



# Doncaster Council

## Report

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Date: 1<sup>st</sup> December 2020

To the Mayor and Members of Cabinet

### **SHEFFIELD CITY REGION EXPANSION OF DONCASTER COUNCIL ADVANCE PROGRAMME**

<b>Relevant Cabinet Member(s)</b>	<b>Wards Affected</b>	<b>Key Decision</b>
Cllr B. Mordue	ALL	Yes Rule 15 Urgent Decision

#### **EXECUTIVE SUMMARY**

1. Doncaster Council's innovative and transformational Advance Project has resulted in employment support to 690 Doncaster residents, with 260 progressing into or within employment, since it was first launched in 2018 with a very small team.
2. As a result of sharing the success of the project with the Sheffield City Region (SCR) Employment Group, other Local Authorities expressed an interest in working with Doncaster to expand this into an SCR project. In addition to Local Authorities, Doncaster Chamber has also asked to partner in the scheme to specifically pilot productivity training with employees in Doncaster businesses.
3. Advance offers support for personal and skills development, as well as access to employers, employability support and Information, Advice and Guidance to improve productivity.
4. A successful bid for European Structural & Investment Funds (ESIF) has resulted in an approved European Social Fund (ESF) Grant of £2,426,394.23 as part of a total project value of £4,043,990.38, to support growth and wider access to the scheme to enable more SCR residents to 'thrive in their chosen career'. Match funding has been secured across all partners and Doncaster Council will be the lead authority.
5. We are seeking approval to accept this Grant award and progress with recruitment to essential posts in order to ensure that delivery mechanisms are established for the proposed project delivery start date of 1<sup>st</sup> April 2021.
6. The scheme was initially developed to support people of all ages to transition in to new areas of employment opportunity and to ensure residents are equipped with

skills to be able to access new opportunities in emerging or low profile sectors. Covid-19 impact has resulted in the need for this service being higher and the expansion of Advance will allow more people to receive tailored support in uncertain times.

## **EXEMPT REPORT**

7. This is not an exempt report.

## **RECOMMENDATIONS**

8. It is requested that Cabinet approve the following recommendations:
  - R1. That Doncaster Council enters into a funding agreement with the Department for Work and Pensions (DWP), accepting the Grant Award of £2,426,394.23 for the purpose of leading the expansion of the existing Doncaster Advance programme, with partners across the Sheffield City Region.
  - R2. Subject to receipt of ESF Grant, the Council will commence recruitment to essential roles already outlined within the approved bid in order to ensure robust governance and project management systems are in place for delivery of the contract and also to work on a reprofiling the project as agreed with DWP.
  - R3. Authority be delegated to the Director of Economy and Environment (or in his absence the Assistant Director of Economy) and Director of Corporate Services (or in her absence the Assistant Director of Finance) in consultation with the Mayor and Portfolio Holder to conclude satisfactory funding agreements with partners.

## **REASON FOR URGENCY**

9. It is essential that the Council identifies staffing resources with appropriate knowledge and experience to deliver a complex European funded scheme such as this, to enable project infrastructure development and delivery to start as planned on the 1st April
10. Due to lack of appropriate and available current staff resource to allocate to this project, as a result of covid impacts on employment staff capacity in Economy and Policy Insight and Change (PIC) teams, the agreed solution is to accelerate the appointment of the 2 x programme management roles contained within the project grant as a matter of urgency
11. The staff will develop project infrastructure, governance, project processes and arrangements as well as taking forward a project change request to finalise project outputs, match funding and milestones, to enable the delivery to start on time
12. The decision taken will enable the acceptance of the funding agreement DWP have issued to Doncaster Council and allocated project funds can then be spent from that point forward

13. The recruitment process is underway to mitigate timescales, however staff cannot be appointed and start in those roles until the grant has been accepted
14. It has therefore not been possible to provide the full 28 days' notice of this decision on the Forward Plan without impacting negatively on recruitment and project implementation timescales

## **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

15. The delivery teams across the Advance partnership will provide developmental support for residents to improve the chances participants have of achieving their career goals. Delivery teams will ensure people can navigate the workplace confidently and work on appropriate behaviours, resilience and skills enabling employment to be sustained and opportunities for progression seized.
16. Advance will develop people's workplace productivity through development training, focusing on specific barriers holding back their productivity and businesses' potential including IT and digital skills
17. Advance is also aligned to employer priorities such as succession planning, progression and support for those at risk of redundancy, support for those in shrinking industries and roles and support for moving into growth sectors and future jobs.
18. Indicative outputs have been identified within the ESF bid submission and these will be confirmed prior to commencement of the project
19. Current planned output and result types are as follows;
20. Outputs
  - Total Participants (2578)
    - Male Participants
    - Female Participants
    - Participants over 50 years of age
    - Participants from Ethnic Minorities
    - Participants with Disabilities
    - Participants who Live in single adult household with children
    - Participants without Basic Skills
- Results
  - Participants Gaining Basic Skills
  - Participants Gaining L2 or below
  - Participants Gaining L3 or above
  - Employed Females Gaining Improved Labour Market Status

