

## **Leeds City Council**

### **Adult Learning - Delivery Sub Contracting Policy 2023/24**

#### **1.0 Purpose**

- 1.1 This policy applies to all subcontracted activity supported with funds awarded by the Education and Skills Funding Agency (ESFA) / West Yorkshire Combined Authority (WYCA) for the delivery of adult learning. The aims of this policy are to provide existing and potential sub-contractors with information about Leeds adult learning, reasons for subcontracting; how we select our potential delivery partners; fees and charges, the services we provide and our terms for payment. This document describes the approach to supply chain management which supports our strategic purpose.
- 1.2 Leeds City Council's (LCC) adult learning provision is at the heart of the city's learning offer for adults, families and communities, based on a deep rooted understanding of the city, our communities and their needs and part of an established multi-agency approach. Our partners share our ambition for its development and recognise the difference it can make to life chances, especially for those who experience barriers to learning or work and are furthest away from opportunities. The provision aligns to the priorities set out in the Best City Ambition which has at its heart the Council's mission to tackle poverty and inequality and improve the quality of life for Leeds residents. The Best City Ambition focusses on improving outcomes across three pillars that will make the biggest difference to improving people's lives in Leeds - Inclusive Growth, Health & Wellbeing and Zero Carbon and as such contribute to making Leeds the Best City in the UK.
- 1.3 The provision is managed by the Council's Employment and Skills (E&S) Service, within the City Development directorate. Leeds thrives on strong, dynamic and diverse strategic and operational partnerships, mirrored in our adult learning arrangements.
- 1.4 The Council's contribution to the city's adult learning offer has a specific focus on helping adults to acquire skills and move into employment contributing to the key aims of the Inclusive Growth Strategy to improve the economic wellbeing of local people and businesses in a compassionate city that helps all its residents contribute to, and benefit from, the effects of economic growth and take action to reduce poverty and inequalities. It also focuses on developing healthy, resilient and sustainable communities; building social capital and an appetite for learning. It is a place based approach, reaching those individuals and communities furthest away from entering, sustaining or progressing in learning or work and actively targeting learners who are; unemployed, low skilled with no or low level qualifications; are living in poverty; in unstable employment; vulnerable to social exclusion; and those facing complex and often multiple barriers to learning and work. It is within these places and for these groups of learners that our subcontracted partners are best placed to deliver adult learning in the city.

#### **2.0 Overarching Principles**

- 2.1 The Council will, at all times, undertake fair and transparent procurement activities and robust due diligence procedures on potential subcontractors to ensure compliance, the highest quality of learning delivery, the demonstration of value for money and a positive impact on learners and communities.
- 2.2 The funding that is retained by the council will be relative to the costs of the services provided. LCC commissions delivery of its Adult Education Budget (AEB) budget to a range of external delivery partners in addition to its internal delivery.
- 2.2 All externally delivered provision in the 2023-24 academic year will be subcontracted under the fifth year of a ten year Dynamic Purchasing System (DPS). The DPS is available to subcontractors who meet the selection criteria to comply with minimum service requirements. It is an 'open market' product designed to provide access to join a list of pre-approved providers, which can be constantly refreshed. Tenders for the delivery of adult learning run via a mini competition with pre-approved subcontractors being invited to compete. Establishing a DPS with multiple providers encourages fair competition and is designed to allow subcontractor partners to join at any time during the life of the DPS.

### **3.0 Rationale for subcontracting**

3.1 The use of external delivery partners enables the service to:

- meet local, council and service priorities
- offer a wide range of courses and venues, improving the richness of the offer
- make the most of experience and expertise of organisations who know about place and communities
- ensure value for money and a responsive and flexible offer to learners
- provide opportunities for organisations to build capacity

3.2 The Council's priorities, targets and funding for the coming year are set out in a Tender specification published on the E&S DPS.

Providers are invited to bid for funding under a three year, £0 value contract for the period 2023 - 2025. Funding allocations are contingent on a number of factors to include:

- the subcontractors' demonstrated ability to work effectively with the target groups identified
- capacity, stability and quality
- a curriculum offer to meet the needs of learners, thematic areas, geographical spread and curriculum priorities identified by the Council and reflecting the AEB strategy.
- formal contractual agreements which clearly lay out the rights and responsibilities on both sides of the subcontracting agreement.

### **4.0 Management Costs**

4.1 LCC retains approximately 20% of the gross funding from the ESFA, WYCA

allocation for the management and administration of Adult Learning. The sum retained is the amount required to fund the cost of appointing through open and competitive tendering, selecting and managing all sub-contracted provision, and includes the support that is necessary to ensure quality of teaching, learning and assessment and learner satisfaction. Management costs cover the following elements.

