

Cabinet – 9 December 2020

New Apprenticeship Framework 2021

Portfolio: Councillor B. Chattha, Portfolio Holder for Personnel and Business Support

Related portfolios:

Service: Human Resources

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

- 1.1. The aim of this report is to inform Cabinet of the intention to ensure that the Council is able to continue to offer apprenticeship training to the Council and its maintained schools through a new Apprenticeship Training Provider Framework (the 'New Framework'), to commence on 1 February 2021.
- 1.2 This report outlines the procurement process the Council is currently carrying out in order to replace the existing Apprenticeship Training Provider Framework with the view of gaining Cabinet approval for the approach as well as seeking delegated authority for the Council's Executive Director of Resources and Transformation to approve and sign off the subsequent award of the New Framework and all call-offs made under it.

2. Summary

- 2.1. The Council currently delivers the training element of its Apprenticeship Programme, (known as "Endless Possibilities") via the Apprenticeship Training Provider Framework, which will expire on 10 February 2021. The current framework has worked well, so a similar Framework Agreement is therefore required to replace the existing one in order to ensure continuation of the Council's Apprenticeship Programme.
- 2.2. The New Framework Agreement will support the delivery of apprenticeship training to both internal staff and Council maintained schools.

- 2.3. This is a key decision as the expenditure, over the lifetime of the New Framework (including optional extensions), is estimated at £4,000,000 and affects all Wards.

3. Recommendations

- 3.1. That following a procurement process, Cabinet approves the Council operating a Framework Agreement for apprenticeships with an estimated annual value of £800,000, for the period 1 February 2021 until 31 January 2024 and with the option to extend for 2 additional 12 month periods.
- 3.2. That Cabinet delegate authority to the Executive Director of Resources and Transformation to approve the initial awards to the successful bidders for their appointment to the new Apprenticeship Framework and to authorise the subsequent signing of all necessary documents for such appointments.
- 3.3. That Cabinet delegate authority to the Executive Director of Resources and Transformation to authorise all subsequent call offs from the new Apprenticeship Framework in accordance with the processes for doing so and terms and conditions of any such call offs that are set out in the new Apprenticeship Framework Agreement.

4. Report detail - know

Context

- 4.1. The Council currently delivers its Endless Possibilities Apprenticeship Programme, via an Apprenticeship Training Provider Framework that commenced in 2017. This framework, consisting of a number of Lots (outlined below in Table A along with current providers), has not only delivered a quality service to the Council and its maintained schools over the last 4 years, but has further allowed the Council to effectively utilise the funds available within the Apprenticeship Levy (the 'Levy') thereby maximising the Levy's financial benefits. The Levy was initiated by the Government in 2017 for all employers with an annual wage bill in excess of £3,000,000 with the aim of developing and delivering high quality apprenticeships.

Table A

Lot	Training Providers
Business Administration, Finance, Accounting, Leadership and Management, HR and Procurement	Walsall College (Walsall) Performance Through People (Walsall) Juniper Training (Wolverhampton)
Health, Public Services and Social Care	Walsall College (Walsall) Performance through People (Walsall) Acacia Training (Stoke-on-trent)
Information and Communication Technology	Walsall College (Walsall) MBKB (Dudley)
Education/Training, Teaching Assistants/Child Development and Wellbeing	Walsall College (Walsall) Performance Through People (Walsall)

Hospitality and Catering, Customer Service	Juniper Training (Wolverhampton)
	Walsall College (Walsall)
	Nova Training (Willenhall)
Cleaning, Environmental Support Services, Facilities Management and Driving	Performance Through People (Walsall)
	Walsall College (Walsall)

- 4.2. Following the successful delivery of the Endless Possibilities programme (there are currently 394 apprentices on programme, 168 within maintained schools and 226 across council directorates), the Council is keen to continue with this format and is therefore seeking to implement a replacement framework covering the Council and its maintained schools for the next 3 to 5 years.
- 4.3. Tender documentation has been developed in line with the Endless Possibilities Programme and largely reflects the previous offering. Changes to note include amendments to the existing Lot structure.
- 4.4. The proposed Lot structure for the New Framework can be found in Table B, below:

Table B

Lot	Description
1	Business and Administration
2	Care Services
3	Construction
4	Digital
5	Education and Childcare
6	Engineering and Manufacturing
7	Health and Science
8	Legal, Finance and Accounting
9	Sales, Marketing and Procurement
10	Transport
11	Degree Apprenticeships

- 4.5. In order to be eligible to apply for a particular Lot, providers must be in a position to deliver at least 75% of the apprenticeship 'Standards' outlined within each Lot (for Lots 1-10). Due to the nature of Lot 11, providers are only required to deliver one of the Degree Apprenticeship standards defined within the Lot. A breakdown of the individual 'Standards' within each Lot can be found in appendix 1.

