

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

2609

Author:

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Department:

Development

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Subject:

Skills Funding Agency - Adult Education Budget 2016/17

Total Value:

£301,056.00 (Type: Revenue)

Decision Being Taken:

1. To enter into a funding agreement with the Skills Funding Agency (SFA) for Adult Education Budget (AEB) and access the £301,056 budget over the academic year 2016/17 (August - July)
2. To delegate the authority to administer the funds, in accordance with the SFA funding rules and contract, to the Strategic Director of Economy.
3. To commission 85% (£255,000) of the total contract value through financial regulations and in line with NCC procurement, by extending the existing sub-contractors (Life Education, Central College, New College Nottingham & Groundwork Nottingham) by another year, as stated in the current framework. The current framework agreement expires 31st July 2016, however there is provision to extend the agreement by two years (July 2018), one year at a time.
4. To approve the SFA Supply Chain Fees and Charges Policy 2016/17

Reasons for the Decision(s) Nottingham City Council is responsible for the delivery of Family Learning using the SFA Adult Education Budget. This provision provides around 1000 Nottingham families with a wide range of educational programmes.

The service has now received a contract from the SFA for 2016/17. In order to draw down the funding we need to enter into an agreement with the SFA, this requires a delegated decision.

Nottingham City Council was subject to an OFSTED inspection in February 2015 and the service was awarded grade 2 for Leadership and Management and the quality of Teaching, Learning & Assessment, so the quality of provision is considered good by OFSTED. This outcome coupled with ongoing performance monitoring means that we are confident to extend existing sub-contractors contract.

The majority of the contract is delivered by sub-contractors who provide specialist learning service. The current framework expired in July 2016, there is the option to extend the existing providers contract year on year for another two years. The existing providers are: New College Nottingham (£120k), Central College (£55k), Groundwork Greater Nottingham (£20k), Life Education Centre (£44k), Futures Nottingham (£15k), Nottinghamshire Inspire (£11k). The remaining budget will support staffing infrastructure, tutor CPD and systems and procedures.

During 2015/16 approx 915 learners have been engaged in Family Learning programmes. Over 150 courses were delivered during the last academic year with learning taking place in over 60 venues across the City. The majority took place in Primary Schools but also included Children Centres, Secondary Schools, Nottingham Ice Arena, Pupil Referral Unit and HMP Nottingham.

A total of 296 learners achieved a national recognised qualification including Functional Skills in English and Maths at entry level, level 1 & 2.

SFA requires formal approval of the Supply Chain Fees and Charges policy from all prime contract holders that operate a subcontracted model. The policy highlights the context and reasons why NCC delivers a subcontracted model, including management fees and payment terms.

Briefing notes documents: SFA_contract_DD FOR INFORMATION - NOT FOR PUBLICATION.pdf, SFA_fees and charges - 57_63 FOR INFORMATION - NOT FOR PUBLICATION.pdf, Supply Chain Fee & Charges policy_Nottingham City 2016_17 V1.2.doc

Other Options Considered: Not entering into this agreement with the Skills Funding Agency. This would be a loss of £301,054 grant funding for Nottingham citizens to upskill families.

Not providing this service would impact approx 1,000 families, resulting in parents not being upskilled in supporting their childrens learning and development as well as their own subject knowledge in English, Maths, ICT and emotional literacy.

Supply Chain and Fees policy charges - no other option can be explored as this is a contractual requirement.

Background Papers: None

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:	<p>Family Learning provision actively encourages families and the community to be active members within their community. One programme titled 'Law & Order' encourages families to be active citizens within their local community and to be a responsible citizen.</p> <p>The supply chain fee has no implications on crime and disorder.</p>
Equality:	EIA not required. Reasons: This is not a new or changing policy
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	06/10/2016
Advice Sought:	Legal, Finance, Procurement
Legal Advice:	<p>There are no significant legal issues arising from the decisions set out in this report. Legal advice should be sought as required in respect of any obligations set out in the funding agreement. The SFA Supply Chain Fees and Charges Policy 2016/17 has been reviewed by a procurement officer on behalf of the Head of Contracting and Strategy and is considered to be in line with the City Council's Procurement Strategy. Advice provided by Joanne Haslam (senior solicitor) on 17/08/2016.</p>
Finance Advice:	<p>This decision seeks approval to enter into a funding agreement with the Skills Funding Agency (SFA) in respect of funding of £301,056, and to incur expenditure to this value. In July 2016 the Council received confirmation of the 2016/17 funding award from the SFA. The expenditure to be incurred will be in accordance with the Council's financial regulations.</p> <p>The Employment & Skills team will continue to monitor the activities and contracts in order to ensure compliance to the SFA's grant conditions and reporting requirements.</p> <p>Advice provided by Maria Balchin (Finance Analyst) on 23/08/2016.</p>

Procurement Advice:

There are no significant procurement implications arising from this decision. The current provision of Family Learning was tendered in 2014 in compliance with Contract procedure Rules, and had provision to extend for a further 2 years from 1st August 2016, one year at a time. Therefore, this decision is supported from a procurement perspective. Advice provided by Julie Herrod (Procurement Officer) on 11/08/2016.

