC has held a contract with the ESFA for the delivery of Adult Education provision. NCC has been awarded a contract for adult education delivery in 2023/24 within in Nottingham city boundaries. Family Learning Provision is designed to support different generations of family members to learn separately and /or together. It has the aims to: * Develop the skills and knowledge of both the mother/father/carer and the child participant; * Enable mother/father/carer to be more active in supporting their children's learning and development and to understand the impact of that support. Community Learning targets unemployed adults or those on low income, with low skills levels and from disadvantaged communities. The programme aims to support widen participation by improving health, confidence and social wellbeing, improve skills such as financial literacy and communication, prepare individual for further training and employment in order to support the council commitment to reduce unemployment, there is an aspiration to increase the skills levels of its citizens. Both Community & Family Learning play a valuable role in engaging those individuals who have no qualifications and are furthest way from the labour market into first steps learning. The funding provided works on an annual, academic cycle and MUST be spent by the end of the academic year (July 2024). Not spending the allocation could result in any future funding allocations being significantly reduced or even ended. The proposed breakdown of the budget is as follows: 1) Enter into the agreement with the ESFA for 2023/24 2) Staffing - all posts are existing team members within Employment and Skills all team members, excluding the project lead are on fixed term contracts for the duration of the contract. 3) Commission £317,000 of the AEB allocation, via a full procurement exercise, with the opportunity, subject to NCC receiving the ESFA funding contract, to extend the contract, plus 1, plus 1, plus 1 years. Funding will be allocated via LOTS and are aligned to the Council Plan priorities. These include: Wider Family Learning, Family English Language & Maths, English Speakers of Other Languages, Personal Development, Digital Skills, Go Green, Health & Wellbeing. 4) The remaining £98,016 (Table 3) these additional costs are all mandatory ESFA and Ofsted requirements which will support the service in driving up quality performance, in training Continued Professional Development of the workforce, aligned to the service quality improvement plan and Ofsted requirements. MIS and monthly data returns are an ESFA contract requirement and in addition provide the service with data insight in order for contract management, analyse data and drive improvements. IAG will form part of the delivery of the the contract and is also both an ESFA and Ofsted requirement. The existing role will continue to offer impartial IAG to all learners and in addition track learners 3/6 months after a learners has completed their learning programme. The service is allocating a marketing budget which will be a mix of ensuring a standard brand is used across all partners, in order for citizens to recognise a CFL programme, regardless of the subcontractor. There will also be an allocation for engagement/recruitment of English Speaker's of Other Language's (ESOL) this will go to BEGIN, whom hold the central referral of ESOL learners. This will ensure ESOL provision supports those citizens on BEGINS waiting list, provision can be planned locally and at appropriate levels. Celebrating the success of learners is an key objective for the service and is also a measure in the Ofsted framework. 5) The ESFA Supply Chain Fee and Charges Policy (attached) is a mandatory policy that the ESFA Accountable Body is required to

produce and adhere to. The policy sets out the terms and condition for sub-contracting arrangements.

Other Options Considered:

To not enter into this agreement with the ESFA: this option was rejected as it would mean a loss of £541,660 grant funding, which would impact over 1,000 Nottingham City citizens, resulting in many individuals not receiving training to support their children's learning and development, as well as their own subject knowledge in English, Maths, ICT and emotional literacy.

Background Papers:

Subcontractor overview and supply chain fee & charge policy

Unpublished background papers:	Subcontractors_overview April 23 Table 1_2_3.pdf, Supply Chain Fee & Charges policy_Nottingham City 2023_24 V1.pdf
Published Works:	None.
Affected Wards:	Citywide
Colleague / Councillor Interests:	None.
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	CFL provision encourages families and the wider community to be active members within their community and to be responsible citizens.
Equality:	EIA not required. Reasons: Not required as the decision does not represent proposals for a new or changing policy, service or function.
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	20/06/2023
Advice Sought:	Legal, Finance, Procurement

Legal Advice:

The Council proposes to accept the above sum of money from the Education Skills Funding Agency. The funding will be used in part to procure external suppliers under the Community & Family Learning Lots - the remainder will be internal staffing costs.

Due to the phasing of the funding and the necessity to procure suppliers before the new academic term, legal are unable to review the funding agreement at the time of submitting this decision. However, a review of the funding agreement for years 2022/23 has taken place and is unlikely to change substantially for years 2023/24.

The Council should review any changes to the 2023/24 funding agreement when it becomes available to ensure that there have been no substantial changes, in particular in relation to clawback and withdrawal of grant.

The proposed procurement should take place in accordance with the Public Contract Regulations.

Advice provided by Olivia Watkinson (Solicitor - Commercial) on 19/05/2023.

Finance Advice:

The decision to Accept £541,660 From the Education Skills Agency to deliver the AEB Community and family learning in the Academic year of 23-24 is supported, providing adherence to procurement and other relevant legislation detailed in this document is followed. The appropriate accounting adjustments will be processed to carry forward the remaining grant relating to April-July 2024 into 24/25 financial year.

It is the responsibility of the Family Learning Manager to ensure that the grant is fully spent by the end of July 2024 to ensure that future allocations are not significantly reduced, with the proposed schedule of spend on the attached subcontractors overview. The service will need to ensure that processes are in place to enable the reporting to ESFA as outlined in the grant conditions. The ESFA has run successfully for several years with previous DDM's on this scheme include DD3651 and DD1545.

The Scheme is not at risk of clawback, with any underspend taken from the following years funding. Therefore the proposal will not add financial pressure to the MTFP and can be contained within Economic Development and is supported. This will be monitored by the service for any variance and reflected in the monthly forecast for the service.

Advice provided by Paul Rogers (Commercial Finance Business Partner (G&D)) on 17/05/2023.

Procurement Advice:

The procurement of the Community and Family Learning service will be procured in 7 Lots, as in set out in the Overview Table included with this DDM, for a period of 1 year (+1 +1 +1 subject to ESFA funding). The tender will be managed by the Procurement Team and will ensure best value and compliance with procurement legislation.

Advice provided by Julie Herrod (Procurement Officer) on 03/05/2023.

Signatures

Steve Battlemuch (PH - Skills, Econ Dev, Property & Growth)
SIGNED and Dated: 09/06/2023
Sajeeda Rose (Corporate Director of Growth & City Development)
SIGNED and Dated: 05/06/2023