

NOT FOR PUBLICATION by virtue of Paragraph(s) <> of Part 1 of Schedule 12A of the Local Government Act 1972 and it is not in the public interest to disclose the information because of the commercial confidentiality.

Delegated Officer Report **(Contract Award £30,000.00)**

Decision Maker: Matt Bulmer, Director – Education, Skills and Early Years

Date of Decision: 8th November 2023

Subject: To extend the provision of an Ofsted Inspection Readiness Programme for non-domestic childcare providers

Report Author: Ailsa Burton

Ward (s): Is there a requirement to consult Ward Members? No

Reason for the decision:

Permission is being sought to utilise the 1 year extension available under the Council's contract with Early Years Alliance for the provision of the Quality Improvement Programme for non-domestic childcare providers (nurseries & pre-schools) with a funding envelope of £30k.

The contract with Early Years Alliance for the delivery of the Quality Improvement Programme for non-domestic childcare providers locally commenced on 10 October 2022 for 1 year with the option to extend the for a further 1 year.

The programme will continue to offer value for money as a saving of £10,000.00 will be achieved in the extension period from the original contract.

The programme will respond to the local authority statutory duties of responding to providers deemed to be less than 'good', including those who have received concern and compliance visits from Ofsted. The programme

will help to ensure that Oldham's non-domestic childcare providers continue to deliver high quality Early Years education.

Local authorities are required by legislation to secure training for:

- those registered on the Ofsted Early Years Register who are judged less than 'good' by Ofsted in their most recent inspection report;*
- newly registered providers on the Ofsted Early Years Register who have not yet had an inspection report published;*

An Invitation to provide Quotes (ITQ) was issued on the Due North Portal "The Chest" with a return date of the 3 August 2022. ITQ submissions were received from 2 organisations:

- Early Education*
- Early Years Alliance*

A comprehensive selection process was undertaken by an evaluation panel and a scoring moderation meeting was held on the 24 August 2022. The outcome of this process was that Early Years Alliance was identified as having submitted the most commercially advantageous quote.

A contract was entered into with Early Years Alliance for 1 year with the option to extend for 1 year with effect from 10 October 2022.

Summary:

This report seeks approval to utilise the 1 year extension period under the contract with Early Years Alliance to enable the continued delivery of a Quality Improvement Programme for non-domestic childcare providers locally.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1: Approval for the for the 1 year extension of the contract with Early Years Alliance.

A formal ITQ process has been undertaken which made provision for the extension. Emerging risks will be managed through formal contract monitoring processes.

Option 2: Not approve the extension of the Early Education contract to extend the term by 1 year

This could pose a risk to the sufficiency for

childcare in Oldham, as not awarding the contract would lead to poor quality provision for Early Years and resulting in large numbers of Ofsted judgements becoming less than good.

Consultation: including any conflict of interest declared by relevant Cabinet Member consulted. N/A

Recommendation(s): To approve Option 1 – to utilise the option to extend the contract with Early Years Alliance for 1 year

Implications:

What are the **financial** implications?

This report seeks approval to utilise the 1-year extension period under the contract with Early Years Alliance to enable the continued delivery of a Quality Improvement Programme for non-domestic childcare providers locally.

This 1-year contract will have a funding envelope of £30,000.

This will be wholly funded from the General Training budget in financial year 2023-24.

(Vicki Hayes/Jenny Howarth)

What are the **legal** implications?

Legal Services supports the recommendation as there is provision in the current contract to extend this arrangement for a final year in line with the recommendations in this report. The Commercial Procurement Unit and Commissioning team should work together to develop a service specification that is in accordance with procurement obligations such as value for money and transparency. Sukie Kaur – Solicitor.

What are the **treasurers'** comments? None

What are the **procurement** implications?

Provision exists in the current contract to extend this arrangement for a final year in line with the recommendations in this report. The Commercial Procurement Unit therefore supports the recommendations in this report and will work

with the Commissioning team to develop a service specification that is in accordance with procurement obligations such as value for money and transparency. The Commercial Procurement Unit recommends the following future actions:

- a. The setting up of a working group involving the Procurement Team at an early stage ensuring no further requests will be made to extend this contract in the future.*
- b. Ensure appropriate consultation is undertaken at pre-procurement stage with the provider market. (Mohammad Sharif) 12/10/2023.*

What are the Human Resources implications?

This report seeks a one-year extension of a contract with a provider to deliver a Quality Improvement Programme to non-domestic Childcare Settings. Whilst not included in the body of this report, the specifications of the tender include 90 visits across 30 settings as well as termly training delivering at Network events. The cost provides value for money and can be funded through the General Training Budget (GTB).

However, as this is an ongoing need for the service, it is worth considering whether an internal job position could be created to cover this work. At the current cost, it may not be feasible, as on-costs may result in this being a more expensive option. But in future if there is potential to alleviate the cost from the GTB and reinvest this back into workforce training, then it's something that should at least be explored.

Andrea Dickinson, Learning and Development Delivery Manager

Equality Impact attached or not required because (please give reason)

None. The proposals relate to the extension of an existing contract, the aim of which is to ensure quality childcare provision in non-domestic settings. This will be to the benefit of all children in the borough.

What are the property implications

None

Risk assessments:

Risk

Mitigation

Commissioning Early Years

Once approval has been agreed swift action will be taken to engage Early Years

Alliance and ensuring staff are in place may impact on delivery.

Alliance to begin scoping and planning for implementation.

Commissioning does not represent value for money or have the desired impact on Ofsted outcomes.

We will utilise a robust commissioning methodology and will specify output and outcomes desired for the contract.
We will work with procurement, finance and legal services to develop robust monitoring and evaluation arrangements.

Co-operative implications

The proposal set out in this paper aligns with the Council's Co-operative agenda as investing in a quality improvement programme for nurseries and pre-schools will provide support to those settings which have been classed as requiring improvement. Ensuring that settings for children and young can deliver high quality services is a key Corporate priority (Mahmuda Khanom)

IT implications

None

Environmental and Health and Safety implications

None

Community cohesions, including crime and disorder implications

None

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

Yes

Reason(s) for exemption from publication:

3. Information relating to the financial or business affairs of any particular person

including the Council

List of Background Papers under Section 100D of the Local Government Act 1972:

There are no background papers for this report

Report Author Sign-off:	
Ailsa Burton	Challenge and Intervention officer- Early Years
Date:	8th November 2023

Please list and attach any appendices:-

Appendix number or letter	Description

In consultation with Deputy Chief Executive/Executive Director/ Director

Signed : Matt Bulmer – Director Education Skills & Early Years _____

Date: 8th November 2023 _____

