

**REPORT TO EDUCATION AND CHILDREN'S SERVICES COMMITTEE –
29 AUGUST 2019**

**SUPPLEMENTARY DIRECTORATE WORK PLAN – PROCUREMENT APPROVAL
ABERDEEN FOOTBALL CLUB COMMUNITY TRUST (AFCCT)**

1 Recommendations

The Committee is recommended to:

1.1 Note the Director of Education and Children's Services used the delegated powers narrated at Section 3 of this report to approve the addition of a new contract with Aberdeen Football Club Community Trust (AFCCT) as an item on the Education and Children's Services Work Plan and approved the associated Business Case by reason of special urgency.

2 Background / Discussion

- 2.1 Schools in Aberdeenshire have allocated part of their Pupil Equity Funding (PEF) to engage the services of AFCCT to great effect over the last session. When the PEF allocations for 2019-20 were communicated, schools in the Peterhead, Fraserburgh and Turriff clusters advised their intention to use AFCCT's services again this session. The total expenditure for PEF funded activities with AFCCT is estimated to be £150,000 in the financial year 2019-20. This is the estimated contract value. At this time, the work plan item is for one year. If the contract is to be extended, the item will have to be added to next year's work plan.
- 2.2 The Scottish Government provides PEF to schools with the most deprived pupils to enable them to address the attainment gap. This involves our most vulnerable pupils and in order to support such pupils, some of the expenditure took place during the summer break, prior to the next available Education and Children's Services Committee meeting on 29 August, 2019.
- 2.3 AFCCT will deliver Health and Wellbeing programmes across Aberdeenshire schools. These programmes will consist of a number of elements including whole school skills development, resilience building, breakfast clubs and transition activities. AFCCT tailor programmes to meet the unique and specific needs in each establishment and it is not believed this could be achieved by another service provider.
- 2.4 It was essential the summer holiday sessions progressed to ensure the schools adhere to PEF plans and meets the needs of some of the most vulnerable pupils in Aberdeenshire. Failure to hold these sessions would have put the pupil's progression at risk and result in the school not adequately spending their PEF allowance. Of particular concern was that most of the pupils involved in the summer activities are living in food poverty. Therefore, they have no access to school lunches, which, in many cases, is the only

meal of the day. Not having the activities provided by AFCCT available will greatly affect their wellbeing.

- 2.5 Head Teachers are required to report on the effectiveness of their PEF spending and what impact this has had on these pupils. It has been identified that if the summer activities didn't go ahead, this would have had a detrimental impact on particular pupils.
- 2.6 The Director of Education and Children's Services therefore considered the award of the contract to AFCCT a matter of special urgency and used his delegation, as outlined in section 3 of this report, to approve the supplementary work plan at Appendix 1 and the Business Case at Appendix 2. The use of the specific delegation means that the AFCCT contract was added to the Directorate Work Plan which was approved on March 21, 2019. The approval of the Business Case means that Financial Regulation 5.3.12 has been complied with and the Head of Resources and Performance can proceed to make direct award of contract to AFCCT.
- 2.7 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments have been incorporated. They are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The Scheme of Governance allows a decision to be made by specific chief officers on any matter which ordinarily requires to be determined by the Council or a committee but, by reason of special urgency, it is impractical to convene a meeting of Full Council or the relevant committee to make the decision. Sections B1 and B2 of the Specific Delegations to Officers, as set out in Part 2B of the Scheme of Governance, are applicable to this report.
- 3.2 Section B2 provides that any decision taken by the Delegated Officers shall be taken following consultation with the Chief Executive and Chair, Vice-Chair and the main opposition spokesperson of the Education and Children's Services Committee. This took place during the week commencing 1 July, 2019.
- 3.3 Section B3 provides that the decision taken by the Delegated Officer using this delegation will be reported to the next meeting of the Education and Children's Services Committee (on August 29, 2019).

