

## ACTION TAKEN BY CABINET MEMBER (EXECUTIVE FUNCTION)

**Subject** Duke of Edinburgh's (DofE) Award & Accredited Provision

**Cabinet Member** Leader of the Council

**Date of Decision** 3 October 2013

**Date of decision comes into effect** 11 October 2013

Summary	<p>This report seeks authorisation for the Council to:</p> <p>(1) Enter into the Operating Authority Licence Agreement with the DofE Award with effect from March 2014 when the current licence expires;</p> <p>(2) Authorising the use of other accreditations such as Asdans, AQA's, NOCN and NCFE and City &amp; Guilds accreditation programmes; and</p> <p>(3) Purchase e-dofe accounts, expedition places for Barnet's Open Award Centre and purchase/replace expedition equipment on behalf of the borough schools, academies and colleges for enrolments.</p>
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**Officer Contributors** Karen Ali, Operational Manager Programmes & Interventions  
Faith Robertson, DofE Award Co-ordinator, Youth & Community Service

**Status (public or exempt)** Public

**Wards affected** All

**Enclosures** None

**Reason for exemption from call-in (if appropriate)** N/A

**Key decision** Yes

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## **1. RELEVANT PREVIOUS DECISIONS**

- 1.1 Delegated Powers Report 944, Duke of Edinburgh's (DofE) Award Operating Authority Licence, 12 February 2010 – the Director of Children's Services authorised entering in to an Operating Licence Agreement with the Duke of Edinburgh Award Scheme (DofE) with effect from September 2010 to September 2013.

## **2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 2.1 The Corporate Plan 2013-16 includes the strategic objective to support families and individuals that need it, promoting independence, learning and well-being. The DofE award broadens the availability and access of qualifications for young people, supporting both the strategic objective and the Corporate Plan outcome to create better life chances for children and young people across the borough. The award is an inclusive programme available to 14-19 year olds (and up to 25 for young people with disabilities) and therefore it also supports two key priorities in the Children and Young People Plan 2013-16:
- to enable those with Special Educational Needs, Learning Difficulties and Disabilities and complex needs to achieve their potential
  - to offer opportunities for engagement and support, recognising the needs of the individual and supporting them to achieve.

## **3. RISK MANAGEMENT ISSUES**

- 3.1 The Operating Authority Licence can be revoked if the council fails to fulfil any of the provisions within the Licence. In order to meet the requirements of the Licence, Service Level Agreements (SLAs) or, in the case of independent schools (such as Academies), contracts incorporating the provisions of the SLAs (describing the general conditions and arrangements for co-operation between the parties) will be issued to all schools, academies, colleges and voluntary organisations that wish to deliver the DofE Award under the Barnet Operating Authority Licence. The liability of the Council under the Operating Authority Licence should be offset by all organisations delivering the DofE Award by complying with the recommendations under the Service Level Agreements (SLAs) or contracts as the case may be. The Licence/SLAs give clear guidance to organisations on methods of delivery, support given by local authority, and appropriate third party liability indemnity insurance. Officers will need to satisfy themselves that such insurance is in place with all schools, academies, colleges, Independent schools, voluntary organisations and individuals.

- 3.2 DofE provision provides opportunities for children and young people in the London Borough of Barnet including targeted delivered to vulnerable young people. If the Council did not enter to contractual arrangements for the DofE Award, this would have a direct impact on schools/academies/colleges within the borough in terms of curriculum pathways into further education or employment.

#### **4. EQUALITIES AND DIVERSITY ISSUES**

- 4.1 Under current Equalities legislation the Council and all other organisations exercising public functions on its behalf are required, when exercising such functions, to have due regard to the need to:
- i) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited under the Equality Act 2010;
  - ii) advance equality of opportunity between those with a protected characteristic and those without;
  - iii) promote good relations between those with a protected characteristic and those without. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.
- 4.2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
  - iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 4.3 Having 'due regard' means:
- i) consciously thinking about the three aims as part of the decision-making process;
  - ii) that an incomplete or erroneous appreciation of the duties will mean that due regard has not been given to them; and
  - iii) that the duty must be exercised in substance, with rigour and with an open mind.

