**Procurement of providers for Governance Development Programmes**

**Description**

1. This notice sets out our intention to procure contracts for the provision of Governance Leadership Development and Clerking Development across the 8 Regional School Commissioner (RSC) regions of England between 2017-18 and 2019-2020. Contracts will be awarded in two Lots:
   1. Activity designed to build the capacity of governance leaders (e.g. chairs, vice chairs, committee chairs) and support them to improve the effectiveness of their board; and
   2. Activity designed to professionalise the quality of clerking so that governing boards receive the administrative and procedural information, advice and support they need to operate effectively.
2. Bidders can tender to deliver Lot 1: Governance Leadership Development or Lot 2: Clerking Development or both. The Authority will evaluate bids and award contracts separately for each Lot.
3. Contracts will be awarded to suppliers to deliver activity which achieves the programme outcomes:
   1. Bidders will be invited to submit proposals for one-off funding in 2017-18 to cover set-up costs for each Lot they are bidding for.
   2. Subsequently, payments will be linked directly to contractors’ success in securing business from boards and clerks through a per-board/clerk funding model. Contractors’ income will therefore be directly linked to the volume of support they provide and not fixed according to value or volume.
4. Further details of set-up and unit-funding arrangements are set out in the separate attachment *additional information – funding and payment model*

**Estimated total value:**

1. The estimated total value of funding available to contractors is up to £2.4m in 2017-2019 with the possibility of up to £1.45m additional funding in 2019-2020 and 2020 – 2021 subject to possible contract extensions and the availability of funding.

**Duration of the contracts**

1. We expect contracts to be in place by November 2017. Contracts will be awarded for an initial period to March 2019 (around 16 months) with provision to extend up to twice for a further one-year period. The Authority reserves the right at its absolute discretion to extend the contract, subject to satisfactory contractor performance and continued availability of funding.
2. Bidders will set out their proposed implementation plan and timetable but must demonstrate their ability to commence delivery no later than the beginning of February 2018.

**Context**

1. Effective and professional quality governance is critical to the long-term success of all schools – maintained and academy, those standing alone and those governed in groups (both federations and MATs).
2. We have defined the key features of effective governance in the [2017 Governance Handbook](https://www.gov.uk/government/publications/governance-handbook), and the new [Competency framework for governing boards](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/583733/Competency_framework_for_governance_.pdf) sets out the knowledge, skills and behaviours chairs and boards need. We will shortly publish an additional competency framework for professional clerking.

**Programme outcomes**

1. Funding for **Lot 1: Governance Leadership Development** will support and develop governance leaders (e.g. chairs, vice chairs, committee chairs) as they work with their board to increase the effectiveness of its governance. It will lead to:
   1. Increased governance leadership capacity to improve the effectiveness of governing boards in line with the governance competency framework (particularly boards’ ability to provide strategic leadership and data driven accountability for educational standards and financial performance).
   2. Greater involvement by those involved in governance leadership in sustainable and relevant peer-to-peer support networks that enable them to encourage, support and share good practice with each other.
2. Bidders will be invited to set out their proposed method and approach to delivering these outcomes. However they propose to deliver these outcomes, contractors will be required to ensure that:
   1. Governance leaders are supported and challenged to have an objective and fair assessment of their own and their board’s strengths and development needs having reference to the Department’s Governance Handbook and Governance Competency Framework and in light of the specific circumstances in which they are governing
   2. Governance leaders are supported and challenged to have agreed with their boards an ambitious action plan for improving the effectiveness of its governance
   3. Governance leaders are supported and challenged to understand throughout and at the conclusion of the programme what progress they and their boards have made against their development needs and what development priorities remain.
3. Funding for **Lot 2: Clerking Development** will be about professionalising the quality of clerking support available to governing boards. It will lead to:
   1. Increased clerking expertise in line with the clerking competency framework to deliver professional quality clerking that ensures the efficient and effective functioning of governing boards.
   2. Greater involvement by clerks in sustainable and relevant peer-to-peer support networks that enable them to encourage, support and share good practice with each other.
4. Bidders will be invited to set out their proposed method and approach to delivering these outcomes. However they propose deliver these outcomes, contractors will be required to ensure that:
   1. Participants are supported and challenged to have an objective and fair assessment of their own strengths and development needs having reference to the Department’s Governance Handbook and Clerking Competency Framework and in light of the specific circumstances in which they provide clerking services
   2. Participants are supported and challenged to understand throughout and at the conclusion of the programme what progress they have made against their development needs and what development priorities remain.

