

Finance and Resources Committee

10.00am, Tuesday, 7 November 2017

Open Framework Agreement for Learning and Development – Contract Ref: CT 2132

Item number 7.15

Report number

Executive/routine

Wards

Council Commitments

Executive Summary

This report seeks the approval of the Finance and Resources Committee to establish an Open Framework Agreement for Learning and Development. The term of the framework agreement will be three years, with the option to extend for up to a further twelve months.

The framework agreement is the result of a collaborative procurement, led by the City of Edinburgh Council, in partnership with East Lothian Council, Midlothian Council, West Lothian Council, Fife Council, Scottish Borders Council and the Scottish Parliamentary Corporate Body.

The total estimated value of contracts that may be awarded by the partner authorities under the framework agreement, including any extension, is £10m. The Council's estimated spend is £2.5m, based on circa £600,000 to £650,000 per annum.

Open Framework Agreement for Learning and Development – Contract Ref: CT 2132

1. Recommendations

- 1.1 It is recommended that the Finance and Resources Committee approves the establishment of an Open Framework Agreement for Learning and Development and the award onto the framework agreement of the providers for specific Lots as listed at Appendix 1 of this report. If approved, the framework will start operation in January 2018 and would run for a period of three years, with the option to extend for a further 12 months.
- 1.2 Note that new providers will be added during the term of the Open Framework Agreement at no additional cost to the Council.

2. Background

- 2.1 The Council spend on external training requirements for staff and volunteers is estimated to be around £1.5m per annum.
- 2.2 The Council has several contracts with various providers and previously established a framework agreement for training related to further and higher education, which enabled contracts to be placed efficiently, effectively and economically.
- 2.3 However, there is a wide range of other learning and organisational development requirements, which place a disproportionate administrative burden on staff in terms of the resource required to undertake individual procurements and place contracts.
- 2.4 It is recognised that there is potential to achieve savings and efficiency gains from strategic rather than tactical procurement where spend can be aggregated, such as for learning and development. However, it is difficult to anticipate all of the Council's learning and development needs, particularly as some of those needs may change to take account of organisational transformation or legislative change.
- 2.5 Recent changes to procurement regulations in the Public Contracts (Scotland) Regulations 2015 provide an opportunity to adopt non-standard procedures to procurement of "Social and Other Specific Services", including training services, as long as the approach does not breach the principles of transparency and equal treatment of economic operators.

3. Main report

- 3.1 To address current and future unknown training requirements a different approach was needed. Using the flexibility provided in the new regulations an “open” framework agreement that would provide the flexibility to enable procurement of a wide range of training courses from a wide range of providers was considered the best option. The “open” criteria allows providers to apply to join the framework agreement after commencement, providing they meet the qualification criteria, similar to a Dynamic Purchasing System.
- 3.2 Neighbouring local authorities and other public bodies have similar learning and organisational development requirements and were invited to collaborate in the procurement.
- 3.3 On 20 April 2017, the Council published a Prior Invitation Notice (PIN) on the Public Contracts Scotland (PCS) website and a total of 169 potential providers expressed interest.
- 3.4 The partner authorities, in addition to the City of Edinburgh Council, comprise East Lothian Council, Midlothian Council, West Lothian Council, Fife Council, Scottish Borders Council and the Scottish Parliamentary Corporate Body.
- 3.5 On 15 June 2017, the Council published a Contract Notice on the PCS website on behalf of the partner authorities. A total of 205 potential providers registered interest and a total of 113 responses were received before the tender deadline on 24 July 2017.
- 3.6 Award of providers onto the framework agreement is based on evaluation of qualification criteria contained in the European Single Procurement Document (ESPD). Providers were required to include examples of technical and professional ability related to the Lot(s) for which they wished to be registered on the framework agreement. These examples were scored and those achieving a minimum score of 2 were considered to have met the selection criteria. Overall, 110 suppliers met the minimum criteria and have been awarded onto the framework.
- 3.7 There are 17 Lots in total, details of which are in the table below. (Further description of Lots is provided at Appendix 2 of this report)