4 Implications and Risk

- 4.1 An equality impact assessment has been carried out as part of the development of the proposals set out above. There will be a positive impact for all pupils involved as the project builds resilience, self-esteem and confidence, improves fitness and knowledge of healthy living and eating, improves behaviour, reduces exclusion and improves attendance.
- 4.2 There are no staffing and financial implications. If there are any staff absences, AFCCT will ensure there is a replacement at no additional cost.

4.3 The following risks have been identified as relevant to this matter on a Corporate Level:

- Working with other organisations – Discussing pupil progress with representatives of AFCCT.
- Reputation Management – Considerable ongoing expenditure with AFCCT.

<https://aberdeenshire.sharepoint.com/sites/Arcadia/services/Documents/Legal/Governance/Aberdeenshire%20Corporate%20Risks%20pdf.pdf#search=risk%20register?CT=1565810855006&OR=OWA-NT&CID=2ae31f41-9395-4ce2-5eed-94d6938d29dc>

Laurence Findlay
Director of Education and Children's Services

Report prepared by Simon Clunie – CSN Support Services Coordinator – Peterhead Network
August, 2019

APPENDIX 1

EDUCATION AND CHILDREN'S SERVICES WORK PLAN – 2019/20

B.Organised Contract Reference	Service	Contract Name	Contract Description	Est Contract/Contract Extension Start Date	Est Contract/Contract Extension End Date	Maximum Extension Period (Months)	Value to be approved by this Committee	Total Contract Value (inc all options & extensions)	Area(s) Contract Covers
000-YUFY4397	ECS	AFCCT	Contract for provision of a programme of intervention designed to meet and indeed, be responsive to the identified needs of individual pupils living in deprivation; addressing challenges such as mental health and wellbeing, emotional regulation and the development of resilience strategies.	05.07.2019	One Year	One Year*	£150,000	£150,000	All

*We understand a direct award is being looked at going forward.

PROCUREMENT BUSINESS CASE (For proposed procurements £50k and above)

Version 1.2

Procurement / Contract Title	Aberdeen Football Club Community Trust (AFCCT) Health and Wellbeing PEF Initiative	
B.Organised Contract Ref. No.	000-YUFY4397	
Service	Education and Children's Services	
Lead Officer	Linda Strachan	Date prepared: 12/6/19
1. Brief Description and Rationale		
Please briefly outline your business requirement(s). Include information on:		
Type of requirement – description of need. Goods/Services/Works – or combination of these.	Services – Aberdeen Football Club Community Trust will deliver a Health and Wellbeing Programme across Aberdeenshire Schools. Programmes will be tailored to meet the needs of particular pupils in each establishment. The programme will consist of a number of elements, i.e. whole school skills development, building resilience for vulnerable pupils, breakfast club and transition activities etc.	
Whether there is a current structure/contract delivering some or all of the requirements.	No.	
Information on those contracts - start date, end date, value, scope.	N/A.	
Key stakeholders – Services, consumers, communities, suppliers etc.	Aberdeenshire schools ECS	
Options considered for procurement and option proposed – tender, framework, reserved contract, collaborative opportunity, etc.	<p>In-house – within schools, however, there is not the staff, resources or expertise to provide this service.</p> <p>Open tender – There is no other supplier/organisation that can provide this bespoke service at present.</p> <p>Direct Award to AFCCT, as it has tailored programmes to meet the unique and specific needs. It has been demonstrated that this could not be achieved by another local service provider.</p>	
Confirmation that the Head of C&PSS has been consulted	Consulted with Melanie Mackenzie, Category Manager for Education, Leisure, Healthcare, Food & FM.	
2. Business need		
Please indicate the broad reasons for your proposed procurement in terms of the following categories:		
Legal/statutory obligations (please define legislation).	N/A	
Links to delivering the Community, Council and Service strategies	<p>This programme will promote Partnership working as the transition element will facilitate partnerships with local primaries, Academy and other local partners, as appropriate.</p> <p>This programme will promote Parental Involvement, as the service includes daytime and evening parental engagement sessions.</p> <p>This programme will enable schools to deliver the Pupil Equity Fund (PEF) Agenda, by enabling them to meet the social and</p>	

emotional needs of their most vulnerable pupils, thus leading to raised attainment and achievement.