## **BACKGROUND**

21. Advance will deliver a customer journey in 5 main stages / categories:
  - a. Engage – attracting and engaging potential participants through marketing and publicity activity, social media campaigns, inspirational events and tasters across partner communities as well as via employers, providers and partners.
  - b. Inspire – offering innovative Careers & Education Information, Advice and

Guidance (CEIAG) inspiring people through the development of sectoral careers prospectuses, providing quality localised CEIAG, as well as utilising role models and sharing real stories of success.

- i. Work tasters including employer insights and open days and workplace visits will be arranged to take place throughout the Advance project to inspire people to progress. Indicative sectors for prospectus development are:
    1. Public Sector
    2. Manufacturing & Engineering
    3. Rail
    4. Logistics
    5. Creative & Digital
    6. Construction
    7. Education, Training and Teaching
    8. Finance & Professional Services
  - c. Develop – delivering diagnostics and participant assessments to understand individual starting points. Assessing ambition and aspirations and working on bespoke action plans containing clear personal and career goals. Tailored intervention plans will be developed and agreed with the participant to determine their advancement journey and to ensure they are continually supported. Personal development will be provided through a range of methods including coaching, mentoring, 1:1s and group work
  - d. Achieve – working with participants to achieve their training plan whether in personal or skills development, accredited or non-accredited training. Advance will signpost to funded accredited training and projects such as Skills Support for the Workforce and Skills Bank to ensure a greater uptake of funded training to support the individual's career action plan. Participants will be supported to access English, Maths and ICT support
  - e. Progress – progression from an apprenticeship ending is considered vital and activity will be focused on this area to ensure participants continue to progress, embed learning and utilise developed skills in the workplace
22. Advance will support some of our under-represented groups with additional support wrapped around apprenticeships in order to achieve, sustain employment and progress including care leavers, ex-offenders and those with disabilities
23. Within the support package, Doncaster Chamber of Commerce will deliver Productivity Training with employees in Small & Medium Enterprises (SME) in Doncaster to become more efficient and productive in the workplace. The Chamber will provide resources for training and the training provided will be unit accredited. This training will enable employees to maximise their performance and will support businesses to grow within the Sheffield City Region.
24. Advance will undertake specific work to target economically disadvantaged groups as well as those who have been disproportionately adversely affected by Covid-19 such as care leavers, people with Learning Difficulties or Disabilities (LDD), women, people facing redundancy and people from Black, Asian and Minority Ethnic (BAME) communities
25. The need to create a fairer, more inclusive society with an economy that works for

everyone has perhaps never been more important and is high on the national and local policy agenda. Advance is shaped around this agenda and will work to address key issues

26. We aim to build on the region’s strengths to create a connected City Region, where digital technology and innovation drive economic growth and better outcomes for all

27. Almost 90% of new jobs require digital skills to some extent, with 72% of employers stating that they are unwilling to interview candidates who do not have basic IT skills (House of Commons Science and Technology Committee, 2016). We need to ensure that all our residents have the digital skills to access suitable jobs for them.

## Timeline

28.

Approval of this Cabinet Report	1 <sup>st</sup> Dec 2020
Acceptance of Grant award	Dec 2020
Recruitment to essential positions	Dec 2020
Establishment of partnership governance arrangements and reporting systems	Jan-March 2021
Activity commencement	1 <sup>st</sup> April 2021

## OPTIONS CONSIDERED

29.

- (a) Recommended - Accept the ESF Grant of £2,426,394.23 and lead the delivery of the expanded Advance project;
- (b) Do Nothing – the wider Advance project will not proceed in partner areas. The Doncaster Advance project will not be expanded and provision will remain at existing levels.

## REASONS FOR RECOMMENDED OPTION

- 30. Sheffield City Region is experiencing substantial increases in Universal Credit claimant numbers as a result of the impact of Covid-19. Doncaster’s figures have doubled on pre-covid levels.
- 31. There are a substantial number of furloughed staff circa 43,000 in Doncaster alone that pose a potential redundancy risk at the end of the scheme. Advance would provide an increased resource to work with local employers to ensure staff are supported to explore alternative careers, access training and development to mitigate further increases in job losses.
- 32. It will enable people to explore new careers in growing sectors moving from those hard hit from Covid with limited future options.

