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# West Berkshire Council

## Community Learning and Skills: Procurement Policy 2023-24

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### **Purpose**

This policy sets out how the West Berkshire Council Community Learning Team commissions and procures provision to deliver adult community learning and skills locally.

### **Funding and subcontracting**

The Council receives an annual grant from the Education and Skills Funding Agency (ESFA) with a contract to deliver adult learning through the Adult Education Budget (AEB).

The AEB is used to engage adults and provide the skills and learning they need to equip them for work, an apprenticeship or further learning. It also enables more tailored programmes of learning to be made available, which do not need to include a qualification, to help those furthest from learning or the workplace.

The level of funding is notified to the Council in January, confirmed in March and to be used to fund delivery from August through to the following July.

The Council delivers against the ESFA contract by subcontracting either to other internal Council teams or to external providers. One level of subcontracting is permissible under the ESFA contract.

The combined ESFA funding for the 2023-24 academic year is **£480,867.00**.

### **Reason for subcontracting**

West Berkshire Council subcontracts provision of Community Learning and Skills to provide wider access to learning opportunities for adults in the community, outside of the Council's own direct offer. Subcontracting enables the Council to better respond to local need by working in partnership with specialist local providers to identify learning and skills gaps and develop an offer to fill them.

This model adds value, generating pound plus through the support of local charitable, voluntary and community organisations and their resources.

## Use of funds

The AEB combines funding for Adult Skills (accredited provision) and former Community Learning (non accredited provision).

### Adult Skills - accredited

Adult Skills covers all accredited learning for those aged 19 or over outside of Higher Education. It is broadly aimed at those adults who are unemployed or who lack a good level of education attainment to help them progress in to and through employment and is particularly targeted at vocational learning and functional skills (English, maths and IT).

Funding is drawn down against delivery of fixed price qualifications with any unspent funding being recovered by the ESFA the following year. All funded qualifications are detailed [here](#)

### Former Community Learning – non accredited

Former Community Learning funds adult learning under three main objectives:

1. To maximise access to learning for adults to bring new opportunities to improve lives, whatever people's circumstances.
2. To promote social renewal by bringing local communities together to experience the joy of learning and the pride that comes with achievement.
3. To maximise the impact of community learning on the social and economic well-being of individuals, families and communities.

## Requirements of the Council

Under contract, the Council, as a Provider, is required to:

- Commission, deliver and support a locally determined formal and non-formal learning offer that conforms to the objectives set out in the Department for Business Innovation and Skills 2011 publication *New Challenges, New Chances*.
- Operate in strong local partnerships to ensure their plans and strategies are underpinned by engagement with communities, local authorities, Local Enterprise Partnerships (LEPs) and other key local stakeholders.
- Operate within the terms and conditions of the ESFA funding agreement and the ESFA funding rules which state:
  - Providers must have in place a strategy that sets out how they have identified and will deliver a balance of the objectives set out in *New Challenges, New Chances*
  - Providers must show evidence on how they will operate in strong local partnerships to ensure their objectives are underpinned by engagement and consultation with their communities, local authorities, local enterprise partnerships and other key local stakeholders
  - Providers must have clear outcomes and appropriate measures capable of evaluation by their community and local stakeholders
  - Providers must develop and implement a robust financial strategy that adds to their Community Learning grant
  - Providers must abide by the funding eligibility (including learner eligibility) as set out in the ESFA funding rules

## Basis of Procurement

The Community Learning and Skills Strategy [Learning for Life](#) sets out the overarching strategy and priorities for 2022-25 and demonstrates how the approach aligns with the wider cross-Council strategy.

The Community Learning Team costs are funded from the ESFA grant with the remaining funding used to commission provision under four themes:

**Family Learning** focuses on improving outcomes for families, helping them to help themselves with their own learning. Both formal and informal and often community based, family learning is wide ranging and can include developing parents capacity to support and encourage their children's learning and development, building confidence in returning to a learning environment or developing strategies to support children with special educational needs

**Targeted Learning** focuses on improving outcomes for disadvantaged individuals or groups facing barriers to progression, responding to individual need and having high impact. Targeted learning can include independent living support for those with additional learning needs, confidence and self-esteem building for those who have suffered domestic violence, developing coping strategies for those with mental health needs or finance literacy development for those moving from homelessness to independent or supported living.

