

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

5195

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Department:

Growth and City Development

Contact:

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Subject:

Education Skills Funding Agency (ESFA) 2024/25 Tailored Learning Grant Funding

Total Value:

£541,660 (Type: Revenue)

Decision Being Taken:

1. Accept ESFA funding of £541,660 and enter an agreement to deliver the Tailored Learning programme in academic year 2024/25 (Spend Approval ID 7252).
2. Extend existing contracts (Appendix A - Table 1) by £314,000 for a year, in line with the comprehensive procurement undertaken in July 2023.
3. Allocate £128,025 (Appendix A - Table 2) for council project management costs including:
 - a. Compliance Officer (0.6 FTE)
 - b. Finance manager (0.1 FTE)
 - c. Data Manager (0.5 FTE)
 - d. Community Family Learning Lead Officer (0.8 FTE).
4. Delegate authority to the Corporate Director for Growth and City Development to award contracts for 12 months, with the option to extend by a year, subject to NCC receiving the ESFA and devolution AEB outcome.
5. Allocate £99,635 (Appendix A - Table 3) to support NCC meeting ESFA contractual requirements and the Ofsted Education Inspection Framework, including Management Information System, Information Advice & Guidance, standardised processes, marketing, external audit, celebration and continued professional development of delivery partner staff.
6. Approve the Nottingham City Council Fees, Remission and Refund Policy for 2024/2025 (Appendix B).

Purposes of the Funding

NCC has been awarded a contract worth £541,660 from the Education and Skills Funding Agency's (ESFA) Adult Skills Fund for the delivery of 'Tailored' Adult Learning to eligible Nottingham city residents in Academic Year 2024/25. The Council has been contracted for some 20 years to deliver learning of this type through its Community and Family Learning service, which was rated 'Good' by Ofsted following an inspection in May this year. The service is continuing to drive high expectations and improve the outcomes by over-seeing a clear improvement plan.

Funding is provided annually by the ESFA and must be spent by the end of the academic year (July 2025). Not spending the allocation could result in any future funding allocations being significantly reduced or even ended. Spend Approval for this funding has been secured from the Section 151 Officer (SR 7252).

Tailored learning includes both Community and Family Learning, which engage individuals who have no qualifications and are furthest way from the labour market, into first steps learning. In delivering the 'Tailored Learning' contract, NCC will work alongside delivery partners to deliver Family Learning Provision to support different generations of family members to learn separately and /or together and Community Learning that supports unemployed adults or those on low income, with low skills levels and from disadvantaged communities.

Family Learning aims to develop the skills and knowledge of both the mother/father/carer and the child participant and to enable a 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 aims to support and widen participation by improving health, confidence and social well-being and improving skills such as financial literacy and communication. It also aims to prepare learners for further training and employment.

Delivering foundational learning (such as Community and Family Learning) is a key action in the Nottingham Growth Plan.

Budget for Academic year 2024/25

The £514,660 budget received from the ESFA for Academic Year 2024/25 is summarised in Appendix A and is detailed below;

1. Staffing (£128,025)

The budget supports four posts and is the equivalent of 2 FTEs. All posts are existing team members within the Community and Family Learning team. Team members, excluding the project lead, are on fixed term contracts with NCC for the duration of the ESFA contract.

2. Contracted Delivery (£314,000)

Following a full procurement exercise (July 2023), with the opportunity, subject to NCC receiving the ESFA funding contract, to extend the contract by one year + one year. Funds are allocated via LOTS aligned to the Council Plan priorities. These include: Wider Family Learning, Family English Language & Maths, English Speakers of Other Languages, Personal Development, Digital Skills, Green skills, Health & Wellbeing.

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3. Additional delivery costs (£99,635)

The additional delivery costs are mandatory ESFA and Ofsted requirements which will support the service in driving up performance, including training, Continued Professional Development of the workforce aligned to the service quality improvement plan, marketing, management information systems, provision of impartial Information, Advice and Guidance to learners (IAG), tracking learner destinations after programme completion, additional ESOL engagement and celebrating learners success - which is a key measure in the Ofsted framework.

Managing Risks

All partner payments are not purchases but are the reimbursement of actual delivery costs incurred by the delivery partners. Payments are made on actual costs.

The ESFA Supply Chain Fee and Charges Policy is a mandatory policy that the ESFA Accountable Body is required to publish and apply. It is reflected in the Nottingham City Council Fees, Remission and Refund Policy for 2024/2025 (attached as Appendix B). It requires Nottingham City Council to pay partners within 30 days. The service is subject to an annual external audit that will examine whether the payment terms are adhered to.

Delay in payment could mean we haven't met our contractual obligations and we would be in breach of contract with Delivery Partners. It would also cause reputational damage with our delivery partners, the ESFA & Ofsted, which could impact on future funding.

As delivery funding is paid in arrears some of the external delivery partners are small, community organisations. Delays in payment to these organisations would cause them significant issues with cash flow. The City has established funding mechanisms to manage payments to suppliers.

Briefing notes documents: Briefing Note - Decision and Reasons for Decision - ESFA TL 2425.pdf, Appendix A - CFL Budget 2024_25.pdf, Appendix B - Fees policy_Nottingham City 2024_25.pdf, Appendix C - Education & Skills Conditions of Funding Grant..pdf

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:

Published Works:

Affected Wards: Citywide

Colleague / Councillor Interests:

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: EIA not required. Reasons: Not required as the decision does not represent proposals for a new or changing policy, service or function.

Social Value Considerations: N/A

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 29/10/2024

Advice Sought: Legal, Finance, Procurement

Commissioner Comments: Commissioners have approved this paper.

Legal Advice: Please see attached. Advice provided by Amana Parveen (Solicitor) on 11/09/2024.
Advice documents: Legal Comments.docx

Finance Advice: The decision to accept £541,660 From the Education Skills Agency to deliver the Adult Education Budget (AEB) Community and family learning in the Academic year of 24-25 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 2025 into 25/26 financial year. The grant will be recorded in the grant register.

It is the responsibility of the Family Learning Manager to ensure that the grant is fully spent by the end of July 2025 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 Education and Skills Funding Agency as outlined in the grant conditions. The ESFA has run successfully for several years with previous DDM's on this scheme include DD3651,DD1545 and DD4964.

The Scheme is not at risk of clawback, with any underspend deducted 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 22/08/2024.

Procurement Advice: The proposal to enter into a funding agreement with the Education and Skills Funding Agency (ESFA) for up to £541,660 to deliver the Tailored Learning programme for the academic year 24/25 is supported from a procurement perspective. A full tender process was completed in July 2023 to ensure compliance with NCC Contract Procedure Rules and Public Contract Regulations 2015 and included provision to extend the contracts set out in Table 1 of the attached overview for a further 1 year + 1 year subject to funding. The use of this funding should comply with any grant conditions and suitable agreements should be in place with these providers to ensure compliance and satisfactory performance.

Advice provided by Julie Herrod (Procurement Officer) on 19/08/2024.

Signatures

Ethan Radford (Exec Member - Skills, Growth, Economic Development)
SIGNED and Dated: 22/10/2024

Nicki Jenkins (Corporate Director of Growth and City Development)
SIGNED and Dated: 17/10/2024