

EXECUTIVE DECISION

made by a Council Officer



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER


Executive Decision Reference Number – COD09 22/23

| Decision | | | |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | <p>Title of decision: Award of Contracts for Plymouth Adult Education in academic years 2022/23 to 2026/27</p> | | |
| 2 | <p>Decision maker (Council Officer name and job title): Ming Zhang – Service Director, Education, Participation and Skills</p> | | |
| 3 | <p>Report author and contact details: John Bale Post-16 Lead, Skills and Post-16 Team Tel: 01752 307328 email: john.bale@plymouth.gov.uk</p> | | |
| 4a | <p>Decision to be taken:</p> <p>Approval of contract award following outcomes from procurement exercise to replace the current 3 contracts which expire in July 2022. The services to be re-procured are:</p> <ol style="list-style-type: none"> 16-19 Learning Programmes: Full-time study programmes for young people at risk of disengagement; and short re-engagement programmes for young people not in education or training (NEET) Adult Education Programmes: Supporting Vulnerable Groups engage in learning and develop employability skills Adult Education Programmes: Promoting and supporting engagement and progression in key sectors. | | |
| 4b | <p>Reference number of original executive decision or date of original committee meeting where delegation was made: Cabinet approved delegated decision 21st January 2022</p> | | |
| 5 | <p>Reasons for decision: ESFA funding for adult and youth learning is delivered through a mix of internal (OCSW) and external delivery. Current contracts for external delivery end on 31st July 2022. A procurement exercise has been completed to secure provision from 1st August 2022 to 31st July 2027.</p> | | |
| 6 | <p>Alternative options considered and rejected:</p> <table border="1"> <tr> <td>Do Nothing Option</td> <td>The 'Do Nothing' option would mean that we would not meet the ESFA target and we would lose £1.7m per year from the city to invest in much needed skills investment for the most vulnerable and disadvantaged</td> </tr> </table> | Do Nothing Option | The 'Do Nothing' option would mean that we would not meet the ESFA target and we would lose £1.7m per year from the city to invest in much needed skills investment for the most vulnerable and disadvantaged |
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| | residents of the city. |
| List Benefits: | <ul style="list-style-type: none"> No procurement exercise required |
| List Risk / Issues: | <ul style="list-style-type: none"> No valid contracts in place for subcontracted provision Potential to lose £1.7m investment in skills from the city, at a time when we most need it. The city is still recovering from the pandemic and whilst the job market is buoyant, there is significant evidence which demonstrates that the gap has widened for those furthest away from the labour market Reputational risks The city would not be able to meet goals and aspirations laid out in local and regional strategic plans |
| Cost: | £0 to PCC (fully grant funded) |
| Why did you discount this option | This is not a valid option and the risks are too high |
| | |
| Do Minimum Option | All of the AeB budget could be provided through OCSW |
| List Benefits: | <ul style="list-style-type: none"> Grow OCSW provision No procurement exercise required |
| List Risk / Issues: | <ul style="list-style-type: none"> We do not have the in-house expertise to deliver all requirements Extensive investment would be required in terms of estate, infrastructure etc. We would be unlikely to achieve a minimum of good or above with Ofsted OCSW do not have the capacity to take on this work, and would need additional resources to support the redesign of the service and recruitment of higher positions – in essence doubling the current staff structure |
| Cost: | £0 to PCC (fully grant funded) |
| Why did you discount this option | This option has been discounted as we do not have the in-house capability to meet all of the objectives of the ESFA funding or the strategic skills intent for the city. |
| | |
| Viable Alternative Option | Subcontract all of the provision |
| List Benefits: | <ul style="list-style-type: none"> Reduction of team with EPS |
| List Risk / Issues: | <ul style="list-style-type: none"> Resources and capacity within the team to achieve re-procurement both within EPS and the Strategic Commissioning department Procurement timelines (which has only a 2 weeks built into the contingency programme) Ability to deliver and manage the subcontracted provision Significant redundancy liability within PCC for OCSW (circa 40 full time / part time staff) or TUPE position. |
| Cost: | £0 (fully grant funded) or part of every ones role |
| Why did you discount this option | This option has been discounted as it does not align with the strategic approach for skills and the risks are too high. |

