

Birmingham City Council

Report to Cabinet

13 February 2024



Subject: **WMCA GRANT FUNDING: PROVISION OF ENTERPRISE CO-ORDINATOR SERVICES & CAREERS HUB IN BIRMINGHAM**

Report of: **Sue Harrison, Executive Director Children and Families**

Relevant Cabinet Member: **Cllr Sharon Thompson, Deputy Leader**

Relevant O &S Chair(s): **Cllr Sir Albert Bore, Chair of Co-ordinating O&S Committee**

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 012422/2024		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report seeks approval for acceptance of Grant Funding from West Midlands Combined Authority (WMCA) and deployment of this funding to Birmingham Education Partnership to enable 'provision of Careers & Enterprise Co-ordinator Services' in Birmingham.
- 1.2 Birmingham Education Partnership (BEP) has been the sole provider of Enterprise Co-ordinator and Careers Hub Services in Birmingham since 2018/19, contracting

directly with the Careers & Enterprise Company (CEC); with most of the requisite match funding provided by GBSLEP. Through the LEPs' Review and integration process, the WMCA, CEC and GBSLEP decided that the CEC contracts will be held regionally by WMCA going forward.

- 1.3 In 2023/24, WMCA decided to offer CEC grant funding to the City Council for the provision of local Enterprise Co-ordinator Services in Birmingham. To deploy this grant funding without any delivery gap, The Council will need to a) enter into an agreement with WMCA for delivery of the Enterprise Co-ordinator Services and b) enter into a back-to-back Agreement with BEP to pass down the obligations under the WMCA/Council agreement to BEP. Birmingham City Council wish to seek approval to consequently enter into a back-to-back Agreement with BEP (as the sole provider in the area) to continue this delivery in the 2023/24 academic year. BEP are currently delivering this service at risk, outside of a contract. This delivery will complement the Birmingham Careers Service direct support to schools and young people in education.
- 1.4 The £347,355 grant funding for the delivery of the Birmingham Careers Hub and Enterprise Co-ordinator Services includes support to schools and students for the period: 1 September 2023 to 31 August 2024. The grant funding can only be used for designated salary costs towards posts either 50% match funded or fully funded, in addition to providing a Local Hub Fund & Teacher Encounters Fund to respectively, help meet the Careers and Gatsby Benchmark KPI's and provide teacher development for careers education.
- 1.5 **This Cabinet Report is directly linked to the Cabinet Report** for 'WMCA Grant Funding: Commonwealth Games Legacy (CWGL) Enhancement Fund - wider Jobs & Skills & Wellbeing activity'. Part of Birmingham's CWGL Fund's activities will provide £171,545 match funding requirement for the remaining 50% towards Enterprise Co-ordinator Services' salary costs.

Therefore, the total revenue value of the Council's subsequent back-to-back Agreement for the period 1 September 2023 to 31 August 2024 will be £518,900.

2. Recommendations

It is recommended that Cabinet provides:

- 2.1 Approval for Birmingham City Council to enter into an Agreement with and accept the grant funding from WMCA for the Careers & Enterprise Company provision of Enterprise Co-ordinator Services in Birmingham.
- 2.2 Authorisation, in respect of BEP - for a negotiated procedure of contracts without competition to commence in accordance with the Procurement and Contract Governance Rules.
- 2.3 Approval for award of contract following negotiations conclusion. To prevent further contracting delay, Cabinet is also requested to consider confirming that delegated

approval to the Deputy Leader could be permitted at pre-procurement stage, rather than requiring a Contract Award Report for Cabinet Approval.

- 2.4 Approval to consequently enter into a back-to-back Agreement with BEP to provide the Careers Hub and Enterprise Co-ordinator Services in Birmingham, subject to and following the satisfactory conclusion of negotiations as above.
- 2.5 Delegation of authority to the Deputy Leader to work with the Executive Director for Children and Families, and the Chief Finance Officer, Finance & Governance to accept the funding offer and enter into the Agreements.
- 2.6 Authorisation to the City Solicitor to execute and complete all necessary legal documents to give effect to the above recommendations, including noting the satisfactory negotiation for Contract Award by the Head of Procurement.