4.4 This duty, also, applies to a person, who is not a public authority but who exercises public functions and therefore must, in the exercise of those functions, have due regard to the general equality duty. This includes any organisation contracted by a local authority to provide services on its behalf.

4.5 The Duke of Edinburgh Award is an inclusive accredited programme for young people aged 14-25 (including young people with Learning Disabilities). The programme supports the Council's statutory equalities obligations and a wide range of young people of different ethnicities, ages and genders can access the programme.

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

**5.1 Performance & Value for Money and Sustainability:**

The DofE Award is a buy-in service offered to all Barnet schools/colleges, academies and voluntary organisations under the Council's Traded Service agreement. There is a core DofE budget of £84.5k within the Children's Service – Youth & Community budget to cover staff costs. Additional running costs are recovered through the income generated as the award is self-sustaining. All schools/academies/colleges have a Service Level Agreement (SLA) to ensure payments are made.

**5.2 Finance - breakdown in below**

Company	Item	Procurement Single Source Supplier Competitive Quotation See para 5.8	Estimated Cost per annum	2 year Spend	Full 4 year (including optional extensions)
Single Source Supplier Companies will automatically be given 4 year contracts					
DofE Participation Costs					
The Award Scheme Ltd	DofE Operating Licence Fee (for the period commencing April 2013 to March 2017)	Single Source Supplier	£ 2,800*	£ 5,600	£ 11,200
The Award Scheme Ltd	e-dofe Participation Places (for the period February 2013 to September 2017)	Single Source Supplier	£ 40,000	£ 80,000	£160,000
Other Accreditation Costs - 1 April 2013 – 31 March 2017					
Asdan	Accreditation Scheme	Single Source Supplier	£ 25,000	£ 50,000	£100,000

National Open College Network (NOCN)	Accreditation Scheme	Single Source Supplier	£ 25,000	£ 50,000	£100,000
NCFE and/or City & Guilds	Accreditation Scheme	NCFE City & Guilds Single Source Suppliers	£ 25,000	£ 50,000	£100,000
AQA	Accreditation Scheme	Single Source Supplier	£ 25,000	£ 50,000	£100,000
All companies below will have to enter into a Competitive Quotation Process in 2015 for possible 2 year extension of contract					
A to Z Expeditions	Expedition Costs	Competitive Quotation	£ 62,500	£125,000	£250,000
The Duke of Edinburgh's Award (London)	Inclusive Expeditions/Residentials	Competitive Quotation	£ 60,000	£120,000	£240,000
Kingswood Holiday Centre	Expedition Costs	Competitive Quotation	£ 5,000	£10,000	£ 20,000
St Margarets Travel	Coach Hire	Competitive Quotation	£ 27,000	£54,000	£108,000
DofE Expedition Equipment Purchase & Maintenance Costs					
Access Expeditions	Kit Purchases	Competitive Quotation	£ 20,000	£40,000	£ 80,000
<b>Annual Estimated Expenditure Total:</b>			<b>£ 317,300</b>		
<b>2 year Estimated Expenditure Total :</b>				<b>£634,600</b>	
<b>Including 2 year Optional Extension Expenditure Total:</b>					<b>£1269,200</b>

*\*Subject to annual increase at rate of inflation*

It should be noted that the costs above mentioned are estimated only and therefore may vary depending on up take from schools/academies/colleges. Similarly the dates above mentioned are not fixed and retain flexibility.

- 5.3 **DofE Participation Costs:** All young people must enrol in advance through the e-dofe online website via the Council. The Youth & Community Service currently has a £10 administration fee on enrolment fees to cover the administration of enrolments, monitoring and certification. Bronze & Silver level will cost £25 (£10 administration) and Gold level will cost £32 (£10 administration).
- 5.4 **DofE Expedition Equipment:** The London Borough of Barnet has a stock of expedition equipment which is hired out to young people in the borough attending expeditions through the schools/academies,

colleges, voluntary sector organisations and individuals. The hire charges of £25.00 - £30.00 per participant supports maintenance costs for equipment and where possible renewal of equipment. The hire charge supports young people in the borough to carry out their expedition avoiding excessive kit purchases.

