

CABINET

11 July 2023

ADULT LEARNING OFFER – ACADEMIC YEAR 2023-2024

Report of the Portfolio Holder for Children’s Services, Homelessness and Housing Policy

Strategic Aim:	A County for Everyone	
Key Decision: No	Forward Plan Reference: FP/090623	
Exempt Information:	No	
Cabinet Member(s) Responsible:	Cllr Raymond Payne, Portfolio Holder for Children’s Services, Homelessness and Housing Policy	
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Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the recommendation to provide an in-house adult learning offer for the academic year 2023/4 whilst a review of the service delivery model is undertaken to identify and deliver a service which best meets the needs of Rutland residents and employers in the long term.

1. PURPOSE OF THE REPORT

- 1.1 This report sets out the options available for adult learning in Rutland for the coming academic year, September 2023 to August 2024, and identifies the recommended short-term service delivery model.
- 1.2 The adult learning delivery model will then be further reviewed and evaluated during the academic year 2023/4 to enable the development of a sustainable offer which will better meet the needs of the residents of Rutland in the long term.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Adult Learning is a service provided by Rutland County Council (RCC) utilising funding from the Education and Skills Funding Agency (ESFA) to meet statutory

duties to influence and shape the adult learning provision on offer in the local area. The Adult Learning Service offers a range of learning opportunities aiming to upskill and boost productivity, pay, employment opportunities and the living standards of learners, delivered through our well-equipped building on the outskirts of Oakham.

- 2.2 Rutland County Council commissions a single contract with Inspire Education Group (IEG), who are contracted until 31st July 2023 to deliver qualification-based courses which include GCSE English and mathematics and AAT Accountancy. The Community Learning offer delivered through Rutland Adult Learning and Skills Service (RALSS) is not included in the contract with IEG and is delivered in-house through tutors employed through the ESFA budget.
- 2.3 Following changes to subcontracting rules, the current provider can no longer offer the same level of provision as originally planned. This meant that an extension of the existing contract for an additional year, as provided for in the contract was no longer an option, and therefore a decision was required on the future of Adult Learning in Rutland.
- 2.4 In January 2023, a tender went out for a new subcontractor to deliver from August 2023.
- 2.5 In February 2023, a bid was received from one company and was assessed against criteria identified in the award questionnaire. The tender did not meet the minimum requirements within the contract specification for the Adult Learning Service because the company is not currently an Adult Education Provider, did not have any previous experience of this kind of delivery and is not Ofsted registered as an education provider. This tender was therefore non-compliant and had to be rejected. No other bids were received.
- 2.6 A questionnaire was then sent out to 51 education or training organisations to determine why there had not been greater interest. None of the organisations replied.
- 2.7 On the 19th of April, Rutland Adult Learning and Skills Service management met with IEG to discuss the end of the contract, and implications for any relevant staff and subsequently consulted with Rutland's Human Resources Service to determine next steps. Dependent on future service operation, there would be implications for TUPE and redundancy which would need to be considered.
- 2.8 Three options for adult learning in Rutland, were identified:
 - i) bring the provision back in house.
 - ii) cease delivering adult qualification courses and just to focus on community learning
 - iii) cease offering any adult or community learning at all.
- 2.9 It is recommended that the option (i) to bring the adult learning offer back in-house would be the most pragmatic solution at this time.
- 2.10 Rutland Adult Learning and Skills Service will not have the resource available at the level of the subcontract, however, could continue to deliver a more focused programme of adult learning courses in-house. This offer would include delivering qualifications in Mathematics, English, Digital Skills and English as a Second or

Other Language (ESOL) up to GCSE level. During this academic year which runs from September 2022 to July 2023, these were the courses which had the highest numbers of enrolments. From the 118 enrolments so far this year, 28 were for Functional Skills qualification (levels 1,2 or 3) in English, and 26 for Functional Skills qualification in mathematics and 23 for ESOL (levels 1 -3).

