
SKILLS4ME EUROPEAN SOCIAL FUND (ESF) CONTRACTS

Responsible Cabinet Member – (Councillor Cyndi Hughes) Children and Young People Portfolio

Responsible Director – Murray Rose, Director of People

SUMMARY REPORT

Purpose of the Report

1. To request that the Council waive Contract Procedure Rules (January 2011) under exemption 18, to enable officers to extend the contracts of existing delivery partners for the continued delivery of the Skills4me ESF programme – engaging vulnerable young people in education and training.

Summary

2. Over the last three years Darlington Borough Council have run a very successful programme called Skills4me through ESF funding to support and engage vulnerable young people in education and training.
3. We successfully bid for, and won, a further three years ESF funding for the programme, totalling £717,620 of which approximately two-thirds will be delivered by external partners.
4. The bid was based on the experience of the existing delivery partnership but did indicate that we would go to Open and Competitive Tendering (OCT) in accordance with Darlington Borough Council contract procedure rules. However, following discussions with the Skills Funding Agency, the funding body, they have indicated that in their opinion:

“the model described by Darlington Borough Council is that of a partnership proposal between the Council as lead partner and a number of named delivery organisations (partners). Your bid was evaluated on this basis and the relevance of these partners contributed to the overall score. In discussion yesterday you outlined that delivery will be through an alternative mechanism (Managing Agent Subcontracting) and the partners will not be delivering as detailed in your bid. It is also conceivable that if OCT is applied then the original declared partners may not be involved at all.

It is our view as indicated above that should this change be implemented, we would need to withdraw the offer of funding and cease contracting as to continue would leave the Agency open to legal challenge around our evaluation of your proposal”.

5. Delivery of the programme has commenced with the total value of the current contracts not exceeding the £75,000 delegated limit for Directors.
6. Although the total value of the services to be procured is in excess of the current EU threshold, the provision of educational services are classed as Part B services for the purposes of advertisement in the European Journal and the Public Contracts Regulations 2006 are not applicable.

Recommendation

7. It is recommended that :-
 - (a) Council agree to waive Contract Procedure Rules under exemption 18 to allow the re-contracting of the Skills4me programme through existing providers.

Reasons

8. The recommendations are supported by the following reasons:-
 - (a) If the decision is made not to approve this proposal and we need to go to Open and Competitive Tender in line with procurement rules for this provision it is highly likely that the Skills Funding Agency will withdraw the offer of funding and a large part of the £717,620 would be lost to the Council. This will mean a reduction in the support available to vulnerable young people and the loss of two members of staff.
 - (b) The existing partnership have been very successful in delivering education and training to vulnerable young and it is likely that even if we went to Open and Competitive Tender we would end up with the majority of the existing partners bidding due to the limited amount of local training providers.

Murray Rose
Director of People

Background Papers

- (i) Skills Funding Agency ESF tender NE/YP/01 Engaging Vulnerable Young People Specification
- (ii) Contract Procedure Rules (January 2011)

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S17 Crime and Disorder	Engaging vulnerable learners in education and training, and thereby up-skilling, them can contribute to a subsequent reduction in youth offending
Health and Well Being	This programme will help support the well being of vulnerable learners in Darlington
Carbon Impact	This decision will not have an impact
Diversity	This decision will not have an impact
Wards Affected	All wards as this funding is targeted at local authority level
Groups Affected	Vulnerable learners, including teenage parents, young offenders, looked after children and those with behavioural difficulties
Budget and Policy Framework	This report does not propose changes to the budget or policy framework but requires Council approval to waive Contract Procedure Rules
Key Decision	This is not an executive decision
Urgent Decision	This is not an executive decision
One Darlington: Perfectly Placed	The services procured contribute to the targets of Aspiring Darlington
Efficiency	The use of existing partners will enable the good practice already established to continue in the new programme and will allow delivery of the programmes to start much more quickly

MAIN REPORT

Information and Analysis

9. Over the past three years the Skills4me ESF programme has successfully supported 347 vulnerable young people, aged 14-19, who were either disengaged from learning, or were at risk of disengaging. Of the 347 young people nearly 80% completed and achieved their programme of learning. Of those disengaged 63% went into further learning and 9% into employment.
10. The programmes were delivered by a partnership of providers including the Borough Council (lead partner) and delivered programmes to groups such as young offenders, teenage parents, looked after children and those with behavioural difficulties.
11. It was the original intention to go to Open and Competitive Tender for providers with the expectation that most existing partners would bid and we would have the added benefit of possibly attracting some further innovative provision to the area. However, due to a lack of clarity in the original Skills Funding Agency specification around the terminology of 'partnerships' and 'sub-contractors' the current situation has developed.

12. We will still be in a position to negotiate programmes, funding levels and targets with providers, we will just be undertaking this with a closed list of existing providers:-

Groundwork
Princes Trust
Jigsaw Training
YMCA
A4E
NACRO
Include (CfBT)
JHP
Darlington College

13. We still have the option, should we identify a gap in provision, to go to OCT at a later date.

Outcome of Consultation

14. No consultation has been carried out in relation to the specific content of this report