33. In addition to this increase in demand as a result of job losses, behavioral changes to working arrangements are likely to lead to a great requirement for new and improved skills including employability and digital requirement
34. Existing provision cannot meet current demand and without expansion of the service, potential participants who have been disadvantaged in the workplace will not receive support.

## IMPACT ON THE COUNCIL'S KEY OUTCOMES

35.

Outcomes	Implications
<p><b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>	<p>Residents and businesses will be supported to develop a strong, resilient workforce which is equipped with the skills required to both recover from the Covid-19 crisis and be well placed to benefit from opportunities arising from emerging sectors in the region</p>
<p><b>Doncaster Living:</b> Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> <li>• The town centres are the beating heart of Doncaster</li> <li>• More people can live in a good quality, affordable home</li> <li>• Healthy and Vibrant Communities through Physical Activity and Sport</li> <li>• Everyone takes responsibility for keeping Doncaster Clean</li> <li>• Building on our cultural, artistic and sporting heritage</li> </ul>	<p>The scheme will contribute to the development of strong and resilient communities by ensuring access to appropriate support within all localities</p>
<p><b>Doncaster Learning:</b> Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> <li>• Every child has life-changing learning experiences within and beyond school</li> <li>• Many more great teachers work in Doncaster Schools that are good or better</li> <li>• Learning in Doncaster prepares young people for the world of work</li> </ul>	<p>The scheme's primary focus is to ensure that Doncaster residents are able to thrive in their chosen careers by supporting the development and achievement of employability and workplace skills.</p>

<p><b>Doncaster Caring:</b> Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> <li>• Children have the best start in life</li> <li>• Vulnerable families and individuals have support from someone they trust</li> <li>• Older people can live well and independently in their own homes.</li> </ul>	<p>Ensuring access to vulnerable residents including Care Leavers and people with LDD will be a focus of the scheme</p>
<p><b>Connected Council:</b></p> <ul style="list-style-type: none"> <li>• A modern, efficient and flexible workforce</li> <li>• Modern, accessible customer interactions</li> <li>• Operating within our resources and delivering value for money</li> <li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li> <li>• Building community resilience and self-reliance by connecting community assets and strengths</li> <li>• Working with our partners and residents to provide effective leadership and governance</li> </ul>	<p>Doncaster Council is considered the most appropriate lead organisation for delivery of this scheme. Partners are supportive of the approach taken to date and are keen to work with us to ensure as many people within the region benefit from provision as possible.</p>

## RISKS AND ASSUMPTIONS

36. Doncaster and Barnsley council currently have Apprenticeship Levy as identified match funding within the project. External legal advice is being sought to assess the risk of using levy and whether it can provide a compliant defrayment and audit trail.
  - a. If it is deemed not appropriate Doncaster council has alternative match identified however this may mean a slight reduction in value
  - b. Barnsley also have potential options, however they may also mean that their scheme needs to be amended
37. Outputs and benefits have been indicatively profiled but will require amendment as well as reflecting changes arising to match funding as per the above point.
38. These will be made via a project change request working with DWP once the funding agreements have been accepted and are subject to DWP approval.
39. The project will require a Programme Manager and Officer to be appointed who are able to demonstrate a sound understanding of the specific requirements when delivering European Funded projects. The approval of this report will enable the process these posts to commence and will mitigate this risk

**LEGAL IMPLICATIONS [Officer Initials NJD**

**Date 19<sup>th</sup> November 2020]**

40. 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.

