

27/12



Havering

LONDON BOROUGH

Notice of key decision by member of staff

Subject Heading:	Havering Careers Education Information Advice and Guidance for 2012/15
Cabinet Member:	Councillor Paul Rochford
CMT Lead:	Sue Butterworth Group Director of Children's Services
Report Author and contact details:	Trevor Cook, Young People and Adult Learning Strategy Manager X1250 trevor.cook@havering.gov.uk
Policy context:	The Education Act 2011
Financial summary:	Estimated commitment of £692k per year over 3 years (£2.076m contract total) funded by Children's Services budgets.
Forward Plan entry number:	N/A
Is this a Strategic Decision?	Yes
When should this matter be reviewed?	June 2014
Reviewing OSC:	Children's & Learning

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input checked="" type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The Council's current contract providing 'Connexions' services to young people is due to end on 31st August 2012, and a new National Careers Service will be established from 1st September 2012. This paper sets out the process required to ensure that the Council continues to meet its statutory obligations to provide targeted information, advice and guidance ('IAG') to young people from September 2012 for a duration of 3 years.

This report recommends that the Group Director for Children's Services approves the commencement of a procurement process with the aim of identifying a supplier to whom the IAG targeted services contract can be awarded. The aim is to identify a service provider ready to commence full delivery of services from 1st September 2012.

Part A

DETAIL OF THE DECISION

The Council's current contract providing 'Connexions' services to young people is due to end on 31st August 2012, and a new National Careers Service will be established from 1st September 2012. In order to ensure that the Council continues to meet its statutory obligations to provide targeted information, advice and guidance ('IAG') to young people from 1st September 2012 it is necessary to commence a procurement process to identify a new provider.

Council officers are seeking to conduct a procurement process to secure a new contractor to provide targeted Information, Advice and Guidance services to young people from 1st September 2012 for a duration of 3 years. The contract is expected to have a total lifetime value of approximately £2,076,000.

Although the value of the contract is above the threshold set out in the Public Contracts Regulations 2006, the services to be procured are categorised as 'Part B' services under those Regulations. As such, this procurement will fall outside the scope of most of the provisions of the Regulations. The procurement process will however be in accordance with Schedule D of the Council's Contract Procedure Rules which covers the procurement of Part B services.

After the contract opportunity has been advertised on Procure4London and via direct mailing to known suppliers, interested parties will be invited to complete and return a pre-qualifying questionnaire (PQQ). The PQQ will assess their experience and capability in providing a high quality targeted service. The second stage of the procurement process will invite a shortlist of qualifying organisations to tender for the contract. It is expected that the invitation to tender (ITT) documents will be sent to shortlisted bidders in April 2012 and for the contract to be awarded in August 2012 via Key Decision by Group Director in time for the new service to be delivered from 1st September 2012.

The procurement team will consist of the following:
Project Sponsor – Mary Pattinson
Project manager – Trevor Cook
Procurement Adviser : Tracy Christian / Susan Wightwick
Financial Representative – Caroline May
Service representatives - Priti Gaberria & Stacy Andrews

The current Connexions service provider will be asked if any members of its staff are likely to transfer to the new provider under the provisions of the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). All appropriate information will be sought and then passed to prospective bidders and the successful contractor so that both the outgoing and incoming contractors can comply with their obligations under TUPE.

The most significant risk identified for this project are potential delays in the tendering

Key Executive Decision by a member of staff

process and the impact on service delivery. There are other risks involving staffing (both in the LA in managing this procurement process and in the provider in delivering the service), costs, quality and equalities risks due to the changing nature of the contract, however any of these risks arising will be monitored and mitigated.

In order to minimise the level of risk, the project manager has started to work with the Council's procurement team to outline a timeline for key milestones. The procurement team will also provide appropriate support to the project team.

AUTHORITY UNDER WHICH DECISION IS MADE

This decision is taken under the powers of the members of the Corporate Management Team, as set out in Part 3, section 3.3 of the Council's constitution. Specifically, members of the Corporate Management Team have the following powers:

Contract powers

(a) To approve the commencement of a tendering process for all contracts above a total contract value of between £156,000 and £5,000,000

And

General Powers

(a) to take any steps necessary for the proper management and administration of allocated portfolios

STATEMENT OF THE REASONS FOR THE DECISION

The Council's current contract providing 'Connexions' services is due to end on 31st August 2012. The need for a new service results from the Government's intention to implement a new "National Careers Service". This will bring to an end the current 'Connexions' Service as there will be no obligation on local authorities to provide a universal careers guidance service. Instead, from 1st September 2012, schools will be under a duty to secure access to independent careers guidance for pupils in years 9-11,

Some duties previously placed on local authorities under the Education and Skills Act 2008 (Section 68) are retained in the Education Act 2011. These are to

- encourage, enable, assist young people to participate
- support young people not in education, employment or training (NEETs) and monthly reporting thereon, and
- provide support for vulnerable young people and those at risk of disengagement.