- 5.5 **DofE Expedition Place Purchases:** As part of the DofE Award expeditions are a necessary part for the completion of each award level; Bronze level includes a 3 day walking expedition with 1 day planning and route planning and 2 day assessed expedition. Silver level includes a 4 day walking expedition with 1 day preparation and route planning and 3 day assessed expedition. Gold level includes a 4 day walking expedition.

All expedition costs are reimbursed by young people as the cost for places are subject to payment by individuals participating therefore no additional cost falls upon the London Borough of Barnet for the expeditions. Contracts for expedition payment will be held with schools/academies/colleges/voluntary organisations to ensure payments are made and all monies are paid.

- 5.6 Additional Accreditations schemes such as Asdans, AQA's, NOCN, NCFE and/or City & Guilds will also be delivered. ASDAN (Award Scheme Development and Accreditation Network) are a charitable social enterprise with awarding body status who provide courses to schools/colleges, youth centres and training providers. AQA (Accredited Quality Assessor) are an education charity and provider of qualifications and support services. NOCN (National Open College Network) are a provider of qualifications from entry level to Level 4. NCFE and City & Guilds are national awarding organisations and providers of qualifications.

## 5.7 **Procurement**

**DofE Participation Costs:** The licences can only be purchased from Award Scheme Limited (ASL), DofE Trading Arm, this is the only distributor within the country as all licences are sold directly through the DofE Award therefore this company is a single source supplier.

- 5.8 **DofE Expedition Place Purchases:** The Youth & Community Service currently uses several of the named suppliers, the following reasons for contractual agreements with each company were carried out:

A to Z Expeditions: Schools/academies/colleges were contacted to submit names of expedition companies currently being used within the borough for competitive quotation sourcing by the Youth & Community Service for booking 2014 Expeditions.

There were five company names submitted, four of which were contacted by the Youth & Community Service requesting quotations. All companies responded to the request. A to Z Expedition's quotation

was the most competitive for pricing and the level of detailed information submitted was of the higher standard, this along with previous high standard delivery made a clear decision on the company to be used for next season.

**Kingswood Holiday Centre:** This company was researched previously through positive activities as a venue for residentials for young people. It has been used as part of the DofE Expedition training format previously and may be used for other accreditation programmes in the future. Competitive quotations were sourced by the Youth & Community Service previously, along with the specialist activities held by the company it was cleared that this company was the most appropriate to use.

**St Margarets Travel:** This coach company have been sourced through a competitive quotation process undertaken previously by the Youth & Community Service through the Positive Activity Programme. Originally, the travel arrangements for the DofE Expeditions were made through Barnet Community Transport and other travel providers who failed to meet the criteria for our Health & Safety due-diligence requirements. St Margarets Travel were taken on and remain as the priority choice for due-diligence purposes as well as competitive pricing.

- 5.9 **DofE Expedition Equipment:** The Youth & Community Service previously have tested the market through four high street outlets who were unable to provide the following: competitive prices, high quantity deliveries and fast turn over within a 24 hour period.

**Access Expeditions:** Have been through the competitive quotation process on several occasions and provide a higher quality service that fits the requirements needed. This company provides expedition equipment on a large scale for school/academy/college requirements.

- 5.10 **Additional Accreditations such as Asdans, AQA's, NOCN, NCFE and City & Guilds:** These accreditations specifically aimed at developing a quality and professional delivery framework to support and expand opportunities to young people who are unable to commit and widens the opportunity for all young people to achieve an accredited outcome beyond the DofE Award and supports the core curriculum through experiential learning. The companies named are all since source suppliers. Therefore no competitive quotations can be sourced. All products are nationally recognised as a pathway to further education and employment which are used by the borough schools/academies/colleges/voluntary groups and Youth & Community Service.

## **6. LEGAL ISSUES**

- 6.1 All licences agreements & contracts entered by the Council pursuant to the provisions of this Report must first be vetted/advised upon by the Council's legal advisers prior to signing/completion.

