

**Cheshire East Lifelong Learning Commissioning Intentions for  
Lot 1, 2, 3, 4: Adult Education Budget provision and Lot 5:  
Sessional tutors for CE LL direct delivery**

**Service Specifications:**

- Lot 1 Adult Education Budget Provision: Accredited Learning**
- Lot 2 Adult Education Budget Provision: Health and Wellbeing Programmes (Non-accredited learning)**
- Lot 3 Adult Education Budget Provision: Taster/Engagement Programmes (Non-accredited learning)**
- Lot 4 Adult Education Budget Provision: Longer programmes leading to Employment Outcomes (Non-accredited learning)**
- Lot 5 Sessional tutors for CE LL direct delivery**
- Lot 6 (+) - Additional lots may be added throughout the life of the approved supplier list (to be advised at a later date should the need arise).**

**Contract Period: 1<sup>st</sup> August 2016 – 31<sup>st</sup> July 2017  
(with an option to extend for one year) with the provision to negotiate post acceptance onto the list and prior to contract award**

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## 1. Definitions

### Adult Education Budget (AEB)

The Skills Funding Agency Funding Rules 2016/17 document version 1 provides the following definition:

*“The AEB combines all SFA participation and support funding that is not ESF, Advanced Learner Loans and Apprenticeships. It aims to engage adults and provide the skills and learning they need to equip them for work, an apprenticeship or other learning. It enables more flexible, tailored programmes of learning to be made available, which may not require a qualification. This will help the furthest away from learning or the workplace”.*

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/510970/SFA\\_common\\_funding\\_rules\\_2016\\_to\\_2017\\_V2\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510970/SFA_common_funding_rules_2016_to_2017_V2_FINAL.pdf)

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/510200/Adult\\_education\\_budget\\_funding\\_rules\\_2016\\_to\\_2017\\_V2\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510200/Adult_education_budget_funding_rules_2016_to_2017_V2_FINAL.pdf)

### Adult Education Budget Lot 1 Adult Skills Provision: Accredited Learning

Where regulated qualifications are delivered, they must be eligible for AEB funding and available on the Hub: <https://hub.imservices.org.uk/Pages/default.aspx>.

We aim to support delivery of qualifications up to level 2 to unemployed adults aged 19+ (see AEB Funding Rules for eligibility and Appendix 1 for definitions) ; qualifications must be eligible for funding and the table in Section 5 gives further details of eligibility requirements.

### OFQUAL

Ofqual (Office of Qualifications and Examinations Regulation) is the regulator for qualifications, examinations and assessments in England and vocational qualifications in Northern Ireland and maintains the Regulated Qualifications Framework (RQF)

### Regulated Qualifications Framework

The Regulated Qualifications Framework (RQF) provides a single, simple system for cataloguing all qualifications regulated by Ofqual. It is like a bookcase in a library, with qualifications indexed by their 'level' and 'size'. Qualifications at any specific level can be very different from one another, for example in their content and purpose. A register is maintained to provide more detail on each qualification ([alpharegister.ofqual.gov.uk](http://alpharegister.ofqual.gov.uk)).

### Qualification Size

Size refers to the estimated total amount of time it could typically take to study and be assessed for a qualification. This can be anything from a matter of hours to

several years of study and different students can take different amounts of time to study for the same qualification. Size is expressed in terms of Total Qualification Time. The part of that time typically spent being taught or supervised, rather than studying alone, is known as Guided Learning Hours. Qualifications can sit at different levels, but require similar amounts of study and assessment time. Equally, qualifications at the same level can take different amounts of study and assessment time. The RQF replaced the Qualifications and Credit Framework, and National Qualifications Framework in October 2015.

Levels indicate the difficulty and complexity of the knowledge and skills associated with any qualification. There are eight levels in the framework supported by three 'entry' levels.

### **Common Inspection Framework (CIF)**

The Common Inspection Framework for Education, Skills and Early Years (2015) provides the overview for how Ofsted inspectors will make judgements on key areas during inspections and outlines the inspection process. This is a key document for learning providers in assuring the quality of their provision and management of the project / programme of learning.

### **Adult Education Budget: Non regulated activity**

Non-regulated provision is learning that is not subject to awarding organisation external accreditation in the form of a regulated qualification. We may consider funding a small amount of this provision if it is designed for learning, delivered and certificated by a provider or another organisation. This could include:

- independent living skills
- employability and work skills
- labour market re-entry
- vocational tasters
- engaging the hard-to-reach

## **Adult Education Budget Lot 2, Lot 3 and Lot 4: Non-accredited Learning**

**The Non-Accredited Learning categories for 2016-17 Adult Education Budget Learning provision are:**

- **Lot 2 - Health and Wellbeing Programmes**

Health and wellbeing Programmes use learning as a means of improving the health and wellbeing of individuals. There is no requirement to progress learners on to employment, although the progression on to further learning and/or employment, if appropriate, would be a desired outcome. A positive impact on the health and wellbeing of learners should be demonstrated by the end of the course.

- **Lot 3 - Taster/Engagement Programmes**

Taster/engagement programmes use creative and innovative approaches to engaging individuals who may normally experience barriers to learning. The desired outcome is that learners will progress on to further learning that will lead to further learning and/or employment outcomes.

- **Lot 4 - Longer Programmes Leading to Employment Outcomes**

Longer programmes leading to employment outcomes are intended to equip individuals with the skills and confidence needed to be able to access work or accredited learning. The desired outcome is that learners will progress on to employment or accredited learning that will lead to employment.

These programmes must be focused on the unemployed, aligned to the Skills Funding Agency funding requirements, the priorities set by CE LL and the needs of local people, communities and, where appropriate, local employers.