The new contract will secure the performance of these residual obligations on behalf of the Council. The process outlined earlier in this report is designed to ensure that the Council procures a contract which represents value for money in the current market.

OPTIONS CONSIDERED AND REJECTED

Option 1 – Extend and vary the contract with the current service provider.

It is unlikely that a contract extension and variation would be permitted by the Council's Contract Procedure Rules. Furthermore it is likely that the current provider would not consider re-negotiating the current terms of the contract and delivery costs.

This option does not allow the Council to test the market for better value for money from other service providers.

This option is not recommended.

Option 2 – Tender the service as a joint process

Neighbouring boroughs are already at different stages of the procurement process and some boroughs are bringing the service in-house. It is not possible to agree a model and timescale with neighbouring boroughs.

This option is not recommended.

**CONSULTATION WITH INDIVIDUAL CABINET MEMBER
OR CHAIRMAN OF RELEVANT COMMITTEE (if any)**

I have not consulted the relevant individual Cabinet member or the chairman of the relevant committee

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Trevor Cook

Designation: Young People and Adult Learning Strategy Manager

Signature:

Date: 18 January 2012

Part B

LEGAL IMPLICATIONS AND RISKS

Legal implications and risks:

Duties placed on Local Authorities under the Education and Skills Act 2008 (Section 68) are retained in the Education Act 2011.

Other local authority duties are retained:

- Encourage, enable, assist young people to participate
- Supporting young people NEET and monthly reporting
- Support for vulnerable young people and those at risk of disengagement.

The proposals in this report will help fulfil these statutory obligations.

The provision of Connexions Services is a statutory requirement as defined in the Learning & Skills Act 2000 and the Employment & Training Act 1973.

There is a statutory duty to ensure:

- The provision of careers education and guidance (Employment and Training Act 1973: Trade Union Reform and Employment Rights Act 1993);
- The encouragement of participation in education and training (Learning and Skills Act 2000);
- Supporting for post sixteen transitions for young people with learning difficulties and disabilities (Learning and Skills Act 2000).

Ian Burns Head of Legal Services 02/02/12

FINANCIAL IMPLICATIONS AND RISKS

From the financial year 2011/12 funding for the Connexions service was identified from within the Councils Early Intervention Grant allocation, as former specific funding had ceased. There is budget available to fund the commitment for the National Careers Service from 1 Sept 2012.

Key Executive Decision by a member of staff

There is a related £600k MTFS savings target from 2013/14. These savings will be made when scoping the new duties that will fall to Local Authorities to provide NEET support. Future levels of commitment will therefore need to be in line with available budget to ensure the savings are achieved by 2013/14.

Caroline May, Strategic Finance Business Partner 03/02/12

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

There are no direct HR implications or risks to the council in relation to the recommendations made in this report. The new service provider will have a responsibility to manage TUPE, if applicable.

Eve Anderson, Strategic HR Business Partner 02/02/12

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

There are no adverse equality implications specifically relating to this recommendation.

The service provider will offer targeted support to a range of minority and vulnerable groups.

Equality Impact Assessment completed on 31/1/12 – available on request.

Martha Goodhill, Diversity Programme Manager 31/01/12

BACKGROUND PAPERS

Education Act 2011

Confirmation of decision

I confirm that I have made this executive decision, in accordance with authority delegated to me under the Council's constitution and in compliance with the requirements of the Constitution.

Signed

Name:

Designation:

C:\Documents and Settings\beesleya\Local Settings\Temporary Internet
Files\Content.Outlook\5GF19BPM\National Careers Service Connexions 2012 - Key
Decision_FINAL.doc

Key Executive Decision by a member of staff

Date:

Lodging this notice

This notice should be delivered to the proper officer, currently the Democratic Services Manager via Ian Buckmaster, in the Town Hall.

Where the executive decision recorded in this notice has been made in accordance with the provisions of rule 16 of the Access to Information Procedure Rules (Special urgency), a copy of this notice should also be provided to the Leader's Office (in accordance with rule 17(c) of the Access to Information Procedure Rules). A copy of the written agreement obtained under rule 16 (c) should be attached to all copies of this notice.

