

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Bram Kainth, Executive Director of Place, in consultation with Cllr Qayyum, Cabinet Member for Enterprise and Skills

Date: 19/12/2024

Subject: Procurement Strategy and Contract Award - H&F Adult Learning & Skills Service (HFALS) Management Information Services (MIS) Contract

Report author: Eamon Scanlon, Head of Service Adult Learning and Skills.

Summary

This report seeks approval for expenditure related to the provision of specialist Management Information Service (MIS) for the council's adult learning service HFALS. The Tribal system (EBS4) is included on the "G Cloud 14 Framework Agreement, Lot 2 Crown Commercial Services".

HFALS secures an Adult Education Budget (AEB) of £3.2m, paid annually as a grant from the London Mayor's Office at the Greater London Authority (GLA) and the Education Skills Funding Agency (ESFA). A robust MIS system for accurate monitoring and accountancy is a compulsory requirement for financial management, to draw down our annual funding and to meet Ofsted standards. Tribal Group PLC is a specialist education information software and services business supplier and has been delivering the HFALS MIS since 2007. The Tribal MIS essentially allows the HFALS to enrol all HFALS learners, track individual learners' progress, accreditation and qualifications and fully supports the planning and monitoring HFALS annual curriculum. The Tribal MIS also provides all the necessary learner and curriculum data to the Greater London Agency (GLA), the Education Skills Funding Agency (ESFA) and HMI Ofsted, which are the government's appointed funding and education quality bodies. The Tribal MIS system will also fully integrate with the Economic Development's (ED) planned '**Digital Front Door**' platform to reflect the team's contribution to H&F's joint Industrial Strategy with Imperial University.

HFALS has continued to achieve 'Good' Ofsted inspections with outstanding features for the last 15 years and was the first local authority led adult learning service in London to receive Beacon status. The Head of Adult Learning & Skills has reviewed contractual obligations against the current contract, which expires 28/02/2025.

Digital Services have covered the historic costs for the contract over the last 5 years at £75K per year. Digital Services will continue to pay that same amount £75k per year from March 2025 to Feb 2028 DS = £225k in total (given the inflationary awards to DS). Our Adult Learning Service can then pay the difference of £29k per year X 3 = approx. £87k from our annual GLA Grant Adult Skills Budget (ASB).

The Tribal system (EBS4) is included on the “G Cloud 14 Lot 2 Crown Commercial Services”. There are other providers listed on this framework but none of these can provide the service HFALS requires. This being the case, the Corporate Procurement team have advised that HFALS can make a direct award for a new contract with Tribal Group PLC.

Recommendations

1. To award a contract to Tribal Group PLC (by direct call off from the G Cloud 14 Framework) for the ongoing provision of the specialist Adult Learning and Skills Management Information Services (MIS). The total cost of the three-year contract (from 1st March 2025 until 28th February 2028) is £311,271.
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Wards Affected: All

H&F Priorities

Our Values	Summary of how this report aligns to the H&F Corporate Plan and the H&F Values
Building shared prosperity	<i>Developing the Skills for borough residents to progress in their educational attainment and progress into work and support the H&F Industrial Strategy</i>
Creating a compassionate and inclusive council	<i>Offering an Adult Learning & Skills Programme to all residents, including learners with Special Educational Needs (SEN), older learners, refugees and more marginalised communities</i>
Doing things with local residents, not to them	<i>Developing educational and skills programmes for adults that responded to local residents and employers needs</i>
Being ruthlessly financially efficient	The new proposed contract constitutes a significant reduction of £102,754 against the original contract asking price.
Taking pride in H&F	Celebrating our learners success at every opportunity.
Rising to the challenge of the climate and ecological emergency	Offering an H&F Adult Learning programme that supports carbon literacy and the development of Green Skills and future jobs.

Financial Impact

The proposed contract award to Tribal Group PLC for the ongoing provision of the specialist Adult Learning and Skills Management Information Services (MIS) has a total contract cost of £311,271 (approximately £104,000 per annum from 2025/26). Note that this is an annual increase of £28,757 on the current contract, which had

been fixed at £75,000 (with no annual indexation) for five years. The service has challenged the price and successfully negotiated a reduction of £59,000 (16%) on the original quote, as well as securing additional modules and implementation days at no extra cost. The contract cost is expected to be fully funded from existing service budgets, Digital Services have covered the historic costs for the contract over the last 5 years at £75K per year. Digital Services can continue to pay that same amount £75k per year from March 2025 to Feb 2028 DS = £225k in total (given the inflationary awards to DS). Adult Learning Service will then pay the difference of £29k per year X 3 = approx. £87k from our annual GLA Grant - Adult Skills Budget (ASB).

A CreditSafe report run on 12 December 2024 shows the company Tribal Group PLC has a 66 risk score (low risk) with a £11,000,000 contract limit. This meets the Council's minimum requirements for procurement.

Kellie Gooch, Head of Finance (Place), 12 December 2024

Verified by Andre Mark, Head of Finance (Strategic Planning and Investment), 13th of December 2024

Legal Implications

This report has been reviewed in accordance with the Public Contract Regulations 2015 ("PCR 2023) and the Council's Contract Standing Orders ("CSOs").

This report requests the approval of the procurement strategy and award of the Call-off Contract for specialist management information services (MIS) for the council's adult learning service (Adult Learning & Skills Service H & F ALSS) to Tribal Group PLC, to commence on 1st March 2025 for a period of 3 years, at a contract price of £103,757.00 per annum (total aggregate Contract price £311,271.00).

The proposed Call-off Contract shall be awarded via G Cloud 14 Framework Agreement, Lot 2 Crown Commercial Services. Officers have ensured that the direct award is permitted in accordance with Framework conditions and have reviewed the Framework Schedules which may not be relied upon when conducting a direct award. Legal shall work with officers to prepare the Call-off Contract documentation.

In accordance with CSOs 18 and 21, the approval process for procurement strategy and award for high value contracts lies with SLT Member in consultation with the relevant Cabinet Member.

As the award report concerns the award of a contract in excess of £300,000, it is considered a Key Decision and the report shall be published on the Council's website. In addition, an electronic copy of the completed and dated Contract must be uploaded to the Contracts Register along with a copy of this Award Report.

Angela Hogan Chief Solicitor (Contracts and Procurement) 31st October 2024

DETAILED ANALYSIS

Proposals and Analysis of Options

1. The HFALS delivers over 430 courses to 6,000 learners annually, 75% of whom are H&F borough residents.
2. The 2 hubs of HFALS are the Macbeth Centre in Hammersmith W.6, and 239a Uxbridge Road W12. In 2026 HFALS will start delivering new future skills courses at Education (Ed) City in the White City Innovation District (WCID). HFALS also delivers courses in several schools and community venues across the borough. HFALS has consistently secured in excess of £3M from the GLA/ESFA in annual funding for over ten years. In September 2019 the funding for learners residing in London was devolved to the Greater London Authority (GLA) at the London Mayor's office, but HFALS also holds a small ESFA funding grant for learners in non-devolved areas.
3. The GLA/ESFA contracts require the production of periodic accurate and timely data and information returns to trigger funding payments. Most importantly an Individual Learner Record (ILR) is required for every learner which is an auditable record of a student's enrolment, attendance, fees and achievement. The Tribal MIS system has allowed for quick accurate data transfer to HFALS funding bodies and Ofsted.
4. The Tribal Education Business System 4 (EBS4) Management Information System (MIS) is the name given to the specialist education, training and learning software products and services which enable the compulsory collation of learner and course information for the GLA/ESFA.

Reasons for Decision

5. Tribal are currently considered the market leader for MIS in Adult and Further Education. Since 2007, Tribal has provided the MIS system to HFALS. The MIS system is required to ensure the efficient and accurate collation, recording and monitoring of the following key data:
 - Learner Enrolment data
 - Course Registers
 - Course and class programmes
 - Curriculum Planning details termly and annually with 3-year comparisons
 - Online enrolment and payments
 - Integration with the learning aim reference
 - System database for all qualifications
 - Attendance tracking
 - Recording examination results
 - Individual Learning Record and course returns to GLA/ESFA and Ofsted
 - Maintenance of student records
 - Progress tracking post education
 - Multiply and other grant claims
 - Self-Assessment Record (reviewed by OFSTED)
 - Administration and management reports

- Vocational Learning and Community Learning reports.

6. The Tribal MIS was highlighted at the last full inspection of the Service by Ofsted as an important element of effective leadership and data ownership by managers and the HFALS was awarded a grade 2 (Good) overall. Tribal Group PLC has provided a highly effective MIS system to HFALS to the satisfaction of the service, our learners, our GLA/ESFA funding bodies and Ofsted.
7. A new three-year contract with Tribal Group PLC will facilitate this process over the next 36 months. The contract will commence on March 1st, 2025, and expire on 28th February 2028. The total proposed price, over a three - year contract is £311,271.00.
8. The Tribal MIS system will fully integrate with the new Economic Development Website Digital Front Door to highlight the work for the Industrial Strategy, which is currently being procured for September 2025.
9. The Executive Director of Place agrees with the recommendation to extend the current service provision from Tribal Group Ltd by entering into a three-year contract. The arrangement, which complies with the Framework conditions, will allow the Council to maintain an effective long-term Management Information System for the Adult Learning Service.

Equality Implications

10. HFALS delivers over 430 courses to nearly 6,000 learners annually and boasts an excellent offer to all members of the community, whether residents, workers in the borough, or a borough employer, business or enterprise. There are targeted programmes aimed at deprived areas of the borough (e.g. dedicated White City housing estate provision), Age Well, aimed at learners over 50 years and a programme for Learners with Learning Difficulties & identify as Disabled.
11. New courses in **Science Technology Engineering, Maths, Digital Media and Creative Media (STEMMM)**, Green Skills, and Retrofit will be delivered both by HFALS and subcontracted specialist partners to develop future skills and job opportunities for H&F residents. This supports Upstream London.
12. HFALS operates within a strong equality and diversity ethos with learners, staff, tutors and visitors all encouraged to support HFALS values and standards.
13. Following the merger of the HFALS service with the Economic Development section a greater emphasis has been based on linking skills training and employment outcomes. Specific employability support and vocational skills programmes targeted at low income/skills residents and job seekers are delivered by HFALS.
14. In addition, as per the Equalities Act 2010, the Council must consider its obligations with regard to the Public Sector Equality Duty (PSED). It must carry out its functions with due regard to the duty and its effect on groups that share protected characteristics (below) in relevant and proportionate a way. The duty came into effect on 5th April 2011. The protected characteristics are:
 - Age

- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion/belief (including non-belief)
- Sex
- Sexual orientation

15. At a later date, the Council will need to have due regard for the potential implications on groups that share protected characteristics that any later procurement exercise would have. The duty to have "due regard" to the various identified "needs" in the relevant sections of the Equality Act 2010 does not impose a duty to achieve results. It is a duty to have "due regard" to the "need" to achieve the identified goals.
16. However, this report relates specifically to the urgency of having a robust MIS in place for HFALS, which is necessary requirement in order for the Council to draw down significant GLA/ESFA funding of £3.2M per year, whilst meeting HFALS national and local obligations to GLA/ESFA, the Local Authority and HMI Ofsted.

Implications completed by: Yvonne Okiyo, Strategic Lead Equity, Diversity and Inclusion, 30 October 2024

Risk Management Implications

17. The Tribal MIS system has been in place since 2007. It provides all the necessary accurate and timely data and information returns to trigger the draw down of funding payments from the GLA/ESFA. Most importantly an Individual Learner Record (ILR) is required for every learner which is an auditable record of a student's enrolment, attendance, fees and achievement. The Tribal MIS system has allowed for quick and accurate data transfer to HFALS funders GLA/ESFA and to Ofsted.
18. Urgency is required as the previous contract period will expire in March 2025. The total proposed cost of the three-year contract is £311,271. If an arrangement is not put in place now, there is a high risk to the continued running of the Adult Learning Service, as well as income generation of over £350,000 per year for H&F.
19. Implications *completed by: Jules Binney Risk and Assurance Manager.*

Procurement Implications

20. The report seeks approval to award the contract to Tribal PLC for the total value of £311,271.
21. According to the Council's CSOs, the proposed contract is a high value contract (CSO 16.1). In accordance with CSO 18.1, all high value revenue contracts below £500,000 must have a procurement strategy approved by the relevant SLT Member in consultation with the relevant Cabinet Member.

22. The recommended route to market for letting high value contracts, as prescribed by the CSOs, is by conducting a fully compliant procurement exercise or by calling off from a compliant framework agreement (CSO 19.1).
23. The proposal is to call off from the CCS Framework agreement, in line with the Council's CSOs requirements. In line with the CSOs 21.1, the decision maker for the award is the relevant SLT Member in consultation with the relevant Cabinet Member.
24. A contract entry must be created in the Council's Contracts Register to comply with statutory transparency requirements

Implications completed by Waheeda Soomro, Commercial Manager, Commercial Procurement. 29th October 2024.

Digital services implications

25. Digital services (DS) implications: DS have worked closely with the Adult Learning & Skills Service, Procurement and Legal on this renewal of the Tribal MIS contract via direct award. Given that Tribal are currently considered the market leader for MIS in Adult and Further Education, DS supports this procurement strategy.
26. A Digital services Project Manager has been allocated to ensure that any potential changes to the Tribal MIS system arising from negotiations around this contract are properly assessed by our Technical Design Authority (TDA), and that H&F's Information management (IM) and security (IS) requirements are met.
27. Information management (IM) implications: HFALS is working with IM to ensure that an up to date Data Privacy Impact Assessment (DPIA) is finalised; supported by an up to date (Cloud) Security Supplier Questionnaire (CSSQ). This will ensure that all the potential data protection and information security risks (e.g. around processing adult learner data) relating to this contract and system are properly assessed with mitigating actions agreed and implemented.
28. Tribal MIS will be expected to have a Data Protection policy in place and all staff will be expected to have received Data Protection training.

Implications verified by Cinar Altun, Strategy Lead – Digital Services 29.10.2024

LOCAL ECONOMY AND SOCIAL VALUE IMPLICATIONS

29. The provision of the service itself offers significant social value in that it facilitates the delivery of the Council's Adult Learning & Skills Service. The Service itself supports delivery of the Council's Industrial Strategy, specifically through helping residents – including those in the most deprived groups – access skills to help them succeed in the many opportunities offered in the borough's economy.

David Pack, Strategic Head – Economic Growth, 31st October 2024.

LIST OF APPENDICES

None.