- **Lot 5: Sessional Tutors for CE LL Direct Delivery**

CE LL would like to invite suitably qualified and experienced tutors to apply to join our Approved Suppliers List. Tutors need to be available to work on a sessional basis (i.e. to deliver sessions/courses as and when required) to meet specific needs of our service due to staff sickness and/or support us to meet emerging and specific needs of Cheshire East communities, as and when identified within the service and with others e.g. partnership managers.

**Purpose of the Role:**

1. To ensure and provide an effective learning experience for each learner supporting learners to reach their individual potential.
2. To undertake all the relevant tasks which are required to provide excellent guided learning within CE.LL.

**Main duties and responsibilities:**

1. Prepare and deliver guided learning (Preparation time is implicit in our calculations of tutors' hourly rates):
  - Produce appropriate schemes of work/session plans
  - Promote the effective use of individual learning plans
  - Teach courses and other supervised learning as appropriate, produce resources.
  - Promote and use technology to improve outcomes for learners
  - Embed maths, English, personal development, behaviour and welfare (PDBW) of learners into provision
  - Review individual progress and revise course planning accordingly
  - Meet minimum standards for retention and success.

2. Provide effective negotiated learning experiences which enable learners to meet their goals within an inclusive environment that supports all individuals.
3. Provide general advice and information with reference to:
  - Pre-course information including specification of course entry criteria
  - Learner induction
  - Progression opportunities and employability options
  - Assessment and examination procedure (where applicable)
4. Provide constructive feedback:
  - Set, mark, correct and assess learners' work in a timely way
  - Review and evaluate sessions and courses
  - Facilitate the learners' evaluation of progress, lessons and courses by clear and supportive verbal and written feedback
5. Attend meetings as required (curriculum, pre-course, supervision, etc.).
6. Assess, monitor and record learners' progress – using Individual and Group Learning Plans and record achievement.
7. Undertake mandatory Continuing Professional Development including regular graded observations of Teaching, Learning and Assessment. Participate actively in any individual improvement plan and achievement of performance targets.
8. Ensure accurate and up to date record keeping including:
  - Register
  - Individual Learning Plan/Record and other key information (relating to: retention, achievement and completion)
  - Monitor and manage absence
9. Actively support:
  - Curriculum development and research
  - Course promotion
  - The resolution of complaints
10. Comply with:
  - Health and Safety procedures
  - As appropriate act as a 'buddy' to colleagues if required to support personal H&S
  - Safeguarding requirements
  - Equality & Diversity requirements
  - CIF requirements
  - British Values and Prevent

- Quality standards and other requirements.

### **Person Specification: Adult Learning Sessional Tutor (CE LL Direct Delivery)**

The following outlines the minimum criteria for this post. Applicants should describe in their application how they meet these criteria.

#### **Minimum Qualifications**

- A minimum of a Level 3 qualification in subject specialism.
- A recognised teaching qualification. (PGCE, Cert Ed, Level 3 Award in Education and Training, DTLLS, CTLLS, PTLLS, QTS)
- At least one year's experience teaching either ESOL Skills for Life, Functional Skills maths and/or English (entry level to level 2) basic maths and English 'stepping stones' courses from entry level to level 2 and/or Skills for Employment courses
- Competent IT skills
- Maths and English GCSE A-C minimum or equivalent.

#### **Experience**

- To have appropriate subject expertise (this may need to be evidenced through demonstration/qualification/ references)
- Have experience working with learners aged 19+.

#### **Skills and Abilities**

- A commitment to continuing personal development, and professional and subject specialism updating.
- A commitment to the promotion and embedding of Equality and Diversity within sessions.
- A commitment to the use of technology
- Ability to work in teams.
- Good communication and presentation skills
- Ability to travel to meet work commitments
- Ability to work with learners in groups and as individuals
- Ability to plan and review sessions to improve outcomes for learners.

#### **Knowledge**

- Subject knowledge as appropriate to the level of course to be taught
- Teaching and Learning in the Adult Sector
- Wider subject knowledge to support learner progression
- Knowledge of technology in the context of supporting learning

## 2. Introduction

Cheshire East Lifelong Learning (CE LL) is undertaking a commissioning exercise to procure and develop Adult Education Budget provision for the residents of the borough (Lots 1,2 ,3 and 4) and recruit sessional tutors for the direct delivery team (Lot 5). This will be done in the form of an approved supplier list which will be opened a minimum of 3 times per year. The Council reserves the right to negotiate on any aspect of the submission post acceptance onto the list and prior to contract award. This is an opportunity for organisations and individuals (to submit funding bids for projects, programmes (Lots 1, 2, 3 and 4) and to provide services (Lot 5) which are aligned to the Skills Funding Agency funding requirements the priorities set by CE LL, Cheshire East Council and Cheshire and Warrington LEP and which match the needs of local people, communities and employers.

CE LL is funded as a lead body for Adult Education Budget provision and will be sub-contracting work under this funding stream.

The Social Value Act (2013) requires Cheshire East Council to consider other aspects alongside the design and provision of services and who will provide them; the Act requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. For example, in terms of providing locally based adult education, we are committed to using local providers who understand their communities and can bring real added value through local knowledge.

As a residents' first Council, we will champion social value in our procurement process to make every £1 we spend go further.

## 3. Scope

CE LL is looking to commission a maximum of £495,000 through these Lots to a variety of successful applications. Call-off criteria will focus on:

- Targeted groups of learners and how they will be recruited
- Description of proposed provision
- Geographical area of delivery (link to IMD – Index of Multiple Deprivation – and LSOAs – Lower Super Output Areas)
- Price of provision (per learner, per course)
- Progression to further learning and/or employment and how this will be supported and promoted.

Being accepted onto the list does not guarantee any volume of work. CE LL is not prescriptive in the volume or size of these awards. CE LL may choose to partially fund successful applications and will work with applicants prior to contracting to ensure that their projects are funded through the most appropriate funding stream (i.e.: Lot), reflect good value for money and align to CE LL's priorities, national priorities and eligibility requirements. This may mean that, if we want to move a course from one Lot to another prior to contract signature, the Council shall have the final say on the movement of courses.