For use by proper officer

I confirm that this notice was lodged with me on _____

Signed



Havering
LONDON BOROUGH

EQUALITY ANALYSIS TEMPLATE

(2011 version)

Content	
Guidance on the equality analysis template	2
Sample blank template	6

Guidance on the equality analysis template

This section presents each of the questions included in the current version of the template, and provides bullet-pointers on the how you should frame your response.

Please note that the term 'activity' is used to denote the organisation's policies, strategies, procedures, functions, projects, programmes, services and restructure changes or proposals for change (although this is not an exhaustive list).

Question 1	What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?
<ul style="list-style-type: none"> • <i>What are you trying to achieve and why?</i> • <i>What is the background?</i> • <i>Be sure to distinguish between scope and outcomes for the Organisation and staffing; and the services to the community.</i> 	

Question 2	Which individuals and groups are likely to be affected by the activity?
<ul style="list-style-type: none"> • <i>There are currently 9 protected (please see the table below).</i> • <i>Whilst socio-economic status is not strictly a 'protected characteristic', it is always wise to take groups that might be disadvantaged in this regard (e.g. disabled and part-time workers, low income households, looked-after children, other vulnerable children, families and adults).</i> • <i>Consider those who may perceive themselves to be affected by this activity.</i> • <i>If one or more of the protected groups are not affected by the activity, state it is not applicable or relevant.</i> 	

The table below identifies the protected characteristics and the (sub-) groups within each of them.

Protected characteristics	Protected groups and sub-groups
Age	When looking at age, consideration should be given to children and young people, older people and carers.
Disability	<p>When looking at disability, consideration should be given to people with different types of impairments: physical, learning, aural or sensory, visible and non-visible impairment.</p> <p>Consideration should also be given to: Deaf people, disabled workers, as well as people with HIV, people with mental health needs and people with drug and alcohol problems.</p>

Protected characteristics	Protected groups and sub-groups
Gender	When looking at gender, consideration should be given to girls and women, boys and men, married people, civil partners, part-time workers, carers (both children and elder care), parents (mothers and fathers), in particular lone parents and parents on low incomes.
Gender reassignment/ identity	When looking at gender reassignment, consideration should be given to transgender people, transsexual people and transvestites.
Marriage and Civil Partnership	When looking at marriage and civil partnership, consideration should be given not only to married people, but also to civil partners.
Pregnancy and Maternity	When looking at pregnancy and maternity, consideration should be given to pregnant women, breastfeeding mothers, part-time workers, women with caring responsibilities, women who are lone parents and parents on low incomes.
Race/ ethnicity	When looking at race, apart from the common ethnic groups, consideration should also be given to Gypsy, Roma and Irish Travellers communities, people of other nationalities outside Britain who reside here, refugees and asylum seekers.
Religion or belief	When looking at religion, as a minimum consideration should be given to the most common religious groups (Christian, Muslim, Hindu, Jews, Sikh, Buddhist) and people with no religion or philosophical belief(s).
Sexual orientation	When looking at sexual orientation, consideration should be given to heterosexual and bisexual men and women, lesbians/gay women and gay men.
Socio-economic groups	When looking at socio-economic groups, consideration should be given to homeless people, carers, vulnerable children, families and adults, parents (mothers and fathers), particularly lone parents and parents on low income, disabled and part-time workers.

Question 3	<p>What data/information do you have about the people with ‘protected characteristics’ (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation) or other socio-economic disadvantage (e.g. disabled and part-time workers, low income and/or lone parents (mothers and fathers), looked-after children, other vulnerable children, families and adults) among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?</p>
	<ul style="list-style-type: none"> • Give your impression/thoughts on the individuals or groups likely to be affected. • Focus on the most vulnerable and disadvantaged groups (e.g. disabled and part-time workers, low income and/or lone mothers and fathers, looked-after children, other vulnerable children, families and adults). • The Looked After Children Finance and Performance Manager (Ext. 3055) or the Information and Research Officer (Ext. 3049) are able to provide an overview of data regarding children in need, families subject to a child protection plan and looked after children. The Project Development Officer for Adult Services is able to provide data regarding vulnerable adults (Ext. 3705). • What do you know about the groups that might be affected (e.g. demographic data, any previous consultation, complaints information, any monitoring data)? • Are there any gaps identified from the available data and information (please note that any gaps should be recorded as an area for improvement or action plan)? • Use the <u>Havering Data Intelligence Hub</u>, the <u>Customer Insight</u> and <u>Havering Community in Action</u> for overview of individuals and groups that might be affected. • For staff data contact <u>Internal Shared Services (ISS)</u>. Collect and monitor data for disabled and part-time workers and consider how your activity affects these groups on a case-by-case basis.

