

DELEGATED POWERS REPORT NO.

1719

SUBJECT:

Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing

All reports		
1. Governance Service receive draft report	Name of GSO Date	Andrew Charlwood 2/07/2012
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	John Murphy 03/07/2012
3. Finance clearance obtained (<i>report author to complete</i>)	Name of Finance officer Date	Kerry-Anne Smith 5.7.12
4. Staff and other resources issues clearance obtained (<i>report author to complete</i>)	Name of Resource officer Date	Lesley Meeks 10.7.12
5. Strategic Procurement clearance obtained (<i>report author to complete</i>)	Name of SPO Date	Lesley Meeks 10.7.12
6. Legal clearance obtained from (<i>report author to complete</i>)	Name of Legal officer Date	Philomena Jemide 2.7.12
7. Policy & Partnerships clearance obtained (<i>report author to complete</i>)	Name of P&P officer Date	Andrew Nathan 28.6.12
8. Equalities & Diversity clearance obtained (<i>report author to complete</i>)	Name of officer Date	Julie Pal 10.7.12
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Kate Kennally 26.6.12
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Jeremy Williams 13.7.12
11. Report published by Governance Service to website	Name of GSO Date	Jeremy Williams 13.7.12
12. Head of Service informed report is published	Name of GSO Date	
Key decisions only:		
13. Expiry of call-in period	Date	
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	

ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER (EXECUTIVE FUNCTION)

Subject **Authorisation to purchase The KEY online support service for schools as a single source supplier.**

Officer taking decision Director of Children's Service

Date of decision 13 July 2012

Date decision comes into effect 13 July 2012

Summary	This report seeks approval to purchase the online support service 'The Key' as a single source supplier for Barnet Partnership for School Improvement (BPSI) Schools.
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Officer Contributors Richard Griggs – Barnet Partnership for School Improvement Manager

Status (public or exempt) Public

Wards affected Not applicable

Enclosures None

Reason for exemption from call-in (if appropriate)

Key decision Yes/No

Contact for further information: Richard Griggs – Barnet Partnership for School Improvement (BPSI) Manager – 020 8359 6334

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1. RELEVANT PREVIOUS DECISIONS

1.1 None

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

2.1 Providing effective professional development opportunities for headteachers supports the Corporate Plan 2011/12 priority of 'a successful London suburb' and the Children and Young People Plan 2010/11 – 2012/13 priority of 'enjoy and achieve'.

3. RISK MANAGEMENT ISSUES

3.1 Where contractual arrangements are not in place, there is an increased risk of inadequate service provision or legal proceedings in the event of a dispute over the terms of the agreement or even cancellation.

3.2 There is risk involved in data sharing and not having a contract approved by the council in place. Therefore, a suitable contract with The Key will be drawn up and signed using the council's standard terms and conditions.

4. EQUALITIES AND DIVERSITY ISSUES

4.1 The provision of The Key supports the developmental needs of headteachers and senior leaders in schools who will be actively pursuing the equalities and diversity agenda in their schools.

4.2 As part of the procurement process due regard was given to our Public Sector Equality Duty (under section 149 of The Equality Act 2010). Contact between schools and The Key will be predominantly through the website therefore a review of the website was conducted and it was identified that the company's accessibility statement included options to address the needs of disabled customers.

5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

Finance

5.1 Payment for the provision of The Key will be through the Barnet Partnership for School Improvement (BPSI) budget. This is a traded service provided to schools. Any school within Barnet can purchase membership of BPSI. Current membership includes maintained schools as well as independent schools and a Free school.

Procurement

5.2 This Steering Group of BPSI consists of 10 Headteachers (at least 2 from each Network to ensure as many phases and types of schools as possible are represented); Assistant Director, Schools and Learning; Learning Network Inspector; Manager of BPSI. This group deliberates on specific procurement decisions.