41. The funding agreement sets out a number of obligations:
  - funding expenditure in relation to project must comply with the eligibility rules of the European Social Fund;
  - the Council must receive match funding or match funding being committed;
  - that the Council must comply with state aid rules;
  - that the Council will comply with all applicable procurement law; and
  - to deliver the project in accordance with the set milestones
42. Failure to comply with such terms will lead to claw back of funding.
43. S112 of the Local Government Act 1972 allows a local authority to appoint such officers as are necessary for the proper discharge of its functions, on such reasonable terms and conditions as it thinks fit. Salary grade should be determined by job evaluation.
44. If the posts are to be temporary, it is advisable to set up a temporary contract for a fixed term. Any employee regardless as to whether or not they are employed for a fixed term obtain certain employment protection, which includes protection from unfair dismissal after 2 year's employment service. In order for liability in relation to, inter alia, unfair dismissal, to be limited there must be a legitimate reason for a fixed term contract and the employee must be made aware of this reason and of the anticipated length of the contract at the commencement of the contract. After the 4th year of renewal the Employee may be entitled to the position on a permanent basis.
45. The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 confirm that employees should not be treated less favourably on the ground they are fixed term unless this is objectively justified. Less favourable treatment means, but is not limited to pay and terms and conditions.
46. As the length of the contract may exceed 1 year upon termination the Employee may be entitled to be placed on the redeployment register and after 2 years may be entitled to a redundancy payment.
47. The Council has a policy covering recruitment which should be followed.
48. The nature and urgency of this decision means it would not be practical to provide the 28 days' notice normally required for a key decision or to wait for a Call In period before implementation. This decision is therefore being taken in accordance with Access to information Rule 15 General Exception, detailed within Part 4 of the Council's Constitution.

## **FINANCIAL IMPLICATIONS [OB 20/11/20]**

49. The Council has been successful in securing up to £2.426m from the European Structural Investment Fund (ESIF) for a Sheffield City Region Advance Programme. The total value of the programme is £4.044m, which is claimable at a 60% intervention rate.



50. Doncaster will be the lead body for the programme and as such will coordinate the programme on behalf of all partners. Currently the £4.044m is split across partners as follows:

51.

<b>Partner</b>	<b>Total Costs £,000</b>
Programme Management Costs (shared across partners)	334
Doncaster Council	1,141
Barnsley Metropolitan Borough Council	1,324
Sheffield City Council	1,063
Doncaster Chamber of Commerce	182
<b>TOTAL</b>	<b>4,044</b>

52. Doncaster's element of this is £1.475m (Doncaster delivery and programme management costs) comprising of £0.885m ESIF grant and £0.59m match funding.

53. As lead body for the programme, Doncaster Council will recruit a Programme Manager (Grade 10) and Programme Officer (Grade 8) to set up the programme and to coordinate delivery, claims etc on behalf of all of the partners. These costs for the programme management are shown in the table above. Each of the partners will contribute to the match funding element of the programme management costs based on their percentage of the total grant figure

54. Details of the current application for Doncaster are summarised in the table below:-

**55. Doncaster**

	<b>Total Costs £,000</b>	<b>60% Grant £,000</b>	<b>40% Match £,000</b>
Doncaster	1,475	885	
Matched by:			
Doncaster Council Revenue Resources			498
Income contributions from partners towards programme management costs.			92

56. The figures in the above tables are indicative only as the programme will need to

be re-profiled once the programme management is in place. The Department of Works and Pensions (DWP), who are the Managing Authority for the ESIF grant, are fully aware that there are required changes and have requested that the Council sign the Funding Agreement as soon as possible, to secure the grant, and then submit the relevant variations afterwards.

57. In the funding application, delivery was profiled to start in October 2020 for a three year period to September 2023. Due to a late approval decision by the ESIF board the programme will need to be re-profiled with a proposed start date of December 2020 for the Programme Manager and Programme Officer who will work towards a delivery start date of April 2021.
58. There will also likely be a variation regarding the match funding. In the original bid Doncaster and Barnsley Councils have included the use of the apprenticeship levy to contribute towards their match funding requirements. However advice is being sought as to whether the grant conditions would allow this source of match and these councils may decide to use alternative revenue resources or scale back their element of the programme as a result. Doncaster Council has therefore included £150k base budget as a pressure in the 2021/22 Budget proposals to contribute to the match funding of this programme should use of the levy prove not to be suitable. The outcome of this will not be known until the 2021/22 budget is approved. Going forward this £150k would sustain the Advance service in Doncaster beyond the lifetime of the project. The balance of the match funding for Doncaster will be met from part of an earmarked reserve, which has already been approved for the funding of this service.
59. There is a small risk that if the DWP reject the proposed variations to the programme, the agreement may be terminated after the Programme Managers have been appointed, resulting in a unfunded commitment to pay for the posts for the duration of the proposed scheme. Alternative funding would need to be identified if this situation arose.
60. All of the above is subject to the Council signing a Funding Agreement with DWP and Partnership/Funding Agreements being in place between Doncaster Council and all the other partners delivering the project. These Agreements will set out the terms and conditions of the grant and cover issues such as eligibility, claw back, exit strategies and outline individual responsibility for risks. No expenditure should be incurred or contracts awarded until all of these requirements are in place. The approval of this decision by Cabinet will allow the signing of the agreements.
61. In order to claim grant, all of the expenditure incurred in relation to the project must be eligible and comply with the terms and conditions of the grant funder, including the match funding element. Failure to do so could lead to claw back up to the value of the grant. The project officer must also administer the grant in line with the Council's Contract and Financial Procedure Rules (particularly rule E for External Arrangements). However, as ESIF is an EU grant the funder's terms and conditions are one of the most stringent and in certain cases exceed the provisions of the Council's minimum requirements. In the past, the Council has suffered claw back in relation to EU projects, particularly in respect of procurement and where interpretation of the terms and conditions differ from that of the auditor. The Project Officer should be aware of the issues surrounding compliance with both the internal and external requirements to reduce the risk of