Question 4	<p>If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?</p>
	<ul style="list-style-type: none"> • Consider consulting the individuals/groups that might be affected. • For external dimensions and community consultation, the Community Engagement Team might be able to assist as well as the Directorate Diversity Management Groups and the Diversity Programme Team. • For internal dimensions and staff consultation, the Communications Team might be able to assist as well as the Directorate Diversity Management Groups, the Human Resources Team and the Diversity Programme Team.

Question 5	Based on the collected data and information, what will be the likely impact of the activity on individuals and groups with protected characteristics or other socio-economic disadvantage?
	<ul style="list-style-type: none"> • <i>State how the individuals/groups might be affected differently.</i> • <i>Consider those who may perceive themselves to be affected by this activity.</i> • <i>Note that different impact does not necessarily mean adverse impact. However, if there are any adverse or disproportionate impacts, these must be noted.</i> • <i>Consider if the disproportionate or adverse impacts can be avoided whilst still achieving the intended outcomes of the activity.</i>
Question 6	What is the potential impact on arrangements for safeguarding children or safeguarding vulnerable adults?
	<ul style="list-style-type: none"> • <i>Please consider the potential impact of the activity on the early identification of vulnerable children, including the potential impact on multi agency working and the capacity for services to engage in statutory safeguarding activities.</i>
Question 7	If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?
	<ul style="list-style-type: none"> • <i>Taking into consideration resources available, the aims of the 'Living Ambition' and the Six Organisational Values as appropriate, state actions to be taken to minimise the disproportionate or adverse impact.</i>
Question 8	How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?
	<ul style="list-style-type: none"> • <i>Actions should be taken as a result of this analysis so that the Council gets the balance right in providing services whilst reducing inequality of outcomes.</i>
Question 9	What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?
	<ul style="list-style-type: none"> • <i>Develop a SMART Action Plan in order to address the gaps in your analysis.</i>
Question 10	Once implemented, how often do you intend to monitor the actual impact of the activity?
	<ul style="list-style-type: none"> • <i>For Audit purposes, it is important that you state clearly how monitoring would take place - focus groups, management meetings, etc</i> • <i>It is also important to state the frequency of the monitoring activity (at least every three years or when a major change has occurred).</i> • <i>Finally it is also important to indicate when the activity will be reviewed as a whole.</i>



LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

PROPOSED ACTIVITY (POLICY, STRATEGY, PROCEDURE, FUNCTION, PROJECT, PROGRAMME, SERVICE, RESTRUCTURE CHANGE/PROPOSAL, ORGANISATION/OTHER EXECUTIVE DECISION)

SCOPE OF PROPOSAL

1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?

1 (a) Organisation and Staffing

The current service is outsourced and the intention is to outsource the new contract to provide a 'targeted Information Advice and Guidance (IAG)' service for residents.

The Council's current contract providing 'Connexions' services is due to end on 31st August 2012. The need for a new service results from the Government's intention to implement a new "National Careers Service". This will bring to an end the current 'Connexions' Service as there will be no obligation on local authorities to provide a universal careers guidance service. Instead, from 1st September 2012, schools will be under a duty to secure access to independent careers guidance for pupils in years 9-11.

1 (b) Services to the Community

Some duties previously placed on local authorities under the Education and Skills Act 2008 (Section 68) are retained in the Education Act 2011. These are to

- encourage, enable, assist young people to participate
- support young people not in education, employment or training (NEETs) and monthly reporting thereon, and
- provide support for vulnerable young people and those at risk of disengagement.

The new contract will secure the performance of these residual obligations on behalf of the Council. The process outlined earlier in this report is designed to ensure that the Council procures a contract which represents value for money in the current market whilst securing performance.

PEOPLE AFFECTED

2. Which individuals and groups are likely to be affected by the activity?

2 (a) Staff Individuals and Groups

Staff within LBH will not be directly affected by the proposal, however staff at the current service provider may be affected if the contract is awarded to a new supplier.

2 (b) Community Individuals and Groups *(including voluntary organisations)*

There will no adverse affect on local community individuals and groups, as the new service will still be providing an Information, Advice and Guidance Service to residents. The groups or individuals most likely to be affected in neutral or positive way are 14-19 year old learners and 19-25 Learners with a Learning Difficulty or Disability (LLDD) who are either resident in the borough or participating at a provider within the borough. So – protected characteristic groups (a) age and (b) disability.