Lot No	Item	No. of Providers
1	Administration and Business Support	23
2	Community Learning and Development	12
3	Community Safety and Public Protection	3
4	Disabilities	6

5	Driving	5
6	Health and Social Care	36
7	Finance	6
8	Health and Safety	19
9	Housing	4
10	Information and Communication Technology (ICT)	11
11	Leadership and Management	57
12	Learning and Teaching	14
13	Libraries	0
14	Programme and Change Management	14
15	Parks & Greenspace, Roads and Transport	6
16	eLearning	18
17	Further and Higher Education Qualifications	20

- 3.8 A summary of the tender process is provided at Appendix 3 of this report.
- 3.9 Although no providers have been awarded onto Lot 13 (Libraries), it is expected that related requirements will be met by sourcing from other lots.
- 3.10 Lots 6 and 11 (Health & Social Care and Leadership & Management) have a large number of awarded providers, because they cover a comparatively wide range of learning and development opportunities.
- 3.11 Awarding a large number of potential providers onto the framework agreement will ensure that the wider geographical area is adequately covered and that there is sufficient capacity to meet the requirements of all of the participating authorities.
- 3.12 The call-off methodology that will be used by the partner authorities, in awarding business through the framework agreement, will be as follows: The authorities will tender individual requirements by Lot. For lots with a large number of awarded providers, there will be the option to use a two-stage process, whereby providers will firstly be asked to indicate whether they are interested in a specific requirement and only those who express interest will be invited to take part in a mini competition.
- 3.13 There will be a quality threshold of 50% for mini-competitions and any offers scoring below 50% overall for quality will not be eligible for an award of contract.

- 3.14 Contracts will be awarded on the basis of Most Economically Advantageous Tender with 30% of the overall evaluation score given to quality and 70% of the overall evaluation score given to price (quality:price ratio).
- 3.15 The framework agreement will be contract managed by the Council's Learning and Organisational Development Senior Manager.

4. Measures of success

- 4.1 The framework agreement can readily be used to undertake mini-competitions for contracts to meet specific requirements in a reduced timescale.
- 4.2 Providers can apply to be accepted onto the framework agreement after it has commenced and will be accepted if they meet the stated qualification criteria. This facilitates unrestricted access and maximises options for the framework users.

5. Financial impact

- 5.1 There are no direct savings from this establishment of the Open Framework Agreement.
- 5.2 Savings that are achieved by the Council will be established as the results of mini-competitions are known and HR will liaise with Corporate Finance to monitor and report these.
- 5.3 The costs associated with procuring this framework agreement are estimated to be from £10,001 to £20,000.

6. Risk, policy, compliance and governance impact

- 6.1 There are no policy, compliance or governance impacts arising from this report.
- 6.2 Legal advice was sought to review the approach taken outside of standard procurement procedure ensuring it would meet the regulation principles. The risk to challenge of the procedure is considered low as it falls within the scope of the new 'light touch' regime.

7. Equalities impact

- 7.1 There are no direct equality and rights impacts arising from this report.

8. Sustainability impact

- 8.1 There are no impacts on carbon, adaptation to climate change and sustainable development arising directly from this report.

- 8.2 Community benefits will be sought, delivered and reported as appropriate and in line with Council policy during the mini-competition stage of future call-offs from the framework.

9. Consultation and engagement

- 9.1 The Council consulted neighbouring local authorities and a collaborative procurement was subsequently undertaken.

10. Background reading/external references

- 10.1 None.

