

## Decision Report - Executive Decision

Forward Plan Reference: FP/23/03/11

Decision Date - 3 August 2023

Key Decision - yes



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### Somerset Adult Community Education Programme/Community Learning Grant

Executive Member: Deputy Leader of the Council and Lead Member for Resources and Performance

Executive Member: Lead Member for Economic Development, Planning, and Assets

Local Member(s) and Division: N/A

Lead Officer(s): Executive Director Resources and Corporate Services, and Executive Director Climate and Place

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#### 1. Summary / Background

- 1.1 Up until 2015 Somerset County Council was funded via the Department for Education (DfE) to directly deliver adult learning via its Somerset Skills & Learning Service (SS&L). In 2014, following the Cabinet Office's objectives to decentralise non-statutory services, it was agreed that this service would be externalised. SS&L set up as a Community Interest Company and the funding was novated, in full, from the Council to them. However, following a change in funding rules in 2017, the DfE have undertaken an open procurement process each year for the ongoing delivery of Community Learning in Somerset and SS&L had to competitively tender for the funding. SS&L have been successful for the last 8 years in securing this contract.
- 1.2 In November 2022 Somerset Council were approached by the DfE to discuss the Community Learning Grant (CLG) coming back under the management of the Council from August 2023. This would bring Somerset in line with other local authorities as we are the only area where community learning provision is directly procured by the DfE.
- 1.3 The level of funding has been £2.524m per annum in recent years and DfE have confirmed that this amount will be awarded for the year 2023/24.

- 1.4 There are several options for how the Community Learning programme could be delivered, however, due to time constraints in the first year (August 2023 – July 2024) a transitional approach is recommended. A fully compliant process for commissioning delivery from August 2024 is currently being considered.

## **2. Recommendations**

- 2.1 The Executive Director, Resources and Corporate Services & the Lead Member for Economic Development, Planning and Assets:
- a) Authorises acceptance of the funding from the Department for Education and agrees to sign the Grant Funding Agreement.
  - b) Approves the award of a grant for the delivery of the Somerset Community Learning programme for the 2023/24 transition year to Somerset Skills & Learning CIC.
  - c) Approves the award of a 12 month contract to a single supplier (Somerset Skills & Learning) under a waiver to Contract Standing Orders by reason of single supplier availability. This is to oversee delivery of provision by Community Learning Partners.
  - d) Approves Somerset Council's Accountability Statement, Sub-Contracting Policy and Fees & Charges Policies for Adult Community Learning.

## **3. Reasons for recommendations**

- 3.1 To enable Somerset Council to receive the funding the Grant Funding Agreement needs to be accepted and signed. DfE have set a deadline of 31<sup>st</sup> July 2023.
- 3.2 Somerset Council does not currently have suitable capacity, capability, or experience to be able to effectively plan and deliver the Community Learning programme in accordance with the requirements of the Grant Funding Agreement in the forthcoming year. We are therefore recommending that we work with a key delivery partner under a transition year arrangement whilst we develop our approach for future years