

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

3731

Author:

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Department:

Strategy and Resources

Contact:

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Subject:

Intelligence Analyst level 4 apprenticeship provider

Total Value:

£44,000 expenditure from the Apprenticeship Levy (Type: Nil)

Decision Being Taken:

1. To grant dispensation from Contract Procedure Rule 5.1.1 in accordance with Financial Regulation 3.29 to allow for a direct award to Intelligencia Training Limited to deliver the Intelligence Analyst level 4 course for 4 internal apprentices.
2. To delegate authority to the Director for HR and Customer to award the contract to Intelligencia Training Limited for 2 years.

**Reasons for the Decision(s)**

Ordinarily when finding a provider for an apprenticeship, the Equality and Employability team would refer to those providers who have signed up to the Directory of Approved Apprenticeship Providers (DAAP) so that a tender process isn't required to take place.

There is currently no provider of the Intelligence Analyst apprenticeship on the DAAP to directly work with. Intelligencia Training Ltd is the original trainer and at the start of investigating the apprenticeship, the sole provider of the course. On asking if Intelligencia would join the DAAP, their comment was that they currently work with HM Forces, Government agencies, law enforcement, public sector departments etc who were willing to work with them without joining up to another system involving a fee and so declined the invite.

Intelligencia Training Limited have everything already in place in order to completely provide the apprenticeship throughout its whole lifecycle. They also have spoken with other employers and have formed a cohort which could have their training delivered in Nottingham, removing the need to pay for additional transport costs for the 4 apprentices who are planned to be enrolled onto the apprenticeship course. The provider is looking to an October start date and is just waiting on the Council's authorisation to begin enrolment of all the students in the cohort. Neither of the other 2 providers would be able to provide the training locally given that NCC is only able to support 4 internal colleagues to undertake the apprenticeship. Where a cohort could be taught locally if a further 2 apprentices were sought, the provider has indicated that at this point in time, they don't have the contracts in place to complete the full lifecycle of the apprenticeship.

A further 2 providers had been listed on the Find Training government website. These providers were contacted to request information to compare provision and a brief comparison can be found within the briefing note attached to this decision. All information was sent to Fiona Needham (Trading Standards) to view, and her feedback was as follows:

ALS - "would like to rule it out due to course delivery methods. There is travel involved to other places outside of the region and one of our priorities for Nottingham candidates was to provide the course locally so that they had the best learning experience."

Intqual-pro Limited - "It seems that Intqual run their own courses in relation to intelligence so I can't see how they are any different to Intelligencia."

Fiona also made reference to the EPA (End Point Assessor) additional point, asking "does it mean that Intelligencia have to go to Intqual to get their cohort qualified but Intqual can do this internally for their candidates?" With this, she was partially correct in that Intelligencia would and already do use Intqual-pro as their end point assessors. This process is already in place. Unfortunately, the nature of the EPAs is that Intqual-pro are unable to complete EPAs on their own students and would therefore need to find another assessor to do this. Intqual-pro's comment to respond to this was "we are always happy to take on new apprentices and a 15 month programme may allow time for other EPA options." This doesn't indicate that they have arranged assessors for their EPA already and so it's possible that if this wasn't done in time that apprentices would need to wait until this was in place before being able to complete their apprenticeship.

**Other Options Considered:**

If nothing is done, then Nottingham City Council would be unable to spend £44,000 of the apprenticeship levy over the course of 18-24 months dependent on the length of the course. The apprenticeship levy can only be used for the payment of apprenticeships and if it is not spent within 2 years of it reaching our account, it is reclaimed by the government. It is therefore in our best interest to spend the apprenticeship levy where possible.

**Background Papers:**

n/a

<b>Published Works:</b>	n/a
<b>Affected Wards:</b>	Citywide
<b>Colleague / Councillor Interests:</b>	n/a
<b>Any Information Exempt from publication:</b>	Yes
<b>Dispensation from Financial Regulations:</b>	Yes
<b>Exempt Information:</b>	
<b>Description of what is exempt:</b>	Details of the providers and quotes
	An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972
<b>3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it would prejudice contract negotiations.
<b>Documents exempt from publication:</b>	Exempt appendix.docx
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	n/a

**Equality:** EIA not required. Reasons: EIA disproportionate due to time taken and money involved, as Intelligencia are the preferred provider of the apprenticeship.

**Social Value Considerations:** n/a

**Relates to staffing:** Yes

**Decision Type:** Portfolio Holder

**Subject to Call In:** Yes

**Call In Expiry date:** 16/12/2019

**Advice Sought:** Legal, Finance, Procurement, Human Resources

**Legal Advice:** Nottingham City Council (NCC) has established a Directory of Approved Apprenticeship Training Providers (DAAP) who deliver education services for Education and Skills Funding Agency (ESFA) approved Apprenticeships. Training providers undertake to deliver such services on terms set out in the DAAP and Employers (as defined in the DAAP and which includes NCC) can enter into call-off contracts with training providers to provide such services. The call-off terms have been prepared by NCC. Intelligencia Training Limited (Intelligencia) are not registered on the DAAP and have put forward their own standard terms and conditions to deliver education services for ESFA approved Apprenticeships. NCC need to ensure that the terms and conditions proposed by Intelligencia conform to those they already have in place with other apprenticeship providers who are listed on the DAAP and that they meet ESFA funding rules, thus ensuring that legislative requirements are met in relation to the Apprenticeship Levy. (Advice provided on 17.10.2019 by Aman Patel, Solicitor, Legal Services) Advice provided by Aman Patel (Solicitor) on 17/10/2019.

**Finance Advice:** The cost to this decision is £0.044m over a 2 year period. This will be funded in full from the Apprenticeship Levy so will not require additional funding to be identified nor will any financial pressure occur as a result of approving this decision. Value for money has been considered by evaluating and comparing other providers of this specific course.

This decision also seeks dispensation from Financial Regulations 3.29 under Contract Procedure Rule 5.1.1 to award a contract to Intelligencia Training Limited as there is no current suitable provider of the Intelligence Analyst Apprenticeship on the DAAP. Advice provided by Philip Gretton (Finance Analyst) on 27/11/2019.

**Procurement Advice:**

The decision is for a dispensation in accordance with Financial Regulation 3.29 from Contract Procedure Rule 5.1.1 to award a contract to Intelligencia Training Limited for the provision of apprenticeship training as there is no current suitable provider of the Intelligence Analyst Apprenticeship on the DAAP. The report author has followed the process of assessing best value and on this basis there are no significant procurement concerns with this approach. Advice provided by Mabs Karim (Procurement Officer) on 01/11/2019.

**HR Advice:**

There are no direct people implications as a result of this proposal. HR is in support of this proposal as it presents the opportunity to provide apprenticeship training from an appropriate and reputable provider. Advice provided by Tom Stevens (Service Redesign Consultant) on 11/09/2019.

**Signatures**

<b>Neghat Khan (PH Early Years, Education and Employment)</b>
<b>SIGNED and Dated: 09/12/2019</b>
<b>Candida Brudenell (Corporate Director for Strategy and Resources)</b>
<b>SIGNED and Dated: 05/12/2019</b>
<b>Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations</b>
<b>SIGNED and Dated: 03/12/2019</b>
<b>Chief Finance Officer's Comments:</b>