## **7. CONSTITUTIONAL POWERS**

- 7.1 Council Constitution, Part 3, Responsibility for Functions, Section 4, Responsibility for Executive Functions – Section 4.2 details the responsibility of individual Cabinet Members and provides that the Leader of the Council may discharge any function of the Executive. Due to the requirement for expedition arrangements to be in place by September 2013, the Leader of the Council is utilising his power to discharge any function of the executive to ensure that the relevant contractual arrangements are and these is continuity of service.
- 7.2 Council Constitution, Contract Procedure Rules, Section 9, Single Tender Action – details that a single tender action or commitment is not allowed unless approved in advance by the Commercial Lead. Detailed guidance is referred to in the Procurement Code of Practice (Section 15.7). The following suppliers are being sourced via a Single Tender Action as these organisations have exclusive rights and the only parties that are able to operate the contracts:
- The Award Scheme Ltd (for the DofE Operating Licence Fee and e-dofe Participation Places);
  - The Duke of Edinburgh's Award (London Office);
  - Asdan;
  - National Open College Network (NOCN);
  - NCFE and/or City & Guilds; and
  - AQA

The Commercial Lead has approved the Single Tender Actions detailed above.

- 7.3 Council Constitution, Contract Procedure Rules, Section 17, Appendix 1, Table A – details the procurement method, acceptance process and acceptance documentation for procurements for contacts with a value up to £25,000, the procurement method is a reasonable means of selection including budget authorisation and procurement trail. For contracts with a value between £25,001 and £173,934, a minimum of two written competitive quotations should be received. Details of the procurement methods used for the following contracts is set out in Section 5 of this report:
- A to Z Expeditions;
  - Kingswood Holiday Centre;
  - St Margarets Travel; and
  - Access Expeditions



- 7.4 Whilst the individual contracts contained within this report could be taken under various levels of delegated authority (as set out in the Contract Procedure Rules), the aggregated value of all the contracts for approval is £1,106,200 for the total contract period (including any extensions). Section 17 of the Contract Procedure Rules (Appendix 1, Table A) states that Cabinet Members can accept contracts with a value over £500,000.

## **8. BACKGROUND INFORMATION**

- 8.1 The DofE Award is a long standing accreditation which is formally recognised within further education and the business sector as an alternative way of accrediting young people's contribution beyond the core curriculum. Schools, academies, colleges and businesses have shown that the DofE Award is valued and recognised as it is still in demand after 50 years. At the present time the schools and colleges have an estimated 100 students applying per academic year.
- 8.2 The Youth & Community Service DofE Programme is now focusing on other areas as the enrolment interest is increasing year upon year without any support required for promotional purposes. DofE Completions are essential to ensure that young people achieve an accreditation to support applications to further education and employment opportunities therefore the DofE Delivery management through the schools/academies and colleges is focused around the completion success to ensure best practice on behalf of young people in the current climate is met and maintained within the long term success of the DofE Award delivery as an alternative educational achievement.

## **9. LIST OF BACKGROUND PAPERS**

- 9.1 Delegated Powers Report 944, Duke of Edinburgh's (DofE) Award Operating Authority Licence, 12 February 2010:  
<http://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=2055>

## **10. CABINET MEMBERS DECISION**

- 10.1 **I authorise the following action:**  
**In keeping with the provisions set out in this report, the Council enters into:**
- 1. An Operating Authority Licence Agreement with the Award Scheme Limited**
  - 2. Contracts respectively in respect of Asdans, AQA's, NOCN and NCFE and/or City & Guilds**

3. **A contract with the Award Scheme Limited (ASL) for the e-dofe online accounts for enrolments on the DofE Award.**
4. **Contracts with: (i) A to Z Expeditions; (ii) The DofE Award London Regional Office; and (iii) Kingswood Holiday Centres for expedition places until March 2017.**
5. **A contract with Access Expeditions for the provision of expedition equipment.**
6. **A contract with St Margarets Travel for the hiring of coaches for expeditions**

**Signed      Councillor Richard Cornelius**

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**Leader of Council**

**Date          3 October 2013**

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