Stephen S. Moir

Executive Director of Resources

Contact: Margaret-Ann Love, Learning and Organisational Development Senior Manager

E-mail: margaretann.love@edinburgh.gov.uk | Tel: 0131 529 6476

11. Appendices

Appendix 1 - Providers and Lots

Appendix 2 - Summary of the tender process

Appendix 3 - Description of Lots

Appendix 1 - Providers and Lots

PROVIDERS	LOTS
4Cstrategies	11
Achieve Training Ltd	1, 2, 11, 12, & 14
Action Provocateurs Limited	1 & 11
Alison Knights Psychology	6, 11 & 12
Allanpark Consultants Ltd	9 & 11
Alpha Training Safety Solutions Limited	8
Animate Consulting Ltd	2 & 11
ASK Europe	1 & 11
Aurion Learning	16
Aviour Ltd	1, 6, 8, 11, 14 & 17
Borders College	6, 8 & 17
Bray Leino Learning	1, 10, 11 & 16
Brigid Russell Coaching Limited	11
CALM Training	6
Camilla Training Aspects Ltd	5, 8, 15 & 17
Catalyst Mediation	11
CITI	14
City of Glasgow College	1, 2, 6, 7, 8, 15 & 17
Coaching for Success	11
Community Law Advice Network	6
Connect Three Solutions	11 & 14
Crimson Kite Consultancy	1 & 11
Deegankerr Consulting	11

DriveTech	5
Eco Drama	12
eCom Scotland Ltd	16
Edinburgh College	1, 2, 6, 7, 8, 10, 11, 14, 15 & 17
Edinburgh Napier University	6, 10, 11, 14 & 17
Eliesha Training Ltd	11
Elite Training and Consultancy Ltd	10, 11 & 14
Etopia Solutions Ltd	10
Fife College	1, 2, 3, 4, 6, 8, 9, 10, 11, 12, 14, 15 & 17
First Response Training and Consultancy Services Limited	6 & 8
Forde Training Services	5, 8, 15 & 17
Forensic Focus Limited	1, 3, 6, 8, 11, 14 & 17
Forum Interactive Consultants Ltd	11
Future Proof Learning	1 & 11
Geelox Limited	8 & 11
Gemm Ltd	11
Good Practice Ltd	1, 11 & 16
GreenCross Training	6 & 8
GTG Training Ltd	5, 8, 11 & 17
H&W Forestry Services	15
Health in Mind	6
Heldercorp Limited	11
ILX Group Plc	14
Instinctively Wild Services CIC	2, 6 & 12

IOM Consulting Ltd	8
J K Business Services Ltd	1, 7, 11 & 16
Jenison	16
Judith Brotherton (Self-employed)	11
Kaplan Financial	7 & 11
Knxia Limited	1, 6, 8, 10 & 11
Learning Nexus	16
Learnpro	16
Live Mindfully Ltd	6
McSence Limited	1, 2, 6, 8 & 11
MediaCorp Online Ltd	16 & 17
Mindstretchers Ltd	6 & 12
Mobedia Ltd	16
Myra Young Assessment	12
New Media Warehouse trading as Synergy Learning	16
Newleaf Associates	1 & 11
NSPCC	2
Ogilvie Ross LLP	1 & 11
Parity Professionals Limited	11
PhysiCare Ltd	4, 6, 8, 16 & 17
pitchblue LLP	11
Place2Be	6 & 12
Positive People Development (Scotland) Ltd	1, 11 & 12
ProjectScotland	11

QA	1, 10, 11, 14 & 16
Quarriers	4 & 6
Queen Margaret University, Edinburgh	4, 6, 11, 14 & 17
Quest (Scotland) Ltd	1, 3, 10, 11, 12 & 17
Remploy Limited	4 & 6
Rewards Training Recruitment Consultancy (Scotland)	1, 11 & 17
Robertson Training Ltd	1 & 11
Sage Qualifications Ltd	7 & 16
Scottish Community Development Centre	2
SHARE	9 & 17
Shelter Scotland	6, 9, 16 & 17
Shirlaws Coaching (UK) Ltd	11
Social Enterprise Academy	11
St Andrew's First Aid Training and Supplies Ltd	2, 6 & 8
St Andrews Management Centre Ltd	7, 11 & 14
StayAhead Training	10
Steve Radcliffe Associates	11
Stroke Association	6
The Change Maker Group	1, 11 & 14
The Elm Design Co	16
The Hive of Wellbeing Ltd	11 & 12
The Keil Centre	11
The Learning Zoo Ltd	12