<p><b>Support Costs</b></p> <p><b>Quality Assurance, OTLA and Tutor Continued Professional Development</b></p> <ul style="list-style-type: none"> <li>• manage provision in accordance with quality standards set out by Ofsted, WYCA and ESFA</li> <li>• prepare and lead for Ofsted inspections</li> <li>• provide quality structured support as outlined in the E&amp;S Quality Assurance Framework (QAF) which aligns to current best practice identified in the Education Inspection Framework (EIF)</li> <li>• implement and manage the Observation of Teaching, Learning and Assessment</li> <li>• manage self-assessment process and quality improvement planning</li> <li>• collect and collate learner feedback</li> <li>• host and manage accounts for learners within Google Suite to support online education and training</li> </ul>
<p><b>Planning and Commissioning</b></p> <ul style="list-style-type: none"> <li>• alignment to local priorities</li> <li>• development, implementation and management of provider framework</li> <li>• assessment of due diligence</li> <li>• tender and procurement process, evaluation and award of contracts</li> <li>• contract negotiation, agreement, confirmation of funding allocation and set up</li> <li>• full suite of course documentation and training as required for tutors and managers</li> </ul>
<p><b>Performance Review Meetings</b></p> <ul style="list-style-type: none"> <li>• disseminate, legislative, policy, procedural or contractual amendments/guidance</li> <li>• issue resolution</li> <li>• share and exchange good practice</li> <li>• support to understand, meet and implement ESFA, WYCA, Ofsted and the council's requirements</li> <li>• manage the contract</li> <li>• review performance against contract targets</li> <li>• review quality assurance processes and impact</li> <li>• course monitoring and ongoing support</li> </ul>
<p><b>Funding and Data Management</b></p> <ul style="list-style-type: none"> <li>• ESFA, WYCA compliance</li> <li>• Specialist Management Information System</li> <li>• Guidance and support on the implementation of ESFA, WYCA, AEB and LCC policies and procedures</li> <li>• Collect data, ensure compliance, eligibility of learners, record on Management Information System and submit accurate and timely Individual Learner Records (ILR) and funding returns to ESFA, WYCA to meet requirements</li> <li>• Management of invoices and processing payments</li> </ul>

<ul style="list-style-type: none"> <li>• Organisation, analysis and dissemination of specific, organisational and learner data</li> </ul>
<p><b>CPD</b></p> <ul style="list-style-type: none"> <li>• a minimum of three subcontractor forums per year to share good practice, raise concerns and receive updates</li> <li>• termly tutor forums for training, peer support networks and updates on national changes</li> <li>• induction Forums - available each term to support tutors new to the framework or teaching</li> <li>• thematic Workshops – developed in response to specific requests to support subcontract partners with delivery and management of the contract</li> <li>• newsletters – fortnightly with guides to resources, training and local and national updates</li> </ul>
<p><b>Publicity and Marketing Support</b></p> <ul style="list-style-type: none"> <li>• Courses advertised online via: <ul style="list-style-type: none"> <li>- Leeds Adult Learning Course Finder website</li> <li>- National Careers Service Directory</li> </ul> </li> <li>• Link to the Adult Learning Course Finder website from: <ul style="list-style-type: none"> <li>- Leeds City Council website</li> <li>- Tech Talent Charter directory</li> </ul> </li> <li>• Publicity through LCC E&amp;S social media sites and local press releases throughout the year</li> </ul>
<p><b>Audit</b></p> <ul style="list-style-type: none"> <li>• carry out ongoing internal audits</li> <li>• appoint and fund external auditors for ESFA / WYCA compliance</li> </ul>

## 5.0 Payment Terms

5.1 The council will agree payment with its subcontractors based on satisfactory delivery of agreed provision and/or services and adherence to terms and conditions as set out in the contract, its appendices and associated schedules.

5.2 Subcontract partners receive a detailed contract clearly outlining the expectations of partners, performance indicators, outcomes and payment schedules at the point they are engaged. Sub-contractor payments are made within 30 days of receiving a valid invoice.

5.3 The council lists all its contract opportunities on YORtender [YORtender \(eu-supply.com\)](http://eu-supply.com) e-tendering portal. This is a free service. Organisations can register to be part of the delivery framework at any point in the academic year. Interested organisations can register for to submit an application to become a Pre-Approved Partner at [YORtender \(eu-supply.com\)](http://eu-supply.com) Further guidance on the application process can be found on YorTender under Contract ID: 47772

## 6.0 Communication and Review

6.1 Policies and key documents, changes and consequences are discussed at termly meetings, contract reviews and through correspondence.

6.2 This policy will be reviewed annually by academic year to account for changes To delivery and funding rules issued by the ESFA, WYCA and any emerging local priorities.

Signed by Martyn Long..... Date.....20 July 2023.....

Name: Martyn Long

Designation: Head of Employment and Skills