claw back. It is vitally important that the programme management staff have the appropriate knowledge and understanding of ESIF programmes and rules to mitigate any risks.

62. FPR's also require that Directors are responsible for ensuring that action plans are in place (including exit strategies) for all external funding within the Directorate. This is particularly important where staff are concerned as those appointed will accrue employment rights and will be subject to the Council's redundancy and redeployment procedures. Directors are also responsible for ensuring that all costs are contained within the programme and identifying further resources if required.

#### **HUMAN RESOURCES IMPLICATIONS [Kimberley Jackson, Senior HR & OD, 19/11/2020]**

63. The proposed 2 new posts are currently going through Job Evaluation. Once the Grade has been established the posts should be recruited to in line with Doncaster Council's Recruitment Policy looking at Redeployment in the first instance.
64. As these post are attached to European funding they will be fixed term until the end of September 2023.
65. Fixed-term employees have the right not to be treated less favourably than comparable permanent employees because they are on a fixed-term contract. This means you must treat fixed-term employees the same as comparable permanent employees unless there are 'objectively justifiable' circumstances for not doing so (ie there is a genuine, necessary and appropriate business reason). This means the same or equivalent (pro-rata) pay and conditions, benefits, pension rights and opportunity to apply for permanent positions within the business.
66. Under the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002, employees who have been on a fixed-term contract for four years or longer will usually be legally classed as permanent if their contract is renewed or if they are re-engaged on a new fixed-term contract.
67. The only exemptions are when employment on a further fixed-term contract is objectively justified to achieve a legitimate business aim or when the period of four years has been lengthened under a collective or workplace agreement.
68. Employees who were employed before 6 April 2012 and have 1 year's continuous service, or after 6 April 2012 and have at least two years continuous service, accrue employment rights. Employees who complete 2 years continuous service accrue rights to a redundancy payment.

#### **TECHNOLOGY IMPLICATIONS [Officer Initials PW Date 19/11/20]**

69. There are no specific technology implications relating to the recommendations in this report. The proposals support the Digital Recovery & Renewal Strategy in relation to improving digital inclusion. Any technology requirements to support the Sheffield City Region expansion of the Doncaster Council Advance

Programme would need to be discussed with Digital & ICT and where applicable would need to be considered and prioritised by the Technology Governance Board (TGB).

## **HEALTH IMPLICATIONS [Officer Initials SP Date 20/11/20]**

70. A very positive project addressing a prevalent issue that have been heightened by the adverse effects of COVID19. Unemployment and health inequalities are closely linked, and the Advance project would support 2578 people in the region to develop their skills or access jobs. The project will also offer specific support to various disadvantaged and under-represented groups. A very positive potential project for the region which will improve the wellbeing and life chances of local people.

## **EQUALITY IMPLICATIONS [Claire Bossward Date 20/11/20]**

71. Decision makers must consider the Council's duties under the Public Sector Equality Duty at s149 of the Equality Act 2010. The duty requires the Council, when exercising its functions, to have 'due regard' to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic. Advance is designed to be inclusive and accessible, and is targeted to support different communities and groups, including protected characteristics as well as being measured on that basis. Therefore no due regard statement is required.

## **CONSULTATION**

72. Briefings with Portfolio holders and the previous Director of Economy and Environment took place prior to project submission. Further briefings with portfolio holders are scheduled prior to 1<sup>st</sup> December Cabinet meeting.
73. The project was discussed as a SY collective resulting in a collaborative bid submitted including partners; Barnsley Council, Sheffield City Council and Doncaster Chamber.

## **BACKGROUND PAPERS**

None

## **GLOSSARY OF ACRONYMS AND ABBREVIATIONS**

**ESIF** – European Structural Investment Fund

**ESF** – European Social Fund

**DWP** – Department for Work and Pensions

**CEIAG** – Careers & Education Information, Advice & Guidance

**SCR** – Sheffield City Region

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