Procurement Process

- 4.6. Tenders have been sought for the providers of apprenticeship training using an open procurement process which commenced on 21 October 2020 with a return date of 23 November 2020. A Contract Notice was issued via the Official

Journal of the European Union and was further posted to the Council's E-Tendering portal, to alert the market to the tender, in accordance with the requirements of the Public Contract Regulations 2015 and the Council's Contract Rules.

- 4.7. Tenders were opened on 23 November 2020 by a Senior Procurement Officer and the Director of Resources and Transformation using a formal opening ceremony on the Council's e-Tendering Portal.
- 4.8. Tenders are currently being evaluated against the criteria included within the Invitation to tender as outlined in Table C, below:

Table C

Criteria	Weighting
Quality	70%
Price	30%

Criteria	Percentage
Price model based on the Government's price bandings for the various Apprenticeship Standards and levels	30%
Total	30%

Criteria	Percentage Weighting
Ability to Contract	PASS/FAIL
Social Value	7%
Readiness to Deliver	7%
Learner Experience and Support	7%
Managing, Reporting and Quality Assurance	7%
Delivery Plan	7%
Delivery Method	7%
Retention/Progression of Apprentices	7%
Customer Care and Account Management	7%
Assured Delivery	7%
Added Value	7%
Total	70%

- 4.9. Tenders are being evaluated by members of the Learning and Development Team within HR overseen by the Council's Procurement Team.
- 4.10. Evaluations began on 24 November 2020 and will run until 14 December 2020. Consensus meetings will be held between 14 – 18 December 2020 with a view to the Recommendation to Award Report being approved in the week commencing 4 January 2021 by the Executive Director of Resources and Transformation (providing Cabinet agree with the recommendations within this report).

Council Corporate Plan priorities

- 4.11. The continuation of an Apprenticeship Programme for Walsall and its maintained schools supports delivery of all 5 corporate priorities in the following ways:
- 4.12. **Economic growth** – Walsall people will develop new skills through participation in an apprenticeship with the Council/local schools which in turn will enable them to access a wider range of employment opportunities either with the Council or local employers than might otherwise have been the case.
- 4.13. **People** – Walsall people will enjoy increased independence and improved health (both physical and mental health) that comes from being in work so that they become more resilient and can positively contribute to their local communities.
- 4.14. **Children** - are safe from harm, happy and learning well with self-belief, aspiration and support to be their best – Walsall young people will be able to access a quality apprenticeship as a real alternative to university or a low paid job with no training, allowing them to earn while they learn. 10% of apprenticeship opportunities will be ring-fenced to our care leavers.
- 4.15. **Communities** - are prospering and resilient – Walsall people through participation in an apprenticeship programme will have disposable incomes which give them independence and will hopefully take pride in working for their local council, becoming advocates for the council, building a strong sense of belonging and cohesion encouraging residents to do more for themselves.
- 4.16. **Internal focus** – our aspiration is for an efficient and effective apprenticeship programme which meets the needs of our customer facing services, delivering excellent value for money.

Risk management

- 4.17. The following risks and mitigations have been identified:

- **RISK:** Failure to utilise the Levy funding leading to the Council failing to maximise the additional financial resources available to it.
 - **MITIGATION:** The New Framework will not be for sole use of the Council, it will also be available to all Council maintained schools, thus further widening the scope of use. In addition to this the Council can utilise the New Framework to not only develop new apprentices but further 'upskill' existing staff to further utilise the Levy.
- **RISK:** Procurement risks including legal challenges.
 - **MITIGATION:** These risks have been actively managed and mitigated through a compliant, open and transparent tender process.
- **RISK:** A reduction in Levy funding before the end of the contract.

- **MITIGATION:** Contractual break clauses and the provision for a reduction or amendment in the operational services have been included in the proposed New Framework Agreement. This includes the Council retaining the right to vary the content of service specification and renegotiate the contract value for any contract extension, in line with any budgetary reductions subject to compliance with the Public Contract Regulations 2015; or to terminate the contract.
- **RISK:** Poor performance by providers appointed to the New Framework.
 - **MITIGATION:** Service performance and quality will be monitored and assured throughout the lifetime of each call off by reporting of achievement of key performance indicators at regular contract meetings with providers.

Financial implications

- 4.18. The cost to the Council will be funded through the Levy. The annual Levy is in the region of £800,000; providing the Council's annual cost remains stable over the life of the contract, the total value of the contract will be in the region of £4,000,000 (including optional extensions).
- 4.19. Given the financial and funding uncertainty the Council is currently facing the New Framework Agreement will include break clauses and provisions for reductions in costs should these become necessary.
- 4.20. Any extension to the term of the proposed New Framework will be funded through the Levy and will not result in the Council exceeding its budget in the relevant period and would be managed in line with the Council's Contract Rules.
- 4.21. The New Framework Agreement and any call offs under it will help ensure flexibility around any financial uncertainty that the Council is currently facing.

Legal implications

- 4.22. Legal Services and Procurement have assisted Human Resources with using the most appropriate procedures and preparing a 'fit for purpose' Framework Agreement and simplified call off procedure.
- 4.23. All new apprenticeships will be evidenced by a written call off agreement in a form approved by the Head of Legal and Democratic Services and shall be made and executed in accordance with the Council's Contract Rules.