3. Background

- 3.1 The Careers and Enterprise Company (CEC) delivers employer focused careers support within schools across the country. This is done through a network of Enterprise Coordinators and engaged Cornerstone Employers. In most areas it is delivered through Local Enterprise Partnerships (LEPs) but in Birmingham this provision was delivered through Birmingham Education Partnership (BEP) due to Greater Birmingham and Solihull LEP (GBSLEP) covering several education authority areas. Prior to the 2023/24 school year, BEP held the direct CEC contract with match funding being provided by GBSLEP.
- 3.2 Following the LEP Review process and subsequent LEP integration, the CEC contracts in the West Midlands are held by WMCA. Due to the nature of the LEP Review process in the West Midlands, WMCA has made the decision to deliver some of the CEC contract regionally (where appropriate) and to sub-contract most of it to Local Authorities to deliver in each appropriate geography. The sub-contracted allocations are based on CEC engaged schools in each local authority area, accordingly Birmingham has been assigned a share of WMCA CEC funding.
- 3.3 WMCA has provided Birmingham with £347,355 grant funding in the school year 2023/24 to mainly employ appropriate hub leadership and Enterprise Co-ordinator roles and to administer a flexible pot of funding. Some of these roles are fully funded while others are 50% funded. The remaining £171,545 match funding is requested from the grant recipient: in this case Birmingham City Council. A decision has been made to allocate this match funding from the theme: 'regional careers activity for 14–19-year olds' in the CWGL Funding, to relieve budget pressures on the Council.
- 3.5 The CEC funding is intended to provide all Secondary Schools and Colleges with support to achieve a series of targets and KPIs related to the Gatsby Framework for Careers Education. This will be achieved by working with Senior Leaders within institutions and the business community to create opportunities for all students to experience the world of work and gain encounters with local and national

employers. Additional funding has been allocated to provide targeted support to those schools with a high percentage of students on Free School Meals (FSM).

- 3.6 Following discussions with legal services and procurement regarding the urgency to swiftly provide a back-to-back Agreement with BEP due to a 3-month CWGL Agreement provision delay, authorisation for a negotiated procedure of contracts without competition to commence in accordance with the Procurement and Contract Governance Rules has been requested. The Agreement award exceeds £500k revenue for the supply of services, and the justification for a negotiated procedure request made to Cabinet is by reason of circumstance vii) ‘the activities are of a specialised nature which are carried out by only one supplier, and it can be evidenced that there is no reasonably satisfactory alternative available’. More detail is available in **Appendix 1**.

4. Options considered and Recommended Proposal

- 4.1 The proposal for Enterprise Co-ordinator and Careers Hub Services in Birmingham has been developed in consultation with CSLT, Birmingham Careers Service, WMCA and BEP. The grant Agreement has already been provided by WMCA. Accordingly, the options available are:

- Accept the grant funding offer, through the executing of the deed.
- Reject the offer through not executing the deed.
- Look to redesign the offer in some way.

- 4.2 The latter two options are not possible due to the specificity of the requested provision of Enterprise Co-ordinator Services, contractual delivery requirements having already commenced on 1 September 2023, and the potential time constraints in finding an alternative delivery vehicle or method. Rejecting the offer could also mean loss of Birmingham City Council’s involvement with the £347,355 CEC Enterprise Co-ordinator Services grant funding; this supports employer involvement and careers support targeting interventions at schools and for economically disadvantaged young people (Free School Meals (FSM)) and those who face barriers. Accordingly, it is recommended that Cabinet Member approves the acceptance of the funding offer and executing of the associated deed.

5. Consultation

- 5.1 Consultation within BCC (and externally) relating to this proposal was extensive throughout 2023, with Cabinet Member Briefings taking place and CSLT being briefed and approving of activity. Consultation has also taken place in depth with Birmingham Careers Service, WMCA and BEP to determine an optimum approach related to this transitional year.

6. Risk Management

- 6.1 All risks associated with this project will be appropriately managed through the appropriate governance systems of Birmingham City Council.

6.2 The delivery proposal has been developed in such a way to note any risk and delivery and minimise that risk, through specific CEC contractual and delivery plan activity and BCC staff involvement in Project Management.

6.4 Section 151/spend control approval received in relation to CEC Enterprise Co-ordinator Services Funds on 26 September 2023 and Commonwealth Games Legacy (CWGL) Enhancement Fund – ‘wider Jobs & Skills & Wellbeing activity’ (including match funding element for CEC Funds) on 03 November 2023.

7. Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council’s priorities, plans and strategies?

7.1.1 As the proposal is essentially adding value to BCC provision to careers and to young people in education, it is designed to be consistent with strategies, plans and priorities. These include:

- Breaking Down Barriers: in overcoming those barriers faced by young people in addressing careers, employment and skills issues.
- Social Value/Good Employment: a key part of the project relates to employer engagement and the Cornerstone Employer Group involvement and activity to support knowledge of careers to School Career Leaders and economically disadvantaged young people (Free School Meals (FSM)) and those who face barriers. Social value and good employment support are being developed via the EA Team to ensure involvement of key employers and work opportunities in the CEC project activity.
- Levelling Up: pilot project activities are being developed to support young people and schools in the East Birmingham North Solihull Levelling Up Zone and help to identify activities that make a strong influencing difference to careers support.