- 5.3 Investigations were made of both 'Teachfind' and 'Teachersmedia'. 'Teachfind' is a simple 'Google type' educational search engine which provides links to educational resources and articles. It does not provide any interactive type facility. 'Teachersmedia' provides continuing professional development video resources. It too does not provide any interactive element. These services offered a 'passive' service with customers able to explore relevant articles/resources etc. These services did not meet the service requirements of the BPSI Steering Group in that the ability to interact with the service by asking specific questions was considered essential.
- 5.4 The Key was originally a service developed and provided by the Department for Education to provide educational advice and support for schools and local authorities. It has since moved outside of the DfE and is a commercial concern.
- 5.5 An investigation of the service offered by The Key revealed that it also provided an equivalent 'passive' service similar to 'Teachfind' and 'Teachersmedia' but also offered the unlimited option to ask specific questions of the service. These questions are then researched and responded to within 3 days. This additional 'active' element was considered to be a crucial and desirable component. It was felt that this service by The Key was unique as no other organisation is known to be offering this service.
- 5.6 The Steering Group of BPSI discussed membership of an online advice support service for senior staff in schools. The Steering Group considered that The Key membership would best meet schools' needs. The Steering Group directed the manager of BPSI to negotiate membership for a trial period with immediate effect up to 31/3/13 within agreed parameters.
- 5.7 The negotiation process with The Key included the following rejected offers:

	Base Offer	Offer A	Offer B
Based on 84 schools	£64,620 Includes £100 Joining Fee per school	£42,440 No Joining Fee & approx 25% Discount	£39,260 No Joining Fee & approx 30% Discount

The following offer was accepted:

	Offer C
Based on 84 schools	£35,000 No Joining Fee & approx 37.5% Discount

Performance and Value for Money

5.8 The initial agreement period is for a short time (approx 11 months) as The BPSI Steering Group wanted to test the product over a reasonable period before making a decision whether to enter into a possible longer term agreement at a later date. The Key's offer provides value for money and the product will be evaluated by users via the BPSI Satisfaction Survey in January 2013. This survey will collect information about:

- i) the number of schools that have used The Key;
- ii) whether The Key membership was useful;
- iii) whether The Key membership should be continued.

Based on the total survey returns above, 80 per cent on each question would be considered to be a positive response. If the Steering Group recommend continuation of the service then this would require the BPSI team to undertake a tender exercise in line with Contract Procedure Rules.

Staffing, IT and Property

5.9 It is not anticipated that there will be any Staffing, IT or Property implications.

Sustainability

5.10 Based on the views of users the Steering Group will decide whether to negotiate renewal of the membership with The Key for 2013/14 (see para 5.7). This may require an increase in fees for membership of BPSI for partner schools.

6. LEGAL ISSUES

6.1 A contract will be drawn up and signed with The Key using the Council's standard terms and conditions in accordance with the Council's Contract Procedure Rules.

7. CONSTITUTIONAL POWERS

7.1 Council Constitution, Part 4, Contract Procedure Rules Paragraph 6.11 regarding single source suppliers states that the competitive tendering provisions will not apply provided that the Director/Head of Service and Commercial Director approve the entry into the contract with the single provider and there is compliance with the Authorisation and Acceptance procedures.

7.2 Council Constitution, Part 3, Responsibility for Functions – paragraph 6.1 enables Chief Officers to take decisions without consultation with the Cabinet Member concerned where it is a decision authorised to be taken by the Chief Officer under

the Contract Procedure Rules, it is in respect of operational matters within the Chief Officer's sphere of managerial and professional responsibility and is not significant in terms of budget or policy.

- 7.3 Council Constitution, Part 4, Contract Procedure Rules – Table 5-1 sets out the authorisation and acceptance thresholds for new contracts. For contracts of between £25,000 and £74,999 the Director/Head of Service may authorise and accept the contract where tender/quotation is lowest or where tender/quotation represents value for money and is the best available option for the Council.

8. BACKGROUND INFORMATION

- 8.1 The Key is an online resource which provides school leaders with information, ideas and case studies in direct response to their questions. Members can ask unlimited questions on any aspect of school leadership and management. Each answer is published on The Key's website, and is then available to all members.
- 8.2 In April 2011 as part of the One Barnet initiative, a new traded service was established to drive school improvement within Barnet schools. BPSI is a traded service working within Schools and Learning. BPSI offers a training package to schools; advisory support within schools; and facilitates the exchange of good practice between schools.
- 8.3 A total of 92 schools chose to join the partnership for 2012/13 and bought the service via 'buy-back'. Eight schools that are members of BPSI had purchased independent membership of The Key prior to this decision.
- 8.4 BPSI has a Steering Group which includes representative headteachers. Some have experience with using The Key.
- 8.5 The Steering Group work closely with their headteacher colleagues and are responsive to ongoing feedback. This feedback influenced this purchasing decision and will influence future purchasing decisions.

9. LIST OF BACKGROUND PAPERS

- 9.1 None

10. OFFICER'S DECISION

I authorise the following action:

- 10.1 To purchase The Key until 31/3/13 as a single source supplier for BPSI schools.

Signed **Kate Kennally**

Date **13.7.12**