- 2.11 The offer of community learning, which is already established and successful, could be increased or extended within this arrangement if needs-analysis identified an adapted offer was required.
- 2.12 Feedback indicates that Rutland residents value these courses. Adult learning has the potential to increase social mobility, encourage the economically inactive to participate and feedback indicates that wellbeing and mental health can be improved through greater employment opportunities.
- 2.13 This option would continue to provide a good adult learning offer to Rutland residents:
 - 2.13.1 By looking at learner data trends over time we know that this new offer would suit the needs of our local community.
 - 2.13.2 By bringing the offer back in house it would give RCC more influence over the overarching curriculum offer and the control of the provision rests internally. This would include complete control over quality assurance procedures and ensure high standards are maintained.
 - 2.13.3 By choosing this option, further collaboration across the council would ensure best value and impact of other Government funded initiatives such as the Department for Education's Multiply programme, the UK Shared Prosperity Fund and Levelling Up funding, utilising the skills of existing staff and supporting economic development within the area.
 - 2.13.4 This option provides the flexibility to find a subcontractor to work with in the future if the needs of our community change, or to formalise with a partner organisation to offer a learning hub within Rutland if numbers were sufficient.
 - 2.13.5 Options to deliver in venues across Rutland, utilising existing community spaces and linking to the development of the Family Hub, can also be expanded through the in-house delivery model.
- 2.14 This option is not a full replica of the subcontract and therefore not all staff currently employed through the subcontract would be eligible for TUPE. The in-house delivery-model would require staffing, with five of the nine staff currently employed by IEG through the sub-contract continuing in a role similar to their current role and therefore liable to TUPE transfer to the Council's employment. This option does not include any offer for apprenticeships or AAT (accountancy) which would continue to be offered at Stamford by IEG and therefore those members of staff would need to be redeployed by IEG and not in scope for employment by RCC.
- 2.15 Under this option there would be no impact on staff being lost due to any delay in transfer of an in-house provision. As we use a tutor bank, we would be able to utilise these staff therefore avoiding a recruitment crisis and any potential delay in learning.
- 2.16 Whilst a reduced offer within Rutland may be perceived, because some of the

courses would no longer be available within the county, indications are that Stamford will continue to deliver on their main site and available to Rutland residents and a wide range of courses are available online. Other adult learning providers are also available within a short distance of the county's border. Should demand be such that it would be financially viable to run these at RALSS, this would be considered as the provision developed.

3. CONSULTATION

3.1 Consultation on the future offer of adult education will be intrinsic to the development of the future service model for adult and community learning.

4. ALTERNATIVE OPTIONS

4.1 Offer community learning only.

4.1.1 Rutland Adult Learning and Skills Service could continue to deliver all courses not included within the sub-contract, which are referred to as the Community Learning offer funded through the Education and Skills Funding Agency.

4.1.2 Whilst this option would mean there would be no offer within Rutland to those residents wishing to gain a qualification, the option to provide a well-established and successful community learning offer to Rutland residents would continue:

4.1.3 By looking at learner data trends over time we know that this offer is well attended and reflects the needs of Rutland adults. As shown on page 15 of the Adult Learning Self-Assessment Review (Appendix 1), high retention, achievement and success rates have been sustained over time.

4.1.4 This offer supports Rutland's economic development strategy by encouraging participants to consider enterprise opportunities utilising their new-found skills but does not readily offer progression through to qualifications-based courses, although this would still be available within reasonable travelling distances in Stamford, Peterborough or Melton Mowbray.

4.1.5 Feedback indicates that community courses improve wellbeing and mental health however, it would not provide the in-house opportunities for supporting economic development within Rutland or support social mobility; both of which are key priorities for the County.

4.2 Cease providing the service altogether.

4.2.1 When reviewing the adult and community learning offer in Rutland, consideration was given to cease all adult and community learning provision.

4.2.2 This would have a negative impact on adult education in Rutland, and drastically reduce potential options for improving the profile and take up of non-academic routes into further education. As well as significant financial implications, there would be high reputational risk for the council due to the gap in the offer we have available for our local community.

5. FINANCIAL IMPLICATIONS

- 5.1 Bringing the provision back in-house.
 - 5.1.1 Projections indicate that the service outlined can be delivered in-house. In addition to the DfE Adult Education Budget, grants such as the DfE Multiply Programme, will cover costs associated with the planned offer. The offer will be regularly monitored to ensure spending remains within the DfE budget allocation.
 - 5.1.2 The extended offer of community learning would be developed to reflect need identified through employer engagement or resident feedback and would utilise the DfE adult budget for community learning. The offer would be planned within the constraints of the budget.
 - 5.1.3 There could be a short term financial risk due to Adult Education Budget funding being clawed back, and funding for the following year being reduced in the next academic year by £10,000. However, this will be dependent on the level of adult learning taken up over the academic year.
 - 5.1.4 Whilst there will be 5 members of staff currently employed by Inspire Education Group in scope for TUPE to Rutland County Council, it is anticipated that they will be employed in the proposed service model and funded through the Adult Education Budget. Two of the members of staff would be employed with similar terms and conditions, at a total cost of £53,932 plus on-costs. The three tutors are employed on zero hours contracts and would be employed to meet service requirements.
- 5.2 Offer Community Learning only.
 - 5.2.1 Increased financial risk in the short term due to the potential for the Education and Skills Funding Agency to claw-back any underspent Adult Education Budget and the overall adult and community learning grant funding reduced in the next academic year.
 - 5.2.2 The staff associated with the TUPE from IEG would not be required to deliver the Community Learning offer therefore there is potential for significant cost implications associated with redundancy payments and pension liabilities.
 - 5.2.3 The Adult Learning offer contributes to the overheads of running the adult and community learning service from the unit at Oakham Enterprise Park. If the overheads are not reduced, there is potentially a £42,000 pressure on the budget. However, a smaller offer would require fewer classroom and office spaces, and these could be rented to reduce some of the overheads.
- 5.3 Cease providing the service altogether.
 - 5.3.1 This could be a high financial risk for the local authority due to potential redundancies of the six existing staff employed to deliver this offer and up to 18 part-time tutors as well as those five for whom the TUPE process is already underway. This would also have a potential pension strain placed on the Council for these members of staff.
 - 5.3.2 There is an additional potential for impact on two members of staff who contribute to the adult learning offer but are not fully funded through the AEB whose part-salary would have to be funded through the Council budget, or whose current employment pattern may need to be reconsidered.