Signatures

Sam Webster (PH for Education, Employment and Skills)
SIGNED and Dated: 28/09/2016
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 16/09/2016

**Nottingham City Council
Family Learning Service**

Supply Chain Fees and Charges

Policy 2016-17

Date completed	
Completed by	
Approved by:	

Supply Chain Fees and Charges Policy 2016-2017

Nottingham City Council Family Learning Service has a long history of contracting out the delivery of its Skills Funding Agency funded Community Learning provision to local delivery partners. Community Learning in Nottingham City is delivered in partnership with other agencies such as further education colleges, community and voluntary organisations, charities and aims to meet the learning needs of adults who fall within the service's target groups and enable learners to achieve and progress.

The service last received a full inspection by Ofsted in February 2015 and received a Grade 2 'Good' in all areas. Prior to this inspection the service has taken part in 3 survey visits,

- *'An evaluation of the benefits of family learning for individuals, families and communities'* January 2009 grade 2.
- *Literacy - 'Leaping the barriers to literacy'* – January 2010 grade 2.
- *'Numeracy - tackling the challenge of ensuring that young people and adult gain the numeracy skills they need for their careers and personal life's'*. June 2010 grade 2

1 Scope

This policy applies to all supply chain activity to deliver community learning provision in Nottingham through the Family Learning Service and supported with funds supplied by the Skills Funding Agency (SFA) or any successor organisations.

2 Context

The policy is now a mandatory requirement that applies to all sub-contracting activity from 1 August 2013. This policy will be reviewed annually by the City Councils Employment & Skills Manager and Family Learning Officer in conjunction with current sub-contractors as part of the commissioning process and published on the Nottingham City Council website.

Nottingham City Family Learning Service will at all times undertake fair and transparent procurement activities, conducting robust, comprehensive due diligence procedures on potential sub-contractors to secure the highest quality of learning delivery, value for money and a positive impact on learners and the community.

3 Reasons for sub-contracting

Nottingham City Family Learning Service is committed to maintaining and where possible growing and diversifying the range of courses it delivers to widen participation; engage and support the most disadvantaged residents; enter new and emerging markets and address regional and local economic development and social regeneration priorities. In order to achieve this Nottingham City Council Family Learning Service sub-contracts its provision to responsive partner organisations who can demonstrate high quality delivery in the community.

4 Nottingham Family Learning Service commitment to improving the quality of teaching, learning and assessment

Nottingham City Family Learning Service is committed to driving continual improvement in the quality of teaching, learning and assessment. This is demonstrated through the Supply Chain Fees and Charges Policy by ensuring that all supply chain partners are:

- Selected through a process that requires demonstrable evidence that they can deliver and sustain high quality teaching, learning and assessment for all learners in all venues.

- Managed through a process of regular performance monitoring and review including independent and paired teaching, learning and assessment observations.
- Supported through a comprehensive quality programme of staff development and training.

5 Management Fees

Nottingham City Family Learning Service retains no more than 20% (currently 12%) of the Skills Funding Agency allocation, to manage its current sub-contractors. The management fee is deducted from the funding income received based on the SFA rate and prior to the allocation of funds to sub-contractors.

The management fee represents the total cost that Nottingham City Council incurs in Identifying, selecting and managing all sub-contracted provision regardless of the level of support provided.

6 Payment Terms between Nottingham City Council Family Learning Service and Sub-Contractors

Nottingham City Council endeavours to pay all invoices within 28 days of their receipt. The funding agreement outlines what information is required from each delivery partner to enable invoices to be paid promptly. Where a provider may experience cash flow problem with this timeline then alternative arrangements are negotiated on a case by case basis. The Service's Funding Agreement stipulates that reductions may be made where targets have not been met.

7 Support provided to Sub-Contractors by Nottingham City Family Learning Service

Nottingham City Family Learning recognises its responsibility to support all sub-contracted partners to develop, deliver and sustain high quality provision that meets the needs of the community and learners. The mix of support will vary depending on the needs and experience of the individual sub-contractor, but all partners can expect to benefit from the following:

- Curriculum Management cross partnership meetings to include regular national and local updates regarding funding, policy, quality and curriculum developments; and the opportunity to share good practice
- Comprehensive quality management systems; including bi-monthly monitoring of performance against clear measures of success
- Moderation of observations of teaching, learning and assessment together with paired observation
- Compilation and analysis of Learner Survey returns for all courses
- Continuing Professional Development opportunities, planned training and development, and support for tutors undertaking initial teacher training
- Registration of learners for OCN accredited provision where subcontractors do not have independent awarding body approval
- Support with Funding Rules and other relevant funding and legislative compliance
- Policy development
- Overarching policies for key areas impacting on learners: including Safeguarding, Health and Safety, Equality and Diversity, Learner Involvement
- Marketing and promotion of provision
- Resources and access new developments in the curriculum to support the quality of delivery, including a bank of ILT resources

Levels of support will be enhanced and performance monitored more frequently on the request of the sub-contractor or where concerns regarding the meeting of contractual requirements are identified

8 List of subcontractors

This list is provided to the SFA via the “Subcontractor Declaration Form” in line with the agreed timelines and the aggregated Subcontracting Register is published on the SFA website. Updates are provided as required.

9 Review and publication of this policy

The policy will be reviewed annually in June or when significant changes in the Funding Rules and/or in sub-contracting arrangements occur. Potential subcontractors will be directed to the policy as a starting point in any relationship. The policy will be discussed with all current and future sub-contractors during contract negotiation meetings.

The policy will be published on the Nottingham City Council website <http://www.nottinghamcity.gov.uk/job-opportunities/jobs-apprenticeships-and-training-support/training-info-and-advice-services/family-and-community-learning/family-and-community-learning/> and can be made available in hard copy upon request.