

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

**Decision Reference No: AHWB.072.2018 Provision of Education and Training for Adult Social Care**

**BOX 1**

**DIRECTORATE:** Adults Health & Wellbeing

**DATE:** 17<sup>th</sup> October 2018

**Contact Name:** Linda Hardy/Karen Milner

**Tel. No.:** 37456

**Subject Matter:** Provision of Education and Training for Adult Social Care

**BOX 2**

**DECISION TAKEN:** To establish a Dynamic Purchasing System (DPS) to facilitate the procurement where required of education and training. The first tranche will be for Adult Social Work/Care, with an approx. spend of £80k - £100k per annum and Learning & Opportunities: Children & Young People (LOCYP) for which a separate ODR will be submitted.

**BOX 3**

**REASON FOR THE DECISION:** The current shared arrangement with Rotherham MBC has come to an end. Options have been discussed with the Procurement Team and going out to market to set up a new DPS for Doncaster Council has been assessed as the preferred option. This would initially take account of the training needs for Adults Health and Well Being and LOCYP, but would be set up with sufficient flexibility to allow for the addition of further categories to meet the needs of other Directorates as and when the need arises.

**BOX 4****ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

1. Yorkshire Purchasing Organisation (“YPO”) Managed Service – this option was put to both Doncaster Council and Rotherham MBC by YPO, but it is understood that the development of the YPO framework has stalled due to YPO priorities, so this option is not now available.
2. Joint DPS with Rotherham MBC – Rotherham have indicated that they do not wish to pursue this option.
3. Procurement exercise to appoint a ‘Managed Service Provider’ – After consideration it is felt

that large organisations lack the social care expertise to provide the required services and smaller social care providers may not have the depth and breadth to meet all our training requirements. There is also the issue of cost; a managed service would incur a management charge.

4. Undertake quotation exercises for all training – This is felt to be too resource intensive and may not meet aggregation requirements.
5. Do nothing – This is not a valid option as there is a need to ensure the social work and social care workforce have the skills and knowledge to support the residents of Doncaster.

## **BOX 5**

### **LEGAL IMPLICATIONS**

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do.

Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.

The procurement of a DPS must be procured in accordance with the Council's Contract Procedure Rules.

It is noted that there are plans to add currently unidentified categories to the DPS post its procurement. Further legal advice will be given as and when categories are identified.

Legal Services should be consulted at the earliest opportunity to provide the necessary contractual documentation.

**Name:** Paula Coleman \_\_\_\_ **Signature:** By e-mail \_\_\_\_ **Date:** \_18.10.18\_

Signature of Assistant Director of Legal and Democratic Services (or representative)

## **BOX 6**

### **FINANCIAL IMPLICATIONS: All expenditure resulting from this DPS will be met from existing budgets, e.g. Adults Workforce Development Budget (MH015)**

As there is no planned increase of provision from this ODR there are no financial implications. This is assuming that currently procured spend is not increasing but instead being sourced through the new DPS. This assumption has been confirmed by the service with an exercise highlighting the approx. £80k - £100k spend that will be procured through the DPS and confirming that this will be replaced and not increased.

**Name:** Chris Temperton **Signature:** Chris Temperton **Date:** 22/10/18

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

**BOX 7****OTHER RELEVANT IMPLICATIONS:****Procurement**

Procurement of the DPS will need to be in accordance with the Council's Contract Procedure Rules and Public Contract Regulations 2015. It should be noted that training services fall under chapter 3 sections 7 social and other specific services of the regulations (commonly referred to as the light touch regime). The light touch regime enables the Council to be more flexible in the design of the procurement procedure, though the procurement procedures must ensure compliance with the principles of transparency and equal treatment of economic operators, as well as the regulations set out under chapter 3.

To ensure the principles of transparency across the DPS, the initial contract notice will lay out the key requirements, additional requirements and lots which the council may decide to add at a later date over the life of the DPS. As part of the procurement strategy the council will advertise all additional requirements (lots) in the Official Journal as required making reference to the original contract notice. The risk of challenge from the market is deemed to be low as all potential contactors will have an equal opportunity to apply to be added to the DPS for the additional lots as and when they become available. All contracts awarded under the DPS will be via mini competition with the application window to enter the DPS opened for new providers on a quarterly basis.

**Name:** Shaun Ferron **Signature:** S A Ferron **Date:** 19.10.18

Signature of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

**BOX 8**

**EQUALITY IMPLICATIONS:** As part of the procurement process all training providers will have to demonstrate that they understand and can meet the requirements of the Council's 'Public Equality Duty'.

**BOX 9**

**RISK IMPLICATIONS:** Due to new methods of delivery required in order to meet the needs of providers identified in the Care Home Education and Training Evaluation (CHETE) report (see below – consultation) there may be a lack of applications from providers to be included. New methods will focus on a move away from formal classroom training to delivery onsite with care providers, including competency assessment and on the job support.

Mitigation: Many training providers deliver NVQ Diplomas in addition to classroom courses, therefore already employ or have access to 'assessors'.

**BOX 10**

**CONSULTATION:** An in depth consultation was carried out with care providers, Care Home Education and Training Evaluation (CHETE) to determine their needs and how training and education should be delivered. This was an independent consultation carried out on behalf of

the Council by CPA Ltd, the final report being produced by Sheffield Hallam University. This report will inform how and what training is delivered.

There has also been consultation with the following:

- Rotherham MBC regarding the possible continuation of the existing collaboration, which was declined.
- LOCYP, who have agreed to join in the development of this DPS
- Corporate HR/OD, who whilst maintaining involvement in the exercise do not intend to utilise the proposed DPS at this time.

**BOX 11  
INFORMATION NOT FOR PUBLICATION**

In accordance with the Freedom of Information Act 2000, it is in the Public's interests for this decision to be published in full, redacting only the signatures.

**Name:** Gillian Parker **Signature** by email **Date:** 07/11/2018

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12  
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR ~~YES~~/NO

**BOX 13  
AUTHORISATION**

redaction

Name:   Damian Allen   Signature: \_\_\_\_\_

Date:   21/12/2018  

Director of People \_\_\_\_\_

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**YES/NO**

**If yes please authorise below:**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Chief Executive/Director/Assistant Director of \_\_\_\_\_

**Consultation with Relevant Member(s)**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Designation \_\_\_\_\_

**(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)**

**Declaration of Interest YES/NO**

**If YES please give details below:**

**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

**Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Democratic.Services@doncaster.gov.uk](mailto:Democratic.Services@doncaster.gov.uk) who will arrange publication.**

**It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.**