- 5.3.3 The Adult Education Service makes an annual contribution towards Council overheads of £36,000 per annum.
- 5.3.4 Repayment of full Education and Skills Funding Agency funding which could amount to £382,000 in total.

6. LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 The Local Authority has a statutory duty to influence and shape the adult learning provision on offer in the local area but does not, itself, have an obligation to provide an adult learning service.
- 6.2 Consideration has been given to employment law and sub-contacting rules.
- 6.3 Governance of the adult education offer will continue to be provided through the Performance Board, and quality assured through Ofsted and the Education and Skills Funding Agency.

7. DATA PROTECTION IMPLICATIONS

- 7.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks/issues to the rights and freedoms of natural persons.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment has not been completed.

9. COMMUNITY SAFETY IMPLICATIONS

- 9.1 There are no community safety implications associated with the potential change to the Adult Learning Offer. The Adult Learning Service works closely with the Community Safety Team and utilises DfE and Ofsted guidance to ensure the curriculum policies and processes promote community safety.

10. HEALTH AND WELLBEING IMPLICATIONS

- 10.1 Adult learning contributes to increased well-being and social mobility and is recognised as supporting vulnerable adults and those with additional needs.

11. ORGANISATIONAL IMPLICATIONS

11.1 Human Resource Implications

- 11.1.1 There will be Human Resources implications associated with staff currently employed through the existing sub-contract with IEG. Formal consultation is currently taking place.

11.2 Procurement Implications

- 11.2.1 There is potential for sub-contracting the Adult Learning offer in future academic years if this is deemed appropriate through review of the service delivery model.

12. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 12.1 Recommendation that Cabinet agrees that the option to deliver adult education in-house is the preferred option for the next academic year 2023/24. This will continue to provide Rutland residents with a valuable programme of qualification courses delivered locally, augmented by a strong community learning offer, much of what would be seen as 'business as usual.' Any qualification courses that can no longer be delivered through Rutland Adult Learning and Skills Service will be available at other local Further Education providers and, should numbers be sufficient, offered within county through a formal partnership arrangement with a local college or Further Education provider.
- 12.2 The longer term delivery model can then be determined through evaluation of the adult and community learning offer in Rutland, as well as feedback from the community, so that it can best meet the needs of residents and employers going forward.
- 12.3 It is intended that for academic year 2023-24, the offer proposed in option 1 would be delivered alongside funded offers such as the DfE Multiply Programme which aims to improve mathematical capability for adults with low mathematical skills. This provides options for adults to re-engage with education through informal activities, such as cookery or art, held in locations around the county. This will also enable a programme of employer engagement activities to be undertaken to identify skills gaps and training requirements.
- 12.4 In the academic year 2024 to 2025, following a review of the curriculum offer and engagement with employers and residents during the previous year, the adult education offer will more accurately reflect the needs of the community, with the potential to identify if a sub-contractor would be required to support delivery.
- 12.5 In the academic year 2025-2026, it is anticipated that an offer will be in place that satisfies the desires of residents, the requirement of employers and is effectively contributing to the wider economic development of the area.
- 12.6 Reputational risk is low because this option would not be seen as significantly reducing adult education offer within Rutland. The majority of employees currently involved with the sub-contract would be continuing to deliver a similar offer and therefore eligible for TUPE to the LA and funded through the Adult Education Budget.
- 12.7 Although there is a small financial implication associated with staffing, this option would still be preferable as the curriculum offer would limit any potential reputational risk of the LA and still meet the needs of learners.

13. BACKGROUND PAPERS

- 13.1 There are no additional background papers to the report.

14. APPENDICES

- 14.1 Appendix – Rutland Adult and Community Self-Assessment Review 2021-2022

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.