

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3151

Author:

Sharon Mullen

Department:

Development and Growth

Contact:

Sharon Mullen

(Job Title: Family Learning Manager, Email: sharon.mullen@nottinghamcity.gov.uk, Phone: 01158764787)

Subject:

Education & Skills Funding Agency - Adult Education Budget (Family Learning) 2018/19

Total Value:

£301,056.00 (Type: Revenue)

Decision Being Taken:

1. Enter into funding agreement with the Education & Skills Funding Agency - Adult Education Budget (ESFA - AEB) to accept grant funding of £301,056.
2. Undertake a procurement process in order to enter into contract(s) for delivery of Family Learning over academic year 2018/19 up to value of £246,000. Subject to further ESFA AEB contract being issued and satisfactory performance by individual providers, to extend the contracts on a year by year basis of no more than 3 years after the first initial contract is issued.
3. Approve Supply Chain Fees Policy 2018/19
4. Delegate authority to the Strategic Director Economy to administer funds, in accordance with ESFA funding rules & approve the expenditure of the remainder of funding.

**Reasons for the Decision(s)**

Nottingham City Council is responsible for the delivery of Family Learning using the ESFA Adult Education Budget. During 2017/18 approximately 1,032 learners were engaged in Family Learning programmes. This involved over 165 workshops and courses, 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, HMP Nottingham and community venues across the city.

Approximately 280 learners achieved a nationally recognised qualification including Functional Skills in English and Maths at entry level, level 1 & 2.

The service has now received a contract from the ESFA for 2018/19. In order to draw down the funding we need to enter into an agreement with the ESFA. This requires a delegated decision. The current framework agreement expires on 31 July 2018, new contracts will need to commence from 1 August 2018 - 31 July 2019. Subject to further ESFA AEB contracts being issued and satisfactory performance by individual providers, we intend to extend the contracts on a year by year basis up to a total of contract length of 3 years after the first initial contract is issued.

Nottingham City Council was subject to an OFSTED inspection in March 2018 and the service was awarded Grade 2 (good) for Leadership and Management and the quality of Teaching, Learning & Assessment.

ESFA 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. The remainder of the funding (approximately 18%) will support the City Council meeting the ESFA contractor requirements (which will include staff infrastructure, reporting learner records, paperwork and procedures, Information Advice and Guidance (IAG), Management Information Systems (MIS) and tutors Continued Professional Development (CPD). This will include NCC salary contribution (£21k), MIS support (£11k), CPD (£7k) and Information Advice and Guidance , Futures (£16k).

This contract will be managed by a colleague in Economic Development who will put in place the management controls necessary to deliver this project successfully and integrate performance monitoring, quality of provision and legal risks.

**Briefing notes documents:**

Supply Chain Fee & Charges policy\_Nottingham City 2017\_18 V2.pdf, NCC-ESFA\_2018\_19\_allocation.pdf

**Other Options Considered:**

Not entering into this agreement with the Skills Funding Agency. This would be a loss of £301,056 grant funding for Nottingham citizens to upskill families and therefore this option was rejected.

Not providing this service would impact approximately 1,000 families, resulting in parents 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.

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

**Background Papers:**

None.

<b>Published Works:</b>	None.
<b>Affected Wards:</b>	Citywide
<b>Colleague / Councillor Interests:</b>	None.
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	Family learning provision encourages families and the wider community to be active members within their community. One programme titled 'Law and Order' encourages families to be active citizens within their communities and be a responsible citizen. The supply chain fees has no implications on crime and disorder.
<b>Equality:</b>	EIA not required. Reasons: This is a continuation of existing policy.
<b>Social Value Considerations:</b>	Not applicable.
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	15/05/2018
<b>Advice Sought:</b>	Legal, Finance, Procurement
<b>Legal Advice:</b>	This report does not raise any significant legal issues. The City Council must ensure it complies with the ESFA funding rules when procuring and awarding contracts. In addition the City Council should ensure it includes in contracts with suppliers appropriate claw back provisions in the event the City Council has to repay any funding to ESFA.  Advice provided by Andrew James (Team Leader Contracts and Commercial) on 17/04/2018.

**Finance Advice:**

This decision seeks approval to receive the grant from ESFA totaling £301,056 and to approve spending it on renewing the existing contract as well as the revenue costs outlined that will be incurred managing the contract. The service must ensure that all grant conditions are complied with and regular monitoring is undertaken to minimize the risk to Nottingham City Council and prevent any overspending.

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 23/04/2018.

**Procurement Advice:**

There are no significant procurement implications arising from this decision. The proposal to undertake a tender process for Family Learning provision compliant with EU and UK Procurement Regulations (Light Touch Regime) and the Council's Financial Regulations are supported from a Procurement perspective. The procurement will be undertaken by the Procurement Team.

Advice provided by Julie Herrod (Procurement Officer) on 18/04/2018.

**Signatures**

<b>Sam Webster (PH for Business, Education and Skills)</b>
<b>SIGNED and Dated: 08/05/2018</b>
<b>David Bishop (Deputy CE, CD for Development and Growth)</b>
<b>SIGNED and Dated: 04/05/2018</b>