Procurement Implications/Social Value

- 4.24. The procurement process is being conducted in accordance with the Public Contract Regulations 2015, the Council's Contract Rules and Social Value Policy.
- 4.25. Social value/localism is an integral part of this contract and all tenders have been evaluated based on their ability to bring social value including reducing

waste/energy and use of natural resources and of course creation of employment opportunities and reducing inequalities as part of their delivery to Walsall.

- 4.26. Successful bidders will be required to clearly demonstrate their social value through a commitment to the above.
- 4.27. Input has been sought from Procurement and Legal Services, as required, to ensure the conduct of compliant procurement process.

Property implications

- 4.28. There are no apparent implications for the Council's property portfolio.

Health and wellbeing implications

- 4.29. The Apprenticeship Programme aims to provide new employment and existing staff development opportunities to both the Council and its maintained schools, this will in turn have a positive impact on health and wellbeing.

Staffing implications

- 4.30. Existing staff will be able to access Levy funds in accordance with the workforce development needs for their particular service/profession. This will necessitate them spending 20% of their time 'off the job' in order to undertake their apprenticeship Standard. Line managers, the training provider and the Learning and Development team will work together to identify the best way of achieving this.

Reducing Inequalities

- 4.31. An initial Equality Impact Assessment (EqIA) has been undertaken. There will be no fundamental change to the delivery of this service to customers and the award of this contract will not have any implication upon people with protected characteristics. The Apprenticeship Programme will, however, seek to support under-represented groups into jobs with training for example young people, locally unemployed people, those with a disability or long term health condition and our care leavers. Workforce data will be used to take decisions on which employees to sponsor in order to redress current imbalances in the workforce where requests for training exceed funding.

Consultation

- 4.32. Informal consultation has taken place with the Council's Apprenticeship Working Group, which includes a schools representative and with other managers and staff, in preparation for the tender.

5. Decide

- 5.1. Cabinet is requested to approve the recommendations made in section 3 of this report.

6. Respond

- 6.1. In the event that Cabinet approve this report's recommendations, the Council will conclude the procurement exercise and ensure all necessary procedural steps are completed so that the New Framework can commence on 1 February 2021.

7. Review

- 7.1. Key Performance Indicators (KPIs) have been set out for bidders within the tender documentation and will form part of the contractual arrangements with providers. These include for regular monitoring by the Council and for providers to report on a quarterly basis for each apprenticeship.
- 7.2. Contract and performance management meetings will take place quarterly.

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09 December 2020

Signed: *COUNCILLOR CHATTHA*

Councillor B. Chattha
Portfolio Holder for Personnel and
Business Support

09 December 2020

Apprenticeship Training Provider Framework

Breakdown of Lots

Lot 1 Business Administration

Assistant Project Manager	Level 4
Business Administrator	Level 3
Operations/Departmental Manager	Level 5
Team Leader/Supervisor	Level 3

Lot 2 Care Services

Adult Care Worker	Level 2
Children, Young People and Families Manager	Level 5
Children, Young People and Families Practitioner	Level 4
Lead Adult Care Worker	Level 3
Lead Practitioner Adult Care	Level 4
Leader in Adult Care	Level 5

Lot 3 Construction

Facilities Management Supervisor	Level 3
Facilities Manager	Level 4
Facilities Services Operative	Level 2

Lot 4 Digital

Digital Marketer	Level 3
Infrastructure Technician	Level 3

Lot 5 Education/Childcare

Early Years Educator	Level 3
Early Years Practitioner	Level 2
Learning Mentor	Level 3
Teaching Assistant	Level 3

Lot 6 Engineering/Manufacturing

Heavy Vehicle Service and Maintenance Tech.	Level 3
Motor Vehicle Service and Maintenance Tech.	Level 3

Lot 7 Health and Science

Leisure Team Member	Level 2
Personal Trainer	Level 3

Lot 8 Legal, Finance and Accountancy

Accounts/Finance Assistant	Level 2
Advanced Credit Controller/Debt Collection	Level 3
Assistance Accountant	Level 3
Professional Accounting/Taxation Technician	Level 4

Lot 9 Sales, Marketing and Procurement

Commercial Procurement and Support Officer	Level 4
Customer Service Practitioner	Level 2
Customer Service Specialist	Level 3

Lot 10 Transport and Logistics

Waste Resource Operative	Level 2
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Lot 11 Degree Apprenticeships

Chartered Manager Degree	Level 6
Accountancy Taxation Professional	Level 7
Project Manager	Level 6
Senior Leader	Level 7
Occupational Therapist	Level 6
Social Worker	Level 6
Building Control Surveyor	Level 6
Chartered Town Planner	Level 7
Civil Engineer	Level 6
Digital and Technology Solutions Professional	Level 6
Teacher	Level 6
Digital Marketer	Level 6