3. Business Impact

Please indicate below how you anticipate that the requirements, if met, would contribute to a positive business impact (please outline any known financial savings, customer service benefits, benefits to the service, impact on Council plan or priority etc.)

By using AFCCT to provide this service, schools can ensure that the progress of the programme is not hampered by staff shortages, thus pupils will not be negatively impacted by interruption to their learning and development. AFCCT have a wealth of knowledge, expertise and resources at their disposal that schools simply do not have. Therefore, using AFCCT to deliver these programmes will result in identified pupils having Health and wellbeing experiences that could not be delivered by the school.

4. Assessment of Business Impact

Please define clearly how you propose to measure and benchmark the benefits set out in item 3 to justify the investment. These will be used later by you to track, monitor and measure the delivery of the benefits and assess the overall success of the project in achieving its objectives.

Schools use data to identify PEF pupils. In addition to this, schools use their knowledge of pupils and their families to identify more pupils who will benefit from the programme. These pupils' progress will be tracked and monitored throughout the course of the programme to ensure that the programme is having the desired impact – with adjustments to the programme being made as necessary. The pupils will be tracked using individual progress trackers and the SHANARRI Wellbeing Indicators.

5. Potential for Reduction in Required Resources

Please define the existing resources involved and describe how your proposed procurement will reduce the resources required to deliver the service or make more efficient use of these.

At present, Nurture Teachers spend significant time supporting pupils with developing resilience. In addition to this, Class Teachers, Pupil Support Assistants and the Management Teams spend significant time 'dealing' with playground incidents, thus impacting on teaching and learning time. The Positive Playground element of the AFCCT programme will support the reduction in school resources required to manage the playground, thus resulting in more teaching and learning time for all pupils. In addition to this, Class Teachers and Nurture Teachers will work alongside AFCCT staff to develop their own expertise, thus making the programme legacy sustainable.

6. Financial Implications Summary (Capital and Revenue)

Note: A detailed financial breakdown is encouraged. It shall be prepared separately and appended to this business case. If in doubt please contact the Finance Department for assistance as necessary

Existing Contract (If Applicable) including any extension(s)	£000's	£000's
Total Contract Value		
New Procurement / Contract		
Total Estimated Value - Initial Contract Term		£150 000
Total Estimated Value – Extension Period(s)		£000
Total Estimated Contract Value		£150 000

6a. Notes and Assumptions on Financial Implications

N/A.

7. Procurement & Implementation

Please state the estimated start date for the procurement exercise including a procurement timeline and details of the proposed contract/contract extension implementation.

Procurement Start Date **As soon as possible**

Contract Start Date **5th July 2019**

Proposed Procurement Timeline including dates:

Implementation of the new contract: 5th July 2019 to coincide with the start of the summer holidays.

8. Deliverability and Risks

Please set out the key risks which may arise in the delivery of the procurement / contract and how these will be mitigated along with information on supply market and engagement with this.

Risk – The AFCCT member of staff identified to lead and deliver the programme may take ill/leave.

Mitigation – AFCCT will be asked for assurances that, should this happen, another member of staff will continue the delivery of the programme with no more than one week's delay.

Risk – The measures may show that the programme is not having the desired impact.

Mitigation – AFCCT will be asked for assurances that the programme continues to be flexible and is modified to meet the changing needs of the pupils during the course of the contract.

9. Sustainable Procurement & Community Benefits

Consider the table below. If applicable, indicate between 3 and 6 themes that you consider are relevant to the proposed Contract. Please note that where selected these themes must be referenced within procurement documents.