The Mudd Partnership Ltd	11
The Open University	6 & 17
The Princes Trust	2, 6 & 12
The Social Care Training Hub	6 & 16
The Spark (Scottish Marriage Care)	6
The Taylor Clarke Partnership Ltd	11
Time2Train Ltd	5
Training for Care	6 & 17
UK Health Enterprises (UKHE) - Emcare & Stewart First Aid Training	6 & 8
University of Edinburgh Business School	11
Waves Training Solutions Ltd	11
WEA Scotland	2, 4, 6 & 10
West Lothian College	6, 11 & 17
With Kids	6 & 12
Woodgate Consulting	16
YSC Scotland	11

Appendix 2 - Description of Lots

- Lot 1 Administration and Business Support
including: Customer Service
Induction
Personal Effectiveness
Policies and Procedures
- Lot 2 Community Learning and Development (CLD)
- Lot 3 Community Safety and Public Protection
- Lot 4 Disabilities
including: Quality Impact Assessment
See Hear Training
- Lot 5 Driving
including: Young Drivers
Advanced Driving
Large Goods Vehicles
Minibuses
Reversing Assistant
Certificate of Professional Competence (CPC)
- Lot 6 Health and Social Care
including: Early Years and Childcare
Essential Learning for Care (skills, knowledge, codes of practice)
Health and Wellbeing (mindfulness, personal resilience, mental health awareness)
Looked After Children (LAC)
Social Care (moving & handling, personal safety, first aid, dementia, food hygiene, infection control, prevention & management of aggression & violence, medication, stroke awareness, falls prevention, end of life care)
Social Work
- Lot 7 Finance
- Lot 8 Health and Safety
- Lot 9 Housing
- Lot 10 Information and Communication Technology (ICT)
including: IT literacy, basic IT skills, applications training, advanced ICT
- Lot 11 Leadership and Management
including: Coaching and Mentoring
Facilitation
Simulation (role plays, practice sessions)
Mediation Skills

Business Continuity (including planning and exercises)

Lot 12 Learning and Teaching

including: Additional Support for Learning (ASL)
Learning and Teaching in Schools
Teacher CPD

Lot 13 Libraries

Lot 14 Programme and Change Management

including: Project Management
PRINCE 2

Lot 15 Parks & Greenspace, Roads and Transport

including: Plant and Machinery (abrasive wheels, excavators, grass cutting tools), Gardening

Lot 16 eLearning

including: Content management provision
Design of bespoke elearning modules

Lot 17 Further and Higher Education Qualifications

including: SVQs, HNCs, Degrees, Post Graduate Awards

Appendix 3 - Summary of the Tender Process

Tender	Open Framework Agreement for Learning and Development – Contract Ref: CT 2132
Framework Agreement Period	1 December 2017 to 30 November 2020 with the option to extend for a further twelve months
Estimated value of contract	£10,000,000 (total including extension)
Standing Orders observed	Open Procedure
EC Directives	2004/18/EC
Tenders Returned	113
Tenders fully compliant	113
Recommended Providers	See Appendix 1 (total: 110 providers)
Primary Criterion	Evaluation of Qualification Criteria
Evaluation criteria and weightings and reasons for this approach	Award onto the framework agreement is based on evaluation of qualification criteria. Mini-competitions will be weighted Quality (30%) Price (70%) and there will be a quality threshold of 50% as described in the report.
Evaluation Team	Council officers from HR with learning and development responsibilities.