DATA AND INFORMATION

3. What data/information do you have about the people with ‘protected characteristics’ *(age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation)* or **other socio-economic disadvantage** *(e.g. disabled and part-time workers, low income and/or lone parents (mothers and fathers), looked-after children, other vulnerable children, families and adults)* among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?

3 (a) Staff

We have no data on the staff who are currently employed by the current service provider. However the procurement exercise would ask for staff competency in order to deliver the contract. Through procurement we will also be testing E&D policies of any service provider that bids for the contract. E&D will be fully tested as part of commissioning.

TUPE arrangements would apply if applicable, should a new service provider be commissioned.

3 (b) Community

Data for the Young people that fall in the ‘targeted’ category is held on the Client Caseload Information System (CCIS), the current service provider inputs the data based on interactions with the young people. This data has restricted and controlled access. All data is able to be broken down by:

Age

- Pre 16 learners (includes those educated in Havering) – 38%
- Post 16 learners 61%

LLDD

- Pre 16 learners (includes those educated in Havering) – 9%
- Post 16 learners 6%

Gender

Ethnicity

Religion

Disadvantages/Free School Meals

CONSULTATION

- 4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?**

4 (a) Staff

We will be consulting key members within the authority on the specification of the new service.

4 (b) Community

We will be carrying out a consultation prior to the procurement with professionals such as teachers and heads and young people that use the current service. We will also engage with vulnerable groups such as Learners with Learning Difficulties and/or Disabilities.

We intended to arrange focus groups with both professionals and service users. Where appropriate we will use on-line surveys. We will also carry out one-to-one interviews using a short survey with learners that have a learning difficulty/and or disability.

Surveys and focus groups will be held over a period of 3 weeks beginning at the end of January 2012.

LIKELY IMPACT

- 5. Based on the collected data and information, what will be the likely impact of the activity on individuals and groups with protected characteristics or other socio-economic disadvantage?**

5 (a) Staff

There will be no adverse impact on individuals and groups.

5 (b) Community

The aim is to provide an improved IAG service to the targeted group of learners thus improving retention, progression and achievement. There will be no adverse impact on individuals and groups.

6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?

6 (a) Vulnerable children

The LA has a duty to provide Information, Advice and Guidance to vulnerable learners who fall into the 'targeted group'. Early identification of vulnerable children will allow for appropriate intervention from agencies and IAG personal advisor. The aim of these interventions would be to ensure that appropriate support is put in place to support the learner in order for continued participation in education/and or employment leading to progression.

There will be no adverse impact on vulnerable children.

6 (b) Vulnerable adults

Early identification of vulnerable adults will allow for appropriate intervention from agencies and IAG personal advisor. The aim of these interventions would be to ensure that appropriate support is put in place to support the learner in order for continued participation in education/and or employment leading to progression.

There will be no adverse impact on vulnerable adults.

PREVENTING DISCRIMINATION

7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?

7 (a) Staff

No negative impacts have been identified.

7 (b) Community

No negative impacts have been identified. We intend to carry out consultations with service users, professionals and groups that will be in scope for the new service in order to negate any negative impact.

PROMOTING EQUALITY

8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?

8 (a) Staff

The specification for the procurement of the new contract will take into account feedback received from consultation with staff and professionals working with the groups that will be in scope to receive the service.

8 (b) Community

The specification for the procurement of the new contract will take into account feedback received from consultation with service users in the groups that will be in scope to receive the service.

SPECIFIC NEEDS

9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?

9 (a) Staff

The specification and contracts will be written to ensure that the service procured reflects the needs of the local community.

9 (b) Community

The specification and contracts will be written to ensure that the service procured reflects the needs of the local community.

MONITORING AND REVIEW

10. Once implemented, how often do you intend to monitor the actual impact of the activity?

10 (a) Staff

The delivery of the contract will be monitored on a monthly basis by the Young People and Adult Team.

10 (b) Community

Contract delivery will be reviewed and regular progress reports will be provided to the IAG group, collegiate and executive. These groups have representation from local schools, colleges, independent providers and agencies. These groups meet on a termly basis.

Feedback from the groups on the contract will be noted and taken into account for contract monitoring meeting and at the re-contracting stage. Where appropriate we will work with the service provider to ensure that a high standard of service is being delivered and maintained.

SIGN OFF AND PUBLICATION

- 11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the council's website.**

HEAD OF SERVICE

Name: Mary Pattinson

Date: 03/02/12

Signature: