

Decision Maker: PORTFOLIO HOLDER FOR CHILDREN, EDUCATION AND FAMILIES

Date: For Pre-Decision Scrutiny by the Children, Education and Families PDS Committee on 15 June 2022

Decision Type: Non-Urgent Executive Non-Key

Title: PERMISSION TO EXTEND THE POST 16 TRACKER SERVICE

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Chief Officer: Richard Baldwin - Director Children's Services

Ward: All Wards

1. Reason for decision/report and options

- 1.1 In September 2014 the Department of Education issued statutory guidance on the Participation of Young People in Education, Employment or Training. The South London Client Caseload Information System (CCIS) fulfils a fundamental part of the statutory requirements on local authorities by providing a management information service to five London boroughs (Bromley, Kingston, Merton, Richmond and Sutton). A shared service was originally established between six south London boroughs with the Royal Borough of Kingston (RBK) designated as lead; in 2012 Croydon left the shared service.
- 1.2 Local authorities have a statutory duty to monitor and report on the designation of children and young people upon leaving school. Authorisation for the current agreement with the RBK commenced on 1 April 2018 for a period of 3 years with the option to extend the agreement to 31 March 2023. Authorisation for the current agreement with the Royal Borough of Kingston which was due to expire on 31st March 2021 to be extended to 31 March 2023 was sought from and agreed by the Chief Officer (Janet Bailey, Director of Children's Social Care) in September 2020 to continue with the South London collaborative arrangement for a further two years. RBK have confirmed a revised extension date potentially rolling beyond 2024. However, as the software licence expiry date is 2024, it would be prudent to use the future months to further scope the commissioning options rather than seek approval at this stage for an extension beyond 2024. Therefore, this report seeks a final extension up until 31 March 2024.
- 1.3 The current annual value is £44k (the original value in 2018 was £42k). Consequently, the cumulative value of the extensions will be £133k. The value of the 2023/24 Extension is estimated at £45-46k.

2. RECOMMENDATION(S)

- 2.1 Children, Education and Families Policy Development and Scrutiny Committee is asked to note and comment on the contents of this report prior to the Portfolio Holder for CEF being asked to approve the final, one year extension to the current agreement with Royal Borough of Kingston resulting in an amended contract expiration date of 31 March 2024. The contract extension will result in a consolidated contract value of £256k over the 6 year term.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
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Transformation Policy

1. Policy Status: Not Applicable
 2. Making Bromley Even Better Priority;
 - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: £46,500.
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: 130 000 3131 0000-0
 4. Total current budget for this head: £47,760
 5. Source of funding: Council's General Fund
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Personnel

1. Number of staff (current and additional): Outsourced
 2. If from existing staff resources, number of staff hours: Not Applicable
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable:
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Procurement

1. Summary of Procurement Implications: None for this extension request
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Property

1. Summary of Property Implications: None
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: None
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Customer Impact

1. Estimated number of users or customers (current and projected): All Post-16 children and young people residing in Bromley
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 Local Authorities have a range of statutory duties, as stipulated in the statutory guidance 'Participation of Young People in Education, Employment and Training', to track, monitor and provide support to children and young people leaving secondary education. These duties include the requirement for Local Authorities to make arrangements, i.e. maintain a tracking system, to identify young people of school years 12 and 13 age (16, 17 and 18 year olds) who are not participating in education or training. By putting in place robust arrangements to identify young people who are not engaged in education or training or who have left provision enables local authorities to offer support as soon as possible.
- 3.2 In addition to the statutory guidance and legislation, the Department for Education publishes the National Client Caseload Information System (NCCIS) Management Information Requirement on an annual basis. This document stipulates what information needs to be recorded on local CCIS systems and then submitted to the government to update the NCCIS.
- 3.3 Information in the NCCIS is used to:
- Monitor the extent to which young people are meeting the duty to participate in education or training.
 - Produce monthly tables, which are available on the NCCIS portal, for services to compare and benchmark their performance against peers.
 - Produce tables relating to participation, young people not in education, employment or training (NEET) and the September Guarantee which are made available on GOV.UK.
 - Combine with other administrative data to produce Key Stage 4 and Key Stage 5 destination measures and the NEET Quarterly Brief.
- 3.4 All Local Authorities need to be able to meet the statutory requirements placed on them. In relation to management information the following objectives need to be met:
- Have a database (Client Caseload Information System, CCIS) that provides the information needed to support young people to engage in education and training; to identify those who are not participating and to plan services that meet young people's needs.
 - Have data stored in a CCIS and reported to Department for Education in a way that is consistent between Local Authorities and with other data sources.
 - Be submitted as required to the Department of Education via the NCCIS in the required format.
 - Have arrangements in place with other Local Authorities to identify and share information about young people who have moved between areas.
 - Make effective use of information provided through NCCIS about young people educated out of area in year 11; potential duplicate records; and information from the Department of Work and Pensions about young people making a claim for benefits.
- 3.5 To meet these objectives the following management information services and actions are required by each local authority:
- Data processing of information received from schools, colleges, Department of Work and Pensions, NCCIS, school census and other boroughs.
 - Data submission as required to the Department for Education (at least monthly.)

- Regular management information reports to monitor and benchmark progress.
 - Creation and maintenance of internal Youth Services reports (to enable tracking)
 - Applied data quality assurance systems and processes.
 - Active database management to ensure compliance with file retention and information sharing legislations.
 - Data sharing arrangements with neighbouring boroughs.
 - Training on the CCIS system.
 - Contract management with external suppliers.
 - All aspects of CCIS system management and administration.
 - Reporting provision for monitoring against key performance indicators.
 - CCIS support and training for managers and practitioners.
 - Data processing of provider activity data to support tracking and recording.
 - Management of cross border data sharing for cohort management.
 - Management of Learning Records Service data connectivity for Unique Learner Number recording.
 - External provider contract management.
 - SMS messaging service to support tracking.
 - Robust and experienced CCIS advice and guidance to support local delivery.
- 3.6 The London Borough of Bromley currently meets its CCIS duties and requirements through a collaborative arrangement with five South London Boroughs. The lead borough, RBK, provide the service on behalf of all participation authorities (Bromley, Kingston, Merton, Richmond and Sutton) removing the need for each borough to duplicate and develop in-house resource along with individual software contracting.
- 3.7 The RBK provides all the functions detailed above on behalf of the participating authorities, including the contracting and contract management of the supporting management information system. Crucially, the collaborative arrangement also ensures current data sharing agreements, including the early identification of Bromley residents in learning out of borough and across the participating authorities. This would need to be replicated individually and separately with each local authority if there wasn't the collaborative approach.
- 3.8 The annual charge/contract cost includes the procurement of the supporting IT system and contract management, as well as the staff to deliver the end function. RBK also provide the overall line management of the allocated 2.6 posts. This arrangement provides economies of scale across the participating authorities.
- 3.9 The arrangement enables local authorities to provide statutory management information returns to the Department of Education (DfE) as defined in their annual NCCIS Management Information specification document. Management information from CCIS is the means by which

the DfE is able to monitor and measure Local Authority performance in these key statutory areas:

- Tracking of activities of young people aged 16-18 years.
- Participation of young people up to the age of 18 years.
- NEET and Not Known of young people aged 16-18 years.
- September Guarantee Offers (data sharing processes with schools, colleges and other learning providers to obtain offer information for Year 11 & Year 12 pupils.)
- Engagement and progression of vulnerable groups (SEND and LAC)
- Year 11 Activity Survey
- Destination measures, which calculates the percentage of students going to or remaining in an education, apprenticeship or employment destination in the academic year after completing 16 to 18 years studies.

3.10 The DfE use information to:

- monitor the extent to which young people are meeting their duty to participate in education or training. This requires all young people to continue in full time education or training, and apprenticeship, or full time employment combined with part time study until at least their 18th birthday;
- produce local authority monthly tables, which are available on the NCCIS portal, for services to compare and benchmark their performance against others
- produce the following public tables that are available on GOV.UK:
- proportion of 16 & 17 year olds in education and training
- NEET data by authority
- the September Guarantee
- NEET Scorecard
- Combine with administrative data to help DfE produce statistical first releases (SFR) such as destination measures and the NEET Quarterly Brief; and
- Evaluate government policies.

Service Profile / Data Analysis

3.11 The South London CCIS Service will provide a number of standard and seasonal management information reports. Scheduled and integrated reports have been developed to inform local authorities on key performance indicators as well as the monitoring of the delivery of their statutory responsibilities for tracking, promoting participation and identification of those young people requiring additional targeted support.

3.12 Standard Monthly and seasonal Reports include:

- Local Authority 16-18 NEET performance and cohort analysis Report
- Local Authority 16-18 Participation analysis report
- NCCIS published Local Authority tables summary
- NCCIS published Statistical Neighbours Report

3.13 Quarterly

- NCCIS published Local Authority Targeted Risk scans (Quarterly)

3.14 Weekly

- LA Year 11 & 12 September Guarantee performance update (June – October)
- LA NEET & Not Known Performance Tracking Report

3.15 Annual (Seasonal)

- Local Authority Year 11 & 12 September Guarantee report (Monthly)
- Local Authority Year 11 Activity Survey Progress report (Monthly)
- Local Authority Activity Survey Report for Year 11

3.16 RBK have supported LBB to deliver on the achievement of 100% of the reporting and in a timely manner.

Summary of Business Case

3.17 The original contract award was granted on a 3 year with the option to extend for a further 2 years. However, the option to extend for a further 1 year is available and the other member local authorities have accepted this extension term.

3.18 The Options Appraisal below confirms that activating the extension up till 31 March 2024 offer the best value for money for LBB and its residents. In summary RBK support LBB to meet all of the statutory reporting requirements due to the expertise and effectiveness of the RBK team. The cost of the contract increases annually but within budget. The increase is linked to the size of the age cohort in each borough and inflation.

Options Appraisal

Option 1 – Bring the service in- house.

3.19 Delivering the service in-house will require the employment of staff resource (including post creation). Croydon have outsourced the service and weren't able to confirm the number of posts delivering the service. However, there would be salary and associated on-costs, pension, management costs, procurement costs (for the purchase of a supporting database, plus licences and maintenance) and overheads. The current South London CCIS Service team consists of 2 full time Senior Data Analysts and 0.6 full time equivalent Business Analyst. The total current cost £139k (shared by the 5 boroughs).

The transition to an insourced service would pose risks due to the expertise and relationship management expertise would be lost and would need to be developed.

This is not recommended

Option 2 – Extend the contract for a further year

3.20 The existing provider is meeting the current requirements and the collaborative nature with neighbouring Local Authorities could not be replicated with another provider. This option will also preserve steady contract price, which could increase if the service was exposed to competition prematurely.

3.21 The further year would allow time for the CEF service leads to ascertain from other LAs across SEL and the collaborative members what their commissioning intentions are which will ultimately inform the development of a Gateway 0/1 report which will confirm the updated commissioning options and approach.

This is the Preferred Option

Preferred Option

3.22 Option 2 is the preferred option as detailed in 3.20/21 above.

MARKET CONSIDERATION

3.23 The options available to LA's are to provide the service in-house via the employment of officers that have access to a commissioned software resource to support the data generation process. By collaborating with other LA's Bromley has the opportunity to share the cost of staff and resources whilst not committing longer term to either and thus having the flexibility to review the delivery options at regular intervals.

3.24 During the remaining term of the contract extension phase officers will complete in-depth benchmarking with all the SEL boroughs in order to inform the best commissioning approach.

SOCIAL VALUE AND LOCAL / NATIONAL PRIORITIES

3.25 The RBK approach to social value includes the following areas of focus:

- Improving health and wellbeing
- Enhancing equality of opportunity for children and young people
- Education and skills
- Access to employment
- Supporting the local business community
- Supporting community priorities
- Ensuring environmental sustainability

3.26 Any new procurement or commitment to a collaborative approach would see LBB officers advocating for the promotion of social value opportunities via competitive process.

3.27 At a local priority level, of the five Making Bromley Even Better objectives two are relevant to this contract; 1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home 5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

3.28 At a national priority level, the Department of Education issued statutory guidance/national policy on the Participation of Young People in Education, Employment or Training (2013 updated 2016) for local authority officers involved in the commissioning and delivery of education and training provision for young people (16- and 17-year-olds) and for officers responsible for promoting participation of young people, and tracking and supporting young people's activity.

STAKEHOLDER ENGAGEMENT

3.29 No consultation activity has taken place with stakeholders at this stage. We intend to undertake some discussions with the other four Boroughs within the consortium to explore initial possible strategies for stakeholder engagement although we recognise that each Borough will have its own priorities. We will be looking to explore the approach of LB of Croydon, who undertake all tasks in house and the possibility of joining a different consortium such as the London East sub regional CCIS service (on behalf of City of London, Royal Borough of Greenwich, London Boroughs of Tower Hamlets, Newham, Redbridge, Barking and Dagenham, Havering, Lewisham and Bexley.)

PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS

3.30 Estimated Value of Proposed Action: Extension value £45, 521

The annual cost is based on the total size of the cohorts for academic age 16-19. There is sufficient budget to cover 2023/24 based on the annual cost increase trend and the forecast annual uplift.

3.31 Other Associated Costs: Not applicable

3.32 Proposed Contract Period: 1 year extension - 1 April 2023 to 31 March 2024.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

Not Applicable

5. TRANSFORMATION/POLICY IMPLICATIONS

Not Applicable

6. FINANCIAL IMPLICATIONS

6.1 A one year extension is requested for the period to the 31st March 2024. The value of the extension is estimated to be in the region of £45k to £46k.

6.2 There is sufficient budget within the service to contain the cost of a contract value of this size.

7. PERSONNEL IMPLICATIONS

Not Applicable

8. LEGAL IMPLICATIONS

8.1 Local authorities have broad duties to encourage, enable and assist young people to participate in education or training under the Education and Skills Act 2008 Education Act 1996 .In support of achieving its duties relating to 'Raising the Participation Age', under section 12 of the Education and Skills Act 2008, local authorities are required to identify young people not

participating in education or training so that they can ensure that these young people get the support they need. Through the provision of tracking data, the National Client Caseload Information System is the main source of evidence that local authorities can show they are discharging this duty through the maintenance of a tracking system. The Council is also required to have regard to the statutory Guidance 'Participation of young people in education, employment or training Statutory guidance for local authorities September 2016. These powers enable the Council to provide and commission through a contract the Post 16 tracking service outlined in this report.

- 8.2 This report seeks approval to extend the current contract with the London Borough of Kingston who is the lead authority in a consortium of Councils which includes Bromley. Officers have advised that the contract makes provision for an extension of 2 years ending on the 31st of March 2023 and have agreed with the consortium to extend for a further year to the 31st of March 2024.
- 8.3 Under the Public Contract Regulations 2015 (Regulations) the procurement of these services and software is a public contract within the meaning of the Regulations. As the value exceeds the relevant threshold under the Regulations the Council would have been required to carry out a fully compliant EU Procurement exercise. However, Regulation 12 provides that a contract concluded exclusively between 2 or more contracting authorities falls outside the Regulations where the contract establishes or implements cooperation with the aim of ensuring that public services are performed with achieving the objectives they have in common. Also, the implementation of that cooperation must be governed solely by considerations relating to the public interest and no more than 20% of the activities are performed on the open market. Officers will need to keep this under review particularly when considering future options as outlined in this report.
- 8.4 The procurement implications together with compliance with the Council's Contract Procedure Rules (CPR's) to approve the extension beyond term have both been properly explained elsewhere in this report.
- 8.5 Officers should ensure that the extension if approved by the Portfolio Holder is clearly recorded in writing with Kingston as may be provided for within the Shared arrangements.

9. PROCUREMENT IMPLICATIONS

- 9.1 The report seeks a further year's extension to the contract with RBK, utilising the formal extension option built into the contract, the value of the proposed extension is outlined in 7.1
- 9.2 This action is permissible under the general waiver power of the Council (CPR 3.1). The Council's specific requirements for authorising an extension are covered in CPR 13.4 and 23.6 of the Contract Procedure Rules with the need to obtain Approval of the Portfolio Holder following Agreement by the Budget Holder for the value of this extension to this contract. In accordance with CPR 2.1.2, Officers must take all necessary professional advice. This proposal has been discussed with Corporate Procurement.
- 9.3 Following Approval, the extension must be applied via Extension notification, to be signed by both parties, as specified in the contract and added to the Contract Database.
- 9.4 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

10. PROPERTY IMPLICATIONS

Not Applicable

11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

Not Applicable

12 CUSTOMER IMPACT

Not Applicable

13 WARD COUNCILLOR VIEWS

Views have not been sought.

Non-Applicable Headings:	Impact on Vulnerable Adults and Children; Transformation/Policy, Personnel. Property, Carbon Reduction/Social Value Implications; Customer Impact.
Background Documents: (Access via Contact Officer)	[Title of document and date]