**Requirements**

1. Bidders will be required to set evidence-based proposals for the volume of activity they plan to generate and satisfy, and how this is distributed across the 8 RSC regions of England. This will help us ensure that we contract with sufficient suppliers with overall capacity proportionate to likely demand.
2. Whilst we want to encourage diversity of choice for users and healthy competition for contractors, it would not be in the interests of the market commercially if we were to approve too many providers. Therefore, we will expect all bids to demonstrate their ability to deliver impact of national significance. We will therefore only consider bids that either:
   1. propose and demonstrate capacity to deliver at least £70,000 of funded activity in 2018-19 (the first full financial year of delivery) for governance leadership development, or £15,000 for clerking development; or
   2. set out an alternative justification (other than scale) for the national significance of their proposals which may relate to the specific nature of its target audience or its level of innovation.
3. In order to meet these scale requirements, smaller suppliers are encouraged to consider sub-contracting or forming consortia arrangements. The Authority places no restriction on the number of bids a supplier is involved with.
4. For both Lots, bids will be evaluated on the strength of the evidence they present for bidders’ ability to meet our requirements, including but not limited to:
   1. evidence of capacity and capability to deliver the programme outcomes including a relevant successful track record; understanding of the English education system and the role of effective governance and professional clerking within it; the calibre of the proposed leadership and workforce; and strength of relationships with wider school improvement infrastructure.
   2. evidence of ability to generate proposed volumes from a clearly identified target market; and equality of access so no board or clerk is disadvantaged in accessing provision.
   3. evidence of robust systems and processes for quality assuring materials/resource, the people recruited and their delivery; and for gathering participant feedback and satisfaction (including complaints management) and how all these systems will feed into a cycle of continuous improvement of provision.
   4. evidence of a clear plan for measuring the impact and effectiveness of activity in delivering programme outcomes.
5. In addition, bidders will be required to commit to:
   1. providing information to the Authority on each recipient of funded activity ahead of commencing that delivery so that the authority can authorise access to funding. A proposal for the information required is set out in the additional information for this notice.
   2. sharing participant details with any third party the Authority may contract with to provide quality assurance services.
   3. providing MI as specified by the authority in the Invitation to Tender including financial forecasting information. The Authority reserves the right to request additional MI during the course of the contract.
   4. accepting the Authority’s standard terms and conditions of contract

**Flexibility in delivering programme outcomes**

1. We are not licensing delivery of centrally defined programmes. We are inviting bidders to set out evidence-based and innovative proposals for how best to deliver the programme outcomes, taking account of how this may vary for boards and clerks in different circumstances and geographies. Successful contractors will be free to:
   1. Operate in any or all RSC regions of England according to their capacity.
   2. Propose the methods and activities by which they intend to deliver the programme outcomes.
   3. For governance leadership development, focus on working with as many or as few people on the board as they see fit (i.e. not restricted to just working with the chair).
   4. Determine the retail price of their support offer (which may be below, at, or above the Authority’s funding rates), and if necessary pass on to boards/clerks any marginal cost.
   5. Market their programmes to other types of boards or schools which are not eligible for government funding and/or charge eligible boards in the event that funding for that year has been allocated.
   6. Develop a single support offer, or two or more different offers of varying intensities at different price points.
   7. Offer a generic programme or one or more tailored programmes e.g. for boards / clerks in specific circumstances.
   8. Promote their offer to boards, covering any paid-for marketing and communications activity from within their own resources.
   9. Brand their programmes as they see fit, while making it clear that they are approved and funded by DfE.

**Quality Assurance**

1. The Authority intends to contract separately with an independent party to provide objective quality assurance and impact assessment of contracts awarded through this procurement.
2. Contractors will be required to cooperate with the quality assurance body, including notifying participants that their contact details, and those of their referees, will be shared with this body as part of the process of quality assurance. For example, this may include a post-participation follow up survey.
3. The Authority reserves the right to publish information based on the findings of the quality assurance body about the relative impact and effectiveness of contractors’ offers in delivering programme outcomes. This may include a high-level description of contractors’ model and methods of delivery.

**Procurement process**

1. This procurement relates to educational training services, which fall within Schedule 3 of the Public Contracts Regulations 2015, and, as such, it will be conducted under the open regime.
2. The invitation to bid will be launched and managed through the DfE e-procurement system, REDIMO2. Bidders who are not already registered on REDIMO2, will need to register their company details on the DfE e-procurement portal in order to access this tender opportunity. Information about how to register is available at: <https://supplierlive.proactisp2p.com/account/login/?cid=DFE>
3. Please e-mail our helpdesk [commercial.contactpoint@education.gov.uk](mailto:commercial.contactpoint@education.gov.uk) if you have any queries with registering your details on REDIMO2.
4. A supplier event will take place on 12 July in Sheffield. Further information and a booking form for this event can be found here:   
   <https://governancedevelopment.eventbrite.co.uk>

**Previous publication concerning this procedure**

1. The Prior Information Notice was published in Contracts Finder: <https://www.contractsfinder.service.gov.uk/Notice/7b3f45bd-e4f7-4aaa-a583-3d73cc643d52> on 12 April 2017.
2. And in the Official Journal of the European Union: <https://www.tendersdirect.co.uk/Members/Tenders/TenderView.aspx?ID=GB003ZM216989&sect=E044&cat=30&Page=Categories>

**Additional commercial information**

1. The Authority considers that this contract may be suitable for economic operators that are small or medium enterprises (SMEs). However, any selection of bidders will be based solely on the criteria set out for the procurement, and the contract will be awarded on the basis of the strongest bid.
2. If the potential supplier bidding for the requirement is part of a consortium joint venture or plans to deliver through sub-contracting arrangements, the Authority will require details of the consortium joint venture or sub-contractors.
3. The Authority reserves the right to terminate any agreement should funding be withdrawn, changed or there is a significant change in government policy relating to the delivery of the programme and outputs required as part of this contract, by giving at least 3 months' prior written notice.
4. The Authority reserves the right in its absolute discretion to abandon, terminate or suspend any or all of this procurement at any time. Further:
   1. The Authority does not bind itself to enter into any contract(s) arising out of the procedures envisaged by this notice;
   2. No contractual rights express or implied arise out of this notice or the procedures envisaged by it;
   3. The Authority reserves the right to vary its requirements and the procedure relating to the conduct of the award process; and
   4. The Authority reserves the right to amend dates and deadlines and to update the procurement timetable. Applicants and Tenderers will be notified as appropriate.
5. Applicants shall be fully responsible for, and liable for, all costs associated with, and arising out of, or in connection with responding to this notice. In no circumstances shall the Authority be responsible for, or liable to, any applicant for any cost incurred by such applicant in responding to this notice, any pre-qualification questions or any tender howsoever incurred.