**Skills Learning** focuses on improving an individual's skills to progress into or within employment. Skills Learning is supported by the single Adult Skills Budget (ASB), which is used for flexible and responsive provision to learners and employers in the workplace and classroom, delivering qualifications, units and other learning aims. Skills Learning targets both the unemployed and those in employment with low skills levels that restrict their progression. Skills Learning can include English, maths and wider literacy qualifications, employability qualifications, Apprenticeships, Traineeships, language qualifications, construction site readiness and a wide range of professional development qualifications.

**Universal Learning** in its broadest sense is community based and outreach learning opportunities to support adults of different ages and backgrounds to gain a new skill, reconnect with learning, follow an interest or simply to stay engaged in active learning. West Berkshire Council uses the Community Learning public funded subsidy to contribute towards delivery costs of supported universal programmes to ensure learning opportunities are accessible to all. Providers deliver a broad and balanced Universal Learning offer with courses that improve confidence and well-being in addition to offering leisure opportunities that could include upholstery, modern foreign languages, ballroom dancing, cooking, music, drama, photography, family history or creative writing.

A significant part of the Universal Learning offer specifically focuses on developing learning opportunities for older people either in West Berkshire Council residential care homes or those that attend our resource centres, including those with additional learning difficulties and physical disabilities. The ranges of programmes are designed to engage and stimulate groups of learners through using interactive activities. These activities could include creative arts, crafts, music or movement, or reminiscence sessions to improve memory.

Our approach aims to rebalance the mix of provision in favour of targeting learners who need the most help and support to help themselves, their families and their communities. This means reducing down the level of Universal Learning.

## How we procure

### Direct

The Community Learning Team will directly procure the majority of provision with established local providers who have a proven record of good quality delivery, without the need to go to tender. Providers are requested to submit a course plan showing what they intend to deliver, to how many learners and by when.

All established provider plans are submitted to the Community Education Fund Panel that consists of representatives from Community Learning, Public Health, Economic Development, Adult Social Care, Children's Services, Early Years and the Community Learning Partnership. The Panel reviews plans to ensure they offer value for money, address local priorities, avoid duplication and identify joint working and shared funding opportunities. Through this process the Community Learning Team is able to procure provision that targets vulnerable groups and delivers a low-risk, high value for money solution that supports local providers and addresses local needs and Council priorities.

All established providers are subject to an annual due diligence process to ensure providers continue to be low risk and quality of provision is good.

### Open

An amount of funding is reserved to go out to open tender via a Community Education Fund to encourage and support new and innovative proposals. These proposals are typically for less than £10,000. Proposals are assessed by the Community Education Fund panel as described above.

The Community Learning Team uses the fund, its experience and expertise to support small providers to enter the market and build capacity. All providers are subject to a due diligence process and only contracted with **if their risk is low and their quality high.**

### Quality and additionality

The Community Learning Team maintain quality through robust provider management, which includes due diligence, observation of teaching and learning and independent tracking of onward progress of learners.

All providers are required to be registered on the UK Register of Learning Providers (UKRLP) and as a subcontractor are subject to deliver under the Ofsted Education Inspection Framework.

To increase value for money, a pound plus contribution is sought from all providers contracted to deliver community learning and skills.

The Council is subject to an annual external audit to comply with ESFA requirements.

## Contingency

The Community Learning Team has a process for contingency to support learners of subcontractors in the event that:

- The Council withdraws from a subcontract arrangement.
- The subcontractor withdraws from a subcontract arrangement.
- The subcontractor goes into administration or liquidation.

In the event of any of the above, the Community Learning Team will transfer the learner and any unpaid funding (as below) to an alternative provider, where possible. If there is no immediate alternative provision, the Community Learning team would seek to commission new provision so that the learner can complete their learning aim.

The Community Learning Team will support all learners affected in the events as above to transfer, with any funding, to either:

- Another provider funded by West Berkshire Council.
- Another provider funded by Community Learning Teams in a neighbouring Berkshire unitary authority.
- Another provider commissioned through the responsive Community Education Fund (CEF) process.

To reduce the risk to the learner and funding, in the event of the above events, the Community Learning Team operates a weighted payment process on programmes tendered publically, (30% at point of contract for set up costs, 30% on receipt of enrolment forms and 40% on receipt of final paperwork, including registers and evaluations etc.). This ensures a level of funding is protected and can follow the learner should they need to transfer.

The Community Learning Team will not seek to recover set up costs where there is evidence these have been incurred by the provider.

For provision not commissioned through public tender (direct funded), all funding is withheld to the point of receipt of enrolment and completion evidence.

In all cases, where learners are unable to complete their learning aim due to the above events, the Community Learning Team will always seek to recover any unused funding.



**Ian Pearson**  
**Head of Education Services**