Further details of the Approved Supplier List Terms and Conditions and Commissioning/Call-Off Process are provided at section 10.

In 2016-17, non-accredited learning (Lots 2, 3 and 4) will continue to focus on turning around the lives of local people and maximising the impact of public funding on the social and economic wellbeing of individuals, families and communities, particularly those who are most disadvantaged. All Adult Education Budget Learning providers must be part of strong local partnerships and develop their plans in line with the following objectives:

- Focus public funding on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills
- Collect fee income from people who can afford to pay and use where possible to extend provision to those who cannot.
- Widen participation and transform people's destinies by supporting progression relevant to personal circumstances, eg.:
  - improved confidence and willingness to engage in learning
  - acquisition of skills preparing people for training, employment or self-employment
  - improved digital, financial literacy and/or communication skills
  - parents/carers better equipped to support and encourage their children's learning
  - improved / maintained health and/or social well-being.
- Develop stronger communities, with more self-sufficient, connected and pro-active citizens, leading to:
  - increased volunteering, civic engagement and social integration
  - reduced costs on welfare, health and anti-social behaviour
  - increased online learning and self organised learning
  - the lives of our most troubled families being turned around.
- Commission, deliver and support learning in ways that contribute directly to these objectives, including:
  - bringing together people from all backgrounds, cultures and income groups, including people who can/cannot afford to pay
  - using effective local partnerships to bring together key providers and relevant local agencies and services
  - devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer

- involving volunteers and Voluntary and Community Sector groups, shifting long term, 'blocked' classes into learning clubs, growing self-organised learning groups, and encouraging employers to support informal learning in the workplace
- supporting the wide use of online information and learning resources, minimising overheads, bureaucracy and administration.

Source:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/14545/2/11-1380-further-education-skills-system-reform-plan.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/14545/2/11-1380-further-education-skills-system-reform-plan.pdf)

Accredited learning commissioned via CE LL (Lot 1) will be focused on unemployed CE residents who are eligible for full funding (see SFA Funding Rules). CE LL may be in a position to commission a small amount of non-regulated provision where a regulated alternative is not available and where the provision meets funding and eligibility requirements (see page 3). All commissioned provision will be aimed at entry level to level 2 and must meet the eligibility requirements set out by the Skills Funding Agency.

Jobseeker Allowance (JSA) Claimant rate for the area (below) denotes geographical distribution of JSA Claimants (2011 Census):

**Jobseeker's Allowance with rates and proportions**

2011 census frozen ward	Claimant Count	Column 3*
E36001193 : Alderley Edge	5.5	48
E36001194 : Alsager	55.75	11
E36001195 : Audlem	11.33333333	38
E36001196 : Bollington	22.58333333	23
E36001197 : Brereton Rural	9	44
E36001198 : Broken Cross and Upton	47.66666667	13
E36001199 : Bunbury	9.5	43
E36001200 : Chelford	3.166666667	51
E36001201 : Congleton East	66.91666667	8
E36001202 : Congleton West	50.08333333	12
E36001203 : Crewe Central	106.6666667	3
E36001204 : Crewe East	112.8333333	2
E36001205 : Crewe North	28.66666667	18
E36001206 : Crewe South	153.9166667	1
E36001207 : Crewe St Barnabas	67.08333333	7
E36001208 : Crewe West	74.66666667	6
E36001209 : Dane Valley	19.16666667	28
E36001210 : Disley	19.25	27
E36001211 : Gawsworth	3.083333333	52
E36001212 : Handforth	40	16
E36001213 : Haslington	16.66666667	33

E36001214 : High Legh	7.75	45
E36001215 : Knutsford	27.08333333	20
E36001216 : Leighton	13.58333333	34
E36001217 : Macclesfield Central	78.83333333	5
E36001218 : Macclesfield East	32.33333333	17
E36001219 : Macclesfield Hurdsfield	46	14
E36001220 : Macclesfield South	80.33333333	4
E36001221 : Macclesfield Tytherington	28.16666667	19
E36001222 : Macclesfield West and Ivy	63.91666667	9
E36001223 : Middlewich	57.25	10
E36001224 : Mobberley	6.33333333	47
E36001225 : Nantwich North and West	43.08333333	15
E36001226 : Nantwich South and Stapeley	18.91666667	30
E36001227 : Odd Rode	23.75	22
E36001228 : Poynton East and Pott Shrigley	19	29
E36001229 : Poynton West and Adlington	19.58333333	26
E36001230 : Prestbury	3.25	50
E36001231 : Sandbach Elworth	22.08333333	24
E36001232 : Sandbach Ettiley Heath and Wheelock	18.16666667	31
E36001233 : Sandbach Heath and East	21.83333333	25
E36001234 : Sandbach Town	12.91666667	36
E36001235 : Shavington	17.58333333	32
E36001236 : Sutton	10.58333333	42
E36001237 : Willaston and Rope	7.08333333	46
E36001238 : Wilmslow Dean Row	13.41666667	35
E36001239 : Wilmslow East	5.25	49
E36001240 : Wilmslow Lacey Green	12	37
E36001241 : Wilmslow West and Chorley	11.08333333	39
E36001242 : Wistaston	26.83333333	21
E36001243 : Wrenbury	11	40
E36001244 : Wybunbury	11	40
Column Total		

\*Column 3 denotes **Rank (lowest = highest Claimant Count)**

**: 2011 Census Frozen Ward data.**

These Lots are targeted at meeting local well-being and employment priorities. CE LL has identified the following subject areas which include but are not limited to:

- ICT
- Customer Care Skills
- Administration
- Retail, Sales and Marketing
- Communication, Organisational and Employability Skills

- Childcare and Social Care
- Education
- ESOL
- Accommodation and Food services
- Engineering