| 7 | Financial implications and risks: Fully grant funded from Education and Skills Funding Agency (ESFA) and all income must be spent on resources in support of this contract | | | | | | | | | | | | | | | | |
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| 8 | <table border="1"> <thead> <tr> <th data-bbox="225 286 758 376">Is the decision a Key Decision? (please contact Democratic Support for further advice)</th> <th data-bbox="758 286 853 376">Yes</th> <th data-bbox="853 286 1005 376">No</th> <th data-bbox="1005 286 1495 376">Per the Constitution, a key decision is one which:</th> </tr> </thead> <tbody> <tr> <td data-bbox="225 376 758 544"></td> <td data-bbox="758 376 853 544"></td> <td data-bbox="853 376 1005 544">x</td> <td data-bbox="1005 376 1495 544">in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</td> </tr> <tr> <td data-bbox="225 544 758 734">x</td> <td data-bbox="758 544 853 734"></td> <td data-bbox="853 544 1005 734"></td> <td data-bbox="1005 544 1495 734">in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million</td> </tr> <tr> <td data-bbox="225 734 758 875"></td> <td data-bbox="758 734 853 875"></td> <td data-bbox="853 734 1005 875">x</td> <td data-bbox="1005 734 1495 875">is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</td> </tr> </tbody> </table> | Is the decision a Key Decision? (please contact Democratic Support for further advice) | Yes | No | Per the Constitution, a key decision is one which: | | | x | in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total | x | | | in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million | | | x | is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority. |
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| 8b | If yes, date of publication of the notice in the Forward Plan of Key Decisions | 21 st January 2022 | | | | | | | | | | | | | | | |
| 9 | Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget: | <p>The project supports the delivery of the Plymouth Plan in two of the three strategic objectives, Healthy City and Growing City:</p> <p>Policy HEA2 Delivering the best outcomes for children, young people and families – the provision of adult learning provides young people and parents with the skills to improve their wellbeing. This includes STEM skills and activities as well as ensuring that parents are supported in gaining better qualifications, sustainable employment and have access to support for mental health and wellbeing which will improve learning outcomes for their children.</p> <p>Policy GRO2 Delivering skills and talent development – the provision of adult learning contributes to high quality lifelong learning. It will develop, attract and retain a highly skilled and adaptable workforce and help people to prepare for and progress in work. It achieves this through the provision of core skills, STEM and support.</p> | | | | | | | | | | | | | | | |
| 10 | Please specify any direct environmental implications of the decision (carbon impact) | N/A | | | | | | | | | | | | | | | |
| Urgent decisions | | | | | | | | | | | | | | | | | |
| 11 | Is the decision urgent and to be implemented immediately in the | | | (If yes, please contact Democratic Support for advice) | | | | | | | | | | | | | |

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| | interests of the Council or the public? | No | | (If no, go to section 13a) |
| I2a | Reason for urgency: | | | |
| I2b | Scrutiny Chair signature: | | Date | |
| | Scrutiny Committee name: | | | |
| | Print Name: | | | |
| Consultation | | | | |
| I3a | Are any other Cabinet members' portfolios affected by the decision? | | | |
| | | No | | (If no go to section 14) |
| I3b | Which other Cabinet member's portfolio is affected by the decision? | | | |
| I3c | Date Cabinet member consulted | | | |
| I4 | Has any Cabinet member declared a conflict of interest in relation to the decision? | | | If yes, please discuss with the Monitoring Officer |
| | | No | | |
| I5 | Which Corporate Management Team member has been consulted? | Name | Sharon Muldoon | |
| | | Job title | Director of Children's Services | |
| | | Date consulted | 30 June 2022 | |
| Sign-off | | | | |
| I6 | Sign off codes from the relevant departments consulted: | Democratic Support (mandatory) | DS17 22/23 | |
| | | Finance (mandatory) | BA22.23.58 | |
| | | Legal (mandatory) | MS/38849 | |
| | | Human Resources (if applicable) | N/A | |
| | | Corporate property (if applicable) | N/A | |
| | | Procurement (if applicable) | HG/PS/638/ED/0622 | |
| Appendices | | | | |
| I7 | Ref. | Title of appendix | | |
| | A | Briefing report for publication | | |

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| | B | Equalities Impact Assessment (where required) | | | | | | |
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| Confidential/exempt information | | | | | | | | |
| 18a | Do you need to include any confidential/exempt information? | Yes | | If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. | | | | |
| | | | | | | | | |
| | | Exemption Paragraph Number | | | | | | |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 18b | Confidential/exempt briefing report title: Procurement Gateway 3 - Contract Award Report - Part 2 Award of Contracts for Plymouth Adult Education 2022-2027 | | | X | | | | |
| Background Papers | | | | | | | | |
| 19 | Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box. | | | | | | | |
| Title of background paper(s) | | Exemption Paragraph Number | | | | | | |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | | | |
| | | | | | | | | |
| Council Officer Signature | | | | | | | | |
| 20 | I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached. | | | | | | | |
| Signature |  | | | Date of decision | 30-06-22 | | | |
| Print Name | Ming Zhang | | | | | | | |