Improve (Wellbeing)		Promote		Facilitate (Involve)	
Social	<input checked="" type="checkbox"/>	Innovation	<input type="checkbox"/>	SMEs	<input type="checkbox"/>
Economic	<input type="checkbox"/>	Equalities/reduce Inequality	<input checked="" type="checkbox"/>	3 rd Sector organisations	<input type="checkbox"/>
Environmental	<input type="checkbox"/>	Ethical trading and social justice	<input type="checkbox"/>	Supported Businesses	<input type="checkbox"/>
Health	<input checked="" type="checkbox"/>	Fair Work Practices/The Living Wage	<input type="checkbox"/>	Prompt Payment throughout the supply chain	<input type="checkbox"/>
Food poverty/fuel poverty/energy efficiency	<input checked="" type="checkbox"/>	Resource efficiency and the circular economy	<input type="checkbox"/>	Community engagement and community empowerment; community projects	<input type="checkbox"/>

Air quality/reduction of harmful emissions/reduction of waste and packaging <input type="checkbox"/>	Education; employability and skills training <input checked="" type="checkbox"/>	Collaboration and collaborative working <input checked="" type="checkbox"/>
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Justification for above:

The contract value is below the legal requirement for the provider to ensure that Community Benefits are delivered.

However, due to the nature of the contract the benefits that will be delivered (i.e. outcomes) are below. This demonstrates that the proposed contract can fulfil the business need as well as supporting other ECS and Council Priorities.

Food Poverty – The pupils selected to take part will have the opportunity to be fed during the holidays as well as additional meals during term time.

Health – Physical education, developing football skills, building resilience, promoting healthy eating, positive mind-set, building self-confidence.

Equalities/reduce inequality and Education – The pupils selected to take part in the ‘bespoke’ elements of the programme are pupils who have been identified as living in deprivation. The programme will deliver experiences these pupils may never receive elsewhere, as their families may not have the means to enable them to attend extra-curricular activities etc. Furthermore, the skills development element of the programme will promote positive and sustained destinations for these pupils.

Collaboration and collaborative working – As previously mentioned, staff will work alongside AFCCT staff, to develop their own skills and expertise and ensure that the programme is sustainable. Through the transition element of the programme, AFCCT will facilitate partnership working with other schools, Peterhead Academy and other community partners. The parental engagement element of the programme will facilitate Parental Involvement and Family Learning.

Social – Promoting confidence through a variety of different experiences and building self belief.

Education – Identified pupils will be more ready to learn because of increased resilience and self confidence thus leading to raised attainment and achievement.

10. Contract Management

What contract management procedures shall be put in place to manage the proposed contract? Use the Contract and Supplier Management Assessment Tool (available within C&PS Document Store) to determine whether the level of management required for a specific contract and supplier should be High/Medium/Low.	Contract/Supplier Management Requirement <input type="checkbox"/> High <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Low
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11. Contract Exit

Whether because of end of contract or in the event of termination – what are the considerations, implications and timescales for ending the proposed contract?

This is a one year contract, however many schools will want to continue with the programmes in future years. More schools may also become involved and CLD already have a financial commitment with AFCCT.

12. Governance

Please confirm the name of the Head of Service who is Senior Responsible Officer (SRO) for this project.	Vincent Docherty.
List key stakeholders who have been consulted in the development of this project	AFCCT
List the Committee Approvals (including Work Plan approval date)	We are seeking urgent approval by the Director of ECS using his delegated powers within the Scheme of Governance (Section B in Part 2B) to add the item to the Directorate Work Plan and approve the Business Case. Thereafter to be reported to the ESC committee on 29 th August 2019.
What budget has been allocated for this project? Please give budget code(s).	Pupil Equity Fund Budget – Various Aberdeenshire Schools.

13. Approvals, Recommendations and Decisions

Note – the below boxes require to be completed for all Business Cases however this Section should be removed prior to submitting to Committee for approval.

Finance Comments by Principal Accountant:	
Recommendation	Date
Service Management Team Comments:	
Recommendation	Date
Decision	
Chief Officer Approved	<input checked="" type="radio"/> Yes / No
Committee Approved	Yes / No
Notified – Head of Commercial & Procurement Services:	
Recommendation	Date