

Notice of Non-Key Executive Decision

Subject Heading:	Direct Award of Free Courses for Jobs (Construction) Funding 2025-26
Decision Maker:	Trevor Cook, Assistant Director of Starting Well
Cabinet Member:	Cllr Oscar Ford, Cabinet Member for Children and Young People
ELT Lead:	Tara Geere, Director of Starting Well
Report Author and contact details:	Bradley Burton, Quality & Curriculum Manager Bradley.Burton@havering.gov.uk
Policy context:	Approval to directly award GLA Free Courses for Jobs (FCFJ) Construction funding via subcontract to Specialist Trade Courses Ltd.
Financial summary:	£82,045 of FCFJ funding to be awarded. 20% management fee to be deducted from this allocation and retained by Havering Adult College. Total contract value is £65,636.
Relevant Overview & Scrutiny Sub Committee:	People OSSC
Is this decision exempt from being called-in?	<i>The decision will be exempt from call in as it is a Non key Decision</i>

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

People - Supporting our residents to stay safe and well -
X

Place - A great place to live, work and enjoy

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To agree for Havering Adult College to directly award Free Courses for Jobs (FCfJ) construction funding to Specialist Trade Courses Ltd (STC). Contract will commence on, or close to, 1st October 2025 with a maximum contract value of £65,636 and end date of 31st July 2026.

AUTHORITY UNDER WHICH DECISION IS MADE

3.3.3 Powers common to all Strategic Directors

4.2 - To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3. This delegation shall include the ability to extend or vary a contract up to and including a value of £1,000,000 (provided that the extension is in line with the existing contractual provisions).

STATEMENT OF THE REASONS FOR THE DECISION

The Havering Adult College (HAC) is an adult education service delivered by Local Authority staff, managing a range of national and local priorities and implements the statutory powers of the Local Authority (LA) to secure full and part time education suitable to the requirements of persons who have reached the age of 19. The Council receives funding from the Greater London Authority (GLA) and Department for Education (DfE) to deliver appropriate adult learning courses, some of which are delivered by HAC. In discharging its statutory power, the Council sub-contracts a proportion of its funding to approved providers.

Havering Adult College has been implementing sub-contracting arrangements successfully since 2010. Sub-contractors are commissioned via the LA's procurement framework as mandated by the Council's contract procedure rules. In line with GLA guidance, contracts are awarded for specialist curriculum offers which HAC is not able to deliver as effectively as a contractor can.

HAC actively manages these sub-contracts throughout the year to ensure value for money and high quality delivery. The contract management process includes a regular review of performance data which includes earned grant funding, learner numbers and success rates. Contract review meetings with the provider are held monthly to discuss any performance issues and to record agreed actions. Value for money is demonstrated through the provider's achievement of contracted targets (the amount earned per learner is a fixed rate determined externally by the Department for Education and is not variable).

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Other aspects of the provider's delivery are also discussed at the review meetings, including quality, safeguarding and health and safety and the relevant managers from the Havering Adult College also attend provider sites to monitor performance for their relevant specialist area. Havering Adult College and any subcontractor are also covered within the remit of Ofsted, and as such both are subject to external scrutiny and audit to ensure compliance and quality.

HAC will award a maximum grant allocation of £65,636 to Specialist Trade Courses (funding award of £82,045 minus 20% management fee of £16,409 retained by HAC). A direct award waiver has been agreed by the Gateway Review Group and is attached for reference.

For the reasons set out above, the decision maker is requested to authorise Havering Adult College to directly award the FCfJ Construction funding amount of £65,636 to Specialist Trade Courses for academic year 2025/26.

OTHER OPTIONS CONSIDERED AND REJECTED

Do nothing – not recommended.

Havering Adult College is not equipped to deliver the FCFJ Construction courses itself. The GLA will claw back any unspent funds and likely reject any future FCFJ Construction applications.

PRE-DECISION CONSULTATION

No formal consultation has taken place.

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

Name: Bradley Burton

Designation: Quality & Curriculum Manager, Havering Adult College

Signature: 

Date: 04/09/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has the power to provide further education to adults within its area through its general responsibility for education in section 13 of the Education Act 1996. The Council is making a decision to make a contract for the provision of adult learning courses in accordance with that general responsibility.

The Council has power to make the contract under s111 Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions, or through its general power of competence in section 1 of the Localism Act 2011 which allows the Council to do anything that an individual may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.

The contract value is below the applicable public procurement threshold for the light touch regime stipulated in the Procurement Act 2023 (PA) of £663,540. Therefore, it is not subject to the full PCR regime.

In accordance with the Greater London Authority Adult Skills Fund 2025 to 2026 Funding and performance management rules for grant funded providers, the Council can subcontract the delivery of services to a subcontractor. When doing so, the Council is responsible for the subcontractor's action connected to or arising out of the delivery of the subcontracted services. If the subcontractor fails to deliver the subcontracted services, the Council is responsible for making alternative arrangements for the delivery of the services, protecting the audit trail and or repaying the Greater London Authority. The Council will make payments to the subcontractor retrospectively based on enrolments, ensuring compliance with the requirements of the Greater London Authority Adult Skills Fund 2025 to 2026 Funding and performance management rules for grant funded providers.

Therefore, the Council can make the contract.

FINANCIAL IMPLICATIONS AND RISKS

The terms of the grant agreement with the Greater London Authority and Department for Education permit the Council to sub-contract provision of some of the courses. As such, the grant passes to the Local Authority to fund the Free Courses for Jobs Construction provision. The expenditure for this specialist curriculum offer is expected to be £65,636 for the 25/26 academic year (funding award of £82,045 minus 20% management fee of £16,409 retained by HAC).

Contract monitoring processes are in place whereby the Havering Adult College monitors expenditure and quality of all its sub-contractors and takes actions to address any issues identified. The funding agency also requires an external audit be undertaken annually for compliance, supporting transparency. Value for money in terms of quality is addressed as part of this monitoring process. As stated above, amounts paid for each qualification will be based on the funding methodology and as

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such are “uncontrollable” within set parameters. The subcontracted provision falls within the remit of Ofsted, and is monitored under the terms of their Inspection Framework as well.

The financial risk of not awarding the contract is that the College would be unable to meet the demands of its own contract allocations. This could result in grant monies being clawed back, and reduced grant allocations in future years.

An identified risk to the provision of the finances would be if the sub-contractor was unable to fulfil its delivery of the provision (due to closure, for example). In the event of this, any sub-contractor has to have a business continuity plan that safeguards enrolled learners who would otherwise be at risk of missing out on their qualification. Sub-contractor business continuity plans are approved as fit for purpose as part of the due diligence process completed for all sub-contractors for Havering.

The costs for provision of the courses will be funded from the GLA grant to the Adult College for the Academic year 2025/26. This grant totals £1,206,255 and is held on A30910 HCAE Central Office cost centre.

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

There are no direct Human Resources implications or risks to the Council, or its workforce, arising from the recommendations made in this report, that can be identified at this time.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have ‘due regard’ to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: ‘Protected characteristics’ are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

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An EHIA (Equality and Health Impact Assessment) is usually carried out, but on this occasion is not required.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are no equalities and social inclusion implications and risks associated with this decision

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

As the delivery of contracted services will be undertaken entirely by the successful bidder, they will be required to submit their environmental or climate policy as part of the application and evidence how this aligns with the council's approach to tackling climate change.

BACKGROUND PAPERS

None

APPENDICES

N/A

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed 

Name: Trevor Cook, Assistant Director for Education Services
23.10.25

Cabinet Portfolio held:
CMT Member title:
Head of Service title
Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____