7.2 Legal Implications

7.2.1 Legal implications are all outlined and addressed in the associated grant deed and acceptance thereof.

7.2.2 Section 151/spend control approval received in relation to CEC Enterprise Co-ordinator Services Funds on 26 September 2023 and Commonwealth Games Legacy (CWGL) Enhancement Fund – ‘wider Jobs & Skills & Wellbeing activity’ (including match funding element for CEC Funds) on 03 November 2023.

7.2.3 Legal advice is taken in respect of the WMCA Agreements, and the back-to-back Agreement being prepared to deploy the Enterprise Co-ordinator Services Funds. Obligations regarding delivery of the service are to be passed on to BEP under the back-to-back Agreement. Despite sitting within the Children and Families directorate there are no aspects of education law within this proposal and therefore

legal advice will be sought from Legal Services whenever appropriate throughout the project's lifetime.

- 7.2.4 Under the general power of competence set out in Section 1 of the Localism Act 2011, a Local Authority has a general power to do anything that individuals generally may do. The Council has the power to enter into the arrangements set out in this report and they are within the boundaries and limits of the general power of competence Section 2 and 4 of the Localism Act 2011.

7.3 Financial Implications

- 7.3.1 This proposal will see a total £518,900 investment in careers and enterprise co-ordinator activity in Birmingham via the Council's subsequent back-to-back Agreement for the period 1 September 2023 to 31 August 2024.
- 7.3.2 Section 151/spend control approval received in relation to CEC Enterprise Co-ordinator Services Funds on 26 September 2023 and Commonwealth Games Legacy (CWGL) Enhancement Fund – 'wider Jobs & Skills & Wellbeing activity' (including match funding element for CEC Funds) on 03 November 2023.

7.4 Procurement Implications (if required)

- 7.4.1 Procurement advice has been sought in relation to swiftly deploying the £518,900 funding relating to CEC Enterprise Co-ordinator Services to meet the timescales involved, whilst complying with appropriate procurement rules and regulations.
- 7.4.2 The recommended solution is to seek authorisation for a 'negotiated procedure of contracts without competition' to commence in accordance with the Procurement and Contract Governance Rules, and Regulation 32 of the Public Contract Regulations 2015: based on there being one single delivery organisation. The activities are of a specialised nature which are carried out by only one supplier, and it can be evidenced that there is no reasonably satisfactory alternative available. The approval for award of contract will follow the conclusion of satisfactory negotiations. **See Appendix 1.**

7.5 Human Resources Implications (if required)

- 7.5.1 BCC staff will be involved in the project management of the Agreement, co-ordination with internal services, and partnership liaison with the single delivery organisation appointed, as well as other associated duties. The BCC staff involved comprises permanent, fixed term and agency workers. Staffing costs are supported with agreed management costs applied to eligible external grant funding.
- 7.5.2 BEP commenced delivery activity involving 7.5 FTE existing CEC Enterprise Co-ordinator staff roles on 1 September 2023 to ensure career services continued from the last academic year.
- 7.5.3 The recruitment, redeployment or termination of any staff or workers involved with the project will be in line with BCC policy and contractual obligations and/or the

relevant employer's policy and contractual obligations for non-BCC staff or workers.

7.5.4 Section 151/Spend Control approval received for the BCC Employment and Skills staffing team was granted on 26 September 2023 for the period January to March 2024 and on 12 December 2023 for the 2024/25 year costs.

7.6 Public Sector Equality Duty

7.6.1 Public Sector Equality Duty will be embedded in all activity associated with this proposal. This Duty will be undertaken in each aspect of delivery as it seeks to remove barriers and ensure equality of opportunity and prosperity in relation to all employment, careers and skills activities.

7.7 Environmental and Sustainability Implications

7.7.1 Embedded within all activities will be environmental and sustainability implications and the opportunities to improve wherever possible.

7.7.2 Young People or School Careers Leaders travel to and attendance at employers' workshops, private sector and workforce safaris and careers events will consider and reduce the environmental and sustainability impacts in their planning, delivery and activities.

8. Appendices

8.1 **Appendix 1** - Negotiated Procedure Contract Report for CEC Enterprise Co-ordinator Services

8.2 **Appendix 2** - Equality Impact Assessment

8.3 **Appendix 3** - Environmental Impact Assessment

9. Background Documents

- Department for Education Career Guidance Strategy & Good Careers Guidance – 8 Gatsby Benchmarks at its heart - December 2017