CE LL has also identified the following geographic and demographic priorities in relation to supporting individuals into employment. This includes but is not limited to:

- Crewe
- Macclesfield
- 25 - 50 year olds
- Lower Super Output Areas reporting higher than the North West average claimant count (Dec-13):

<b>LSOA CODE</b>	<b>Name</b>	<b>ST_WardName</b>	<b>Index of Multiple Deprivation Geography Priority</b>
E01018466	Crewe and Nantwich 003D	Crewe North	1
E01018445	Crewe and Nantwich 010A	Crewe South	1
E01018462	Crewe and Nantwich 006A	Crewe East	1
E01018459	Crewe and Nantwich 003A	Crewe North	1
E01018476	Crewe and Nantwich 002B	Crewe East	1
<b>LSOA CODE</b>	<b>Name</b>	<b>ST_WardName</b>	<b>Index of Multiple Deprivation Geography Priority</b>
E01018467	Crewe and Nantwich 003E	Crewe North	2
E01018485	Crewe and Nantwich 004D	Crewe West	2
E01018486	Crewe and Nantwich 008A	Crewe South	2
E01018640	Macclesfield 021D	Macclesfield Forest	2
E01018478	Crewe and Nantwich 002D	Crewe East	2
E01018400	Congleton 005C	Congleton Town East	2
E01018484	Crewe and Nantwich 004C	Crewe West	2
E01018645	Macclesfield 019B	Macclesfield West	2
E01018498	Crewe and Nantwich 006E	Crewe South	2
E01018594	Macclesfield 004D	Wilmslow North	2
E01018596	Macclesfield 004F	Wilmslow North	2

- Unemployed
- Low skilled, low qualifications

Applicants should indicate in their application how their provision would contribute to meeting the above national purpose and objectives as well as local priorities.

CE LL Equality and Diversity Impact Measures include:

- Urban priority wards
- Rural/Predominantly rural areas
- Rural isolation
- Age 19-25
- Work/volunteering readiness
- Learners with a disability
- Minority groups
- Male
- Female
- Non-white learners
- Non-White British (BAME) learners
- Geographic deprivation
- Unemployed
- Low skilled, low qualifications

Commissioned accredited provision (Lot 1) will be prioritised towards entry level to level 2 provision for adults who are aged 19+ and eligible for full funding, according to SFA eligibility criteria. The Skills Funding Agency provides information relating to qualifications that are available for funding within the Adult Education Budget. Where regulated qualifications are delivered, they must be eligible for AEB funding and available on the Hub: <https://hub.imservices.org.uk/Pages/default.aspx>.

CE LL wishes to encourage applications from a diverse range of skills providers; we recognise that learners are individuals and require different approaches to learning, achievement and progression and that different providers are able to offer different approaches to the delivery of learning aims to suit learners. By commissioning with a variety of organisations who offer a variety of approaches, CE LL wishes to maximise the offer to individuals, quality of provision and value for money. Some organisations may be able to demonstrate efficiencies in delivery models whilst others may be specialists in working with learners with multiple barriers who require additional support.

For Lot 1, the funding rates information has been provided as part of the information pack for this opportunity. CE LL will retain 20% of the published funding rate of the learning aim for contract management and support as outlined below under 'CE LL Contract Management and Support'. CE LL expects to see applications which demonstrate good value for money. Using the application form, applicants should explain their delivery model in full and describe the anticipated learner profiles.

For Lot 1, applicants must also demonstrate knowledge of the local area, needs of the local business communities, employers and learners and be able to evidence how this knowledge has informed the programme of accredited learning aims and delivery format (for example, an applicant may wish to deliver a mix of units, awards and certificates, some of which may be intensive and delivered over a period of days, others may be longer and delivered for one day a week over a period of weeks). Applicants should detail all links with local employers, Job Centre Plus and any other networks or links that will support learners to progress into employment.

There should be a very clear focus on target groups of learners who meet the eligibility criteria (Lot 1) and would benefit most from raising their skills. CE LL encourages applications which offer delivery in the heart of communities of disadvantage throughout Cheshire East Borough and applicants must be able to demonstrate their in-depth knowledge of the needs of local people and explain how they will market and recruit learners onto their programmes.

All Adult Education Budget funded provision must demonstrate that high quality information, advice and guidance (IAG) and thorough initial assessment are available to all learners in order for them to make the biggest gains with regard to personal and employability skills. This will also enable progression to accredited learning and the acquisition of RQF recognised units and qualifications, as outlined above, for the hardest to reach.

In line with the Skills Funding Statement 2016-2017 and an increasing move towards outcome related funding, applicants are asked to include in their application an overview of their processes for capturing learner destination and progression information, whether processes need to be developed or how existing processes will be developed further during 2016/17.

If applicants are awarded a contract as a result of being accepted onto the Approved Supplier List, they will be expected to work with CE LL for compliance with any new SFA funding or rates guidance.

## 4. Context

### **Cheshire East Lifelong Learning (CE LL) Mission Statement:**

*Helping people grow and communities flourish...*

We seek to enable communities, families and individuals in Cheshire East to flourish and be self-reliant through excellent lifelong learning. In order to achieve this ambition, we have the following strategic aims:

**Strategic aim 1** – champion adult, family and community learning

**Strategic aim 2** – properly understand local assets and community needs

**Strategic aim 3** – carefully listen to learners, local stakeholders and local employers

**Strategic aim 4** – maximise resources

**Strategic aim 5** – effectively commission, deliver and promote excellent learning and development

**Strategic aim 6** – measure, evidence and share the impact of learning and progression

### **Purpose of Government supported Adult Education Budget Provision**

New Challenges, New Chances and the Skills Investment Statement 2011-2014,

<http://www.bis.gov.uk/assets/biscore/further-education-skills/docs/f/11-1380-further-education-skills-system-reform-plan> by the Department for Business Innovation and Skills, outlines the government's intentions to support those furthest away from employment to achieve skills to enter employment, and to support people to achieve basic English and maths skills. This is further highlighted in the Adult Education Budget Funding Rules 2016/2017 (version 1) where it states:

*"[The] principal purpose [of AEB] is to engage adults and provide the skills and learning they need to equip them for work, an apprenticeship or further learning. It also enables more tailored programmes of learning to be made available, which do not need to include a qualification, to help those furthest from learning or the workplace"*

This also aligns closely with the Cheshire and Warrington LEP Strategic Economic Plan and Growth Plan:

*'Reducing worklessness is a high priority to allow all residents to make an economic contribution, and, in the context of an ageing population and growing productivity gap, important if the economy is to deliver to its maximum potential. Increasing the proportion of the population in employment will help to raise the sub-region's productivity, raise disposable income levels and reduce the welfare burden.*

*DWP data for November 2012 shows that 45,000 people aged between 24 and 64 in Cheshire and Warrington experience specific barriers to employment and may therefore require more intensive forms of support to become active members of the workforce.'*

<http://www.871candwep.co.uk/resources/strategic-economic-plan-and-growth-plan-for-cheshire-and-warrington>

The above statements highlight the importance of delivery of both non-accredited and accredited adult learning from entry level to level 2 for Cheshire East residents.

We will continue to offer a contribution to the overall cost of delivering non-accredited learning (Lots 2, 3 and 4). Providers will be expected to add value to this public contribution by attracting additional revenue and making cost savings.

Applicants (Lots 1, 2, 3 & 4) must demonstrate knowledge of the local area, needs of the local communities, learners and, where relevant, businesses. Applicants should be able to evidence how this knowledge has informed the programme of learning and delivery format (for example, an applicant may wish to deliver a mix of accredited programmes; non-accredited Health and Wellbeing programmes; non-accredited Taster/Engagement programmes and/or non-accredited Longer Programmes Leading to Employment Outcomes).

There should be a very clear focus on target groups of learners who meet the eligibility criteria and would benefit most from raising their skills. CE LL encourages applications offering delivery in the heart of communities of disadvantage throughout the borough of Cheshire East. Applicants (Lots 1, 2, 3 and 4) must be able to demonstrate their in-depth knowledge of the needs of local people and explain how they will market and recruit learners onto their programmes.

Both accredited and non-accredited provision (Lots 1, 2, 3 and 4) must demonstrate that high quality information, advice and guidance (IAG) is available to all learners in order for them to make the best choices in terms of their progression/next steps.

Applicants should refer to the following information regarding learner eligibility for accredited programmes (Lot 1) and should also refer to the Skills Funding Agency Funding Rules which outlines eligibility further. Applicants should indicate in their application how they would manage delivery to those ineligible for fully funded provision. Please also see below for information re: learner eligibility for Lots 2, 3 and 4.

## **5. Service Conditions**

- That learners are safeguarded at all times and that policies and processes, including adherence to DBS legislation, to ensure safety of learners is understood and agreed by the whole organisation (for all Lots) That quality is assured against the relevant Inspection Framework (Ofsted) and that the organisation is equipped and dedicated to ensuring continuous quality improvements throughout the contractual period (for all Lots).
- That programmes are accessible by all, venues are risk assessed and that arrangements are made for those with access issues (for all Lots)
- That equality and diversity, including Prevent and British Values, is embedded into provision and understood and agreed by the whole organisation (Lot 1, 2,3 and 4) and/ by sessional tutors (Lot 5)
- That tutors and delivery staff are trained and qualified to agreed standards and are supported to continuously improve (all Lots)
- That robust initial assessment is carried out to clarify the learners starting point, level of learning, and support required to progress and achieve the learning aim (all Lots)
- Where identified, learning support is provided (all Lots)
- That learners are involved in setting and measuring their individual goals and that these are monitored by delivery staff (all Lots)
- That the organisation/individual works in partnership with both CE LL and other confirmed CE LL suppliers to ensure a robust and clearly understood referral mechanism supports progression routes for every learner (all Lots).

- That learning aims for accredited programmes are included in the published Skills Funding Agency Funding Rates Catalogue, and are therefore RQF recognised (Lot 1)
- That providers recruit learners in line with the Skills Funding Agency eligibility guidance (all Lots)
- That providers ensure that the minimum standards for retention, achievement and success for adult skills provision are met and exceeded. CE LL sets targets of 85% for retention, achievement and success (all Lots)

### **Conflicts of Interest**

Providers must inform us immediately about any circumstances (for example, where we have common directors) which might lead to an actual or perceived conflict of interest (all Lots)

### **Learner Eligibility**

It is the commissioned provider's responsibility to ensure enrolled learners are eligible for either full or co-funding for their learning provision in accordance with Skills Funding Agency Funding Rules found at [www.skillsfundingagency.bis.gov.uk](http://www.skillsfundingagency.bis.gov.uk) . See Government Funding table (below) and Appendix 1 for detailed guidance on eligibility (Lot 1).

Learners must be aged 19 (prior to 1<sup>st</sup> August 2016) or above.

All learners must have been resident in the UK or an EU member State for at least 3 years.

All CE LL provision (Lots 1, 2, 3 and 4) is targeted at unemployed learners (see Appendix 1 for SFA definition) within the local authority area of the Council. A reasonable number of learners from other areas will be accepted. The proportion of learners from outside the funding Council boundaries is monitored for each project code.

### **Government Funding**

The following qualifications are eligible for funding and the extract (below) has been taken from page 2/3 Adult Education Budget Funding Rules 2016/2017 Version 1 to illustrate this:

The level of government contribution we will fund is as follows.

Provision	19-23 year-olds	24+ Unemployed	24+ Other
English and Maths up to and including Level 2	Fully funded*	Fully funded*	Fully funded*
Level 2	Fully-funded* (first and full)	Fully funded	Co-funded
Provision to progress to Level 2	Fully funded	Fully funded	Co-funded
Level 3	Fully funded* (first and full)	Loan-funded	Loan-funded
Traineeship <sup>#</sup>	Fully funded (including 24 year-olds)	N/A	N/A
English for Speakers of Other Languages (ESOL) learning up to and including Level 2	Co-funded Fully funded - unemployed	Fully funded	Co-funded
Learning aims up to and including Level 2, where the learner has already achieved at Level 2 or above	Co-funded	Fully funded	Co-funded
	Fully funded - unemployed		
*Must be delivered as one of the qualifications required for the legal entitlement. # Excludes flexible element where funding depends on age and level.			

You can find further details on the Adult Education Budget in ['Adult Education Budget - Changing Context and Arrangements for 2016 to 2017'](#).

As detailed on page 2/3 Adult Education Budget Funding Rules 2016/2017 Version 1 <https://www.gov.uk/government/publications/adult-education-budget-funding-rules> Appendix 1 gives SFA definitions of terms used in Funding Rules. CE LL will work with successful applicants to ensure compliance with the 2016/17 eligibility requirements stated above and further outlined in the Skills Funding Agency Rules 2016-2017.

### CE LL Contract Management and Support

For Lot 1, CE LL will retain 20% of the Skills Funding Agency published funding rate for a learning aim for contract and performance management; quality assurance and support; and the processing of data for analysis and return to the Skills Funding Agency. The value for money guide for funding requested by applicants for learning aims is therefore 80% of the Skills Funding Agency published funding rate for a learning aim.

### Staged Payment by Results for accredited learning (Lot 1)

Funding can only be paid as it is earned i.e. for learners enrolling (starts), retaining and achieving within their agreed timescales. Minimum standards for retention achievement and success are set by CE LL at 85% and are monitored on a monthly basis. For anything short of this only a proportion of the funding will be paid and the contract might be at risk. The Skills Funding Agency closely monitors the performance of providers and annually publishes provider performance data.

### **Termly Payment by Results for non-accredited learning (Lots 2, 3 and 4)**

Funding can only be paid once learner and GLH (Guided Learning hours) targets have been met and a satisfactory data report has been received by the CE LL Data Team. The deadlines for data returns normally fall at the end of each academic term and will be outlined in the providers Contract with CE LL. Should contract targets not be met the full Contract may then be subject to re-profile and possible termination. CE LL reserves the right to claw back any funds where contract targets are not met.

## **6. Statement of Requirements**

### **Outcomes (the impact of programmes on learners)**

- For Lots 1,2 3 and 4, providers should align to CE LL strategic aims and ensure that programmes reflect the needs of the local community and local employers
- They should clearly demonstrate that there is a need for their provision which will be aimed at encouraging unemployed adults over 19 to improve well being, develop life and employability skills and progress to build qualifications which will support their progression to work, if appropriate. They must ensure they apply for realistic and achievable levels of delivery as these will be monitored and payment made on delivery of the agreed targets of new learners completing and achieving their learning aims.
- They must ensure that timely completion on programmes is predicted accurately and in consultation with the learner and in line with the expectations of CE LL, SFA minimum standards and Ofsted.
- They must ensure that they have sufficient and appropriate advice available for every learner on next steps and progression into work which include referral mechanisms and extensive knowledge of other local provision.
- Impact measures using innovative and creative methods should be demonstrated so that learners have support to achieve their goals and a plan which will assist them to progress.
- Clear evidence needs to be provided through data, of follow-up of learners and destination information of learners' progression
- All organisations in receipt of £100,000 of Skills Agency Funding in the academic year 2015/16 are required to be registered on the Skills Funding Agency Register of Training Organisations which is approved and maintained by the Skills Funding Agency. Where this contract would bring the value of direct or in-direct Skills Funding Agency funding to or above this value, the contract will be subject to successful registration and the organisation will be expected to continue to meet the requirements of the Register of Training Organisations.
- All organisations must be registered on the UK Register of Learning Providers (UKRLP) and hold a valid UK Provider Reference Number (UKPRN). The only exception to this requirement is where the organisation is outside of the UK, in

which case the organisation must have informed the SFA by message through the SFA e-tendering portal of its potential interest in the contract; and must have complied with all the SFA's funding rules and separate due diligence procedure/questions/requirements for non-UK organisations, via the SFA message board or as the SFA may otherwise require.

- Acceptance onto the Approved Supplier List does not guarantee provision of a future contract with CE LL
- CE LL reserves the right to award all or part of the contract
- CE LL may choose to partially fund successful applications and will work with applicants prior to contracting to ensure that their projects are funded through the most appropriate Lot, reflect good value for money and align to CE LL and national priorities and eligibility requirements. This may mean that, if we want to move a course from one Lot to another prior to contract signature, the Council shall have the final say on the movement of courses.

Note: CE LL is funded as a lead body for Adult Education Budget provision and will be sub-contracting work under this funding stream. Any contracted company found to be sub-contracting with regards to delivering this contract will incur the following action:

- The contract being cancelled
- All other contracts won by your company may be reassessed
- The claw back of monies already paid

Note: The SFA have confirmed with us that our use, and providers' use of sessional tutors to deliver courses does not constitute second-level or third party subcontracting: *'Where [the SFA] and our partners are making payments to third party organisations for the services of sessional tutors, then this does not compromise [the SFA] in making payments as if we were third party subcontracting.'*

### **Outputs (a measure of productivity)**

Providers should indicate their ability to deliver effectively through a range of key performance indicators, namely:

- Measuring retention, achievement and progression to demonstrate narrowing the achievement gap
- Production of timely and accurate data
- High recruitment of eligible learners enabling targets to be met and ensuring cost effective delivery
- Collecting and analysing learner feedback to support ongoing quality improvements
- Maintaining tutor records including compliance with DBS regulations and CPD attended
- Follow-ups confirming that the learning has had a lasting effect on learners and evidencing that information about job outcomes is requested and relayed to CE LL.

- Data will need to demonstrate that learners are progressing and there is an expectation that a robust follow up mechanism will be in place to ensure providers know what the impact of their intervention has been.

## **7. Quality Requirements - Including but not limited to:**

### **Minimum Standards**

Successful applicants must ensure that at least the minimum standards (relating to retention, achievement and success of accredited programmes) as outlined by the Skills Funding Agency are achieved. In 2014/15 the SFA minimum standard threshold for -QCF units was 75%, Awards 75% and Certificates/Diplomas 70%. CE LL expects this baseline to be exceeded considerably by commissioned providers. CE LL sets targets of 85% for retention, achievement and success at all levels and will monitor retention, achievement and success on a monthly basis. For anything short of this, only a proportion of the funding will be paid and the contract might be at risk. The Skills Funding Agency closely monitors the performance of providers and publishes provider performance data on an annual basis.

### **Ofsted**

High quality of learning aims and provision, in line with the requirements of the Common Inspection Framework 2015 for all Lots must be ensured. This will be assessed by CE LL through moderation of teaching, learning and assessment paperwork and Observations of Teaching, Learning & Assessment (OTLAs). Where provision is deemed to require improvement, partners must ensure that appropriate actions are put in place to raise quality to a good or outstanding standard.

## **8. Security/Information Governance**

Applicants will need to evidence in their applications that they comply with the principles and requirements of the Data Protection Act 1998 and, in doing so, have systems in place to ensure that personal learner information is handled, processed and stored in line with the Act in general and in line with the specific following Data Protection and Information Governance guidelines and requirements:

### **DATA PROTECTION AND INFORMATION GOVERNANCE**

Data Protection and the correct use of personal data are very important to the Local Authority. Any service provider delivering services to the Local Authority customers or learners will be expected to both maintain all relevant standards with respect to data security and, where possible, to inform customers or learners of the use of their

personal data. In particular learners and customers who interact via a contracted service provider should be made aware by the Service Provider of the Data Protection Act, and should be asked by the Service Provider to sign a form containing a statement allowing the use of personal data by educational or government bodies. Additionally customers or learners should be made aware by the Service Provider that they may be given a unique learner number through the 'MIAP' system. Further details can be found at '[www.miap.gov.uk](http://www.miap.gov.uk)'.

The Service Provider shall ensure that its delivery of the Service meets the data protection legislation and requirements in respect of all of the information collected for the Service.

The Service Provider shall ensure that data collected in respect of the Service, and particularly that which could identify an individual or individuals, should be subject to robust controls and procedures to ensure it is stored safely, in line with relevant legislation and good practice, and should only be disclosed in appropriate circumstances.

The Service Provider shall ensure that it obtains all appropriate consents from individuals to collect and store data where necessary, and also to ensure that the individual is aware that the information will be passed to the Local Authority.

The Service Provider will ensure that where any such information is no longer required that it is destroyed in line with relevant guidance.

Where there is a requirement for the Service Provider to send data or any other sensitive information to the Local Authority, the Service Provider must use a secure e-mail method to do so e.g. EGRESS.

## **9. Training**

It is the responsibility of the applicant to ensure compliance with section 6 of the Cheshire East Council terms and conditions relating to management and staffing. In relation to training, it is the responsibility of the applicant to ensure that all staff involved in the delivery of the learning programmes are suitably qualified and have received relevant training in Equality & Diversity, Prevent, British Values and Safeguarding.

## **10. Approved Supplier List Terms and Conditions and Commissioning/Call-Off Process**

### **Approved Supplier List Terms and Conditions**

- The Council has invited applications from suitably qualified and experienced providers to be considered for inclusion on a Council Approved Supplier List for the Provision of Adult and Community Learning in the Borough of Cheshire East (Lots 1 to 6) for the Contract Period of 1<sup>st</sup> August 2016 to 31<sup>st</sup> July 2017 (with an option to extend for 12 months). The terms and conditions for the operation of the Approved Supplier List are as set out below.
- The completion and return of the Tender/Approved Supplier List Response Document (Response Document) by an applicant to the Council qualifies an applicant for consideration for inclusion on the Council's Approved Supplier List. No other form of application will be considered by the Council.
- The Council will open up the Approved Supplier List via the Chest for further applications for a minimum of three times per year (subject to availability of funding; see condition below) to allow other providers to apply to join the list. The list will be re-advertised via The Chest.
- If all CE LL AEB funding is successfully allocated at the first or second time of the Approved Supplier List being opened on the Chest, this will result in the List being closed at the Council's discretion and not being re-opened until further funding is available and further work can be allocated.
- The Council reserves the right to refuse to consider applications from providers who fail to submit a fully completed Response Document, or who fail to support their application with the required documentation.
- The Council reserves the right to refuse to consider providers for inclusion on the Approved List where the Award Criteria are not met, or to remove a provider from the list if any information supplied by the provider proves (or subsequently proves) to be inaccurate, or if a provider's performance consistently fails to meet required target levels.
- Where a provider/applicant fails to be accepted onto the list at any given time, then they shall have the opportunity to re-apply no more than a total of 3 times when the list is subsequently re-opened. Feedback needs to be requested within 4 weeks of the decision being made and will then be provided by CE

LL, giving reasons for non-acceptance. Failure to be accepted onto the List on the third attempt will necessitate suppliers waiting for the Approved Supplier List to be re-procured before another attempt can be made.

- The Approved Supplier List will be open for use by all services within the Cheshire East Borough Council and any of Cheshire East Borough Council's current subsidiary and associated companies, and any other wholly or partly owned companies which may be created by Cheshire East Borough Council after publication of the ITT/Contract Notice.
- The Council makes no guarantee as to the volume of business on offer to applicants, and gives no guarantee of work for those accepted on to the Approved Supplier List.
- The Council reserves the right to add additional lots at Lot 6 throughout the life of the Approved Supplier List (which shall be advised to Providers/Applicants at a later date should the need arise).
- An approved supplier shall not represent to any third party that it is an approved supplier of services to the Council or that the approved supplier's services are Council-approved services, without the prior express written consent of an authorised representative of the Council.

### **Commissioning/Call-off Process**

It is the Council's intention to direct award work by "Call-Off Contract" to a variety of providers from the Approved Supplier List to a listed (approved) supplier who in the Council's opinion is the most suitable to fulfil the need. Call – off criteria will focus on:

- Targeted groups of learners and how they will be recruited
- Description of proposed provision
- Geographical area of delivery (link to Index of Multiple Deprivation – IMD – and Lower Super Output Areas – LSOAs)
- Cost of provision (per learner, per course)
- Progression to further learning and /or employment and how this will be supported and promoted.

Providers may be selected by the Council once the list is put into place, or at any time period throughout the life of the Approved Supplier List. Choosing suppliers for award of call-off contracts shall be completely at the discretion of the Council and any decisions made by the Council will be final.

Acceptance on to the List does not guarantee any volume or type of work. CE LL is not prescriptive in the volume or size of these awards. Once acceptance has been agreed, CE LL will contact successful providers via mail to confirm our decision to award contracts. We reserve the right to negotiate contracts with providers. For transparency purposes, the decision making process will be recorded and stored on our secure network drive. Any awards that are agreed at over £25,000 will be advertised on the government's contract finder <https://www.gov.uk/contracts-finder> The Council reserves the right to negotiate with a potential provider on any aspect of the submission post acceptance onto the list and prior to contract award.

CE LL may choose to partially fund successful applications and will work with applicants prior to contracting to ensure that their projects are funded through the most appropriate funding stream (i.e.: Lot), reflect good value for money, and align to CE LL and national priorities and eligibility requirements. This may mean that CE LL may decide to move a course from one Lot to another prior to contract signature. The Council's decision and requirements as to the movement of courses shall be at its own discretion and final.

If applicants are awarded a contract as a result of being accepted onto the Approved Supplier List, successful applicants will work with the CE LL to ensure their compliance with any new SFA funding or rates guidance as may come into force or otherwise apply to the provision from time to time.

Orders/Call-Off contracts for Services may be placed with a chosen approved provider by an authorised representative of the Council, and any resulting contract shall be entered into in accordance with Section 3 (Contract Documents) of the Approved Supplier List Guidance Document.

If any information submitted in the Tender Response Document changes then the Council must be informed of such by the provider immediately. Failure to do so may result in the Council removing the provider from the Approved Supplier List, or termination of any Contract that has been granted to the provider.

In the event that it comes to light that a provider has failed to declare a conflict of interest in its application, the Council reserves the right to remove the provider from the Approved Supplier List and/or to terminate any Contract that has been granted to the provider.

If a supplier wishes to request removal from the Approved Supplier List, this must be requested formally in writing with signature of appropriate person within your scheme of delegation, giving one month's notice. CE LL will confirm in writing and implement changes within 4 weeks of formal request.

## **11. Implementation Timetable**

The Approved Supplier list will run from 1<sup>st</sup> August 2016 – 31<sup>st</sup> July 2017 (with an option to extend for one year).

Applicants must specify in their application form their expected profile of learners' starts on learning aims during August 2016 to July 2017. All learning aims must be planned to ensure completion and achievement during and no later than the contract period. Learner starts and completion for accredited learning will be monitored on a monthly basis during the contract period.

Should any resulting contracts be extended for the further one year, the above statements shall apply for the period August 2017 to July 2018.

## **Appendix 1**

### **Definitions used in the Adult Education Budget**

#### **Unemployed**

E4. For funding purposes a learner is defined as unemployed if one or more of the following apply.

E4.1. They receive Jobseeker's Allowance (JSA), including those receiving National Insurance credits only.

E4.2. They receive Employment and Support Allowance (ESA) and are in the work-related activity group (WRAG).

E4.3. They receive Universal Credit, earn less than 16 times the National Minimum wage per week or £330 a month and are determined by Jobcentre Plus (JCP) as being in one of the following groups.

E4.3.1. All Work Related Requirements Group.

E4.3.2. Work Preparation Group.

E4.3.3. Work Focused Interview Group.

E4.4. They are released on temporary licence (RoTL) and studying outside a prison environment and not funded through the Offenders' Learning and Skills Service (OLASS).

E4.5. Providers may also use their discretion to fund other learners if all of the following apply.

E4.5.1. The learner receives other state benefits and earn less than 16 times the National Minimum Wage a week or £330 a month.

E4.5.2. The learner wants to be employed and you are satisfied that the learning is directly relevant to their employment prospects and the local labour market needs.

#### **Full Level 2 definition**

E5. Level 2 is the level of attainment which, is demonstrated by:

E5.1. the General Certificate of Secondary Education in five subjects, each at grade C or above, or

E5.2. Technical Certificate at Level 2 which meets the requirements for 16 to 19 performance tables, or

E5.3. other technical and professional qualifications which are part of the Regulated Qualifications Framework (RQF) and required as part of the legal entitlement for the Level 2 entitlement which must be at least 150 guided learning hours (glh)

#### **Full Level 3 definition**

E6. Level 3 is the level of attainment which is demonstrated by:

- E6.1. the General Certificate of Education at the advanced level in two subjects, or
- E6.2. a Quality Assurance Agency Access to Higher Education (HE) Diploma at Level 3,  
or
- E6.3. a Tech Level; or Applied General qualification at Level 3 which meets the  
requirements for 16 to 19 performance tables, or
- E6.4. other technical and professional qualifications which are part of the RQF and listed  
as part of the legal entitlement for the Level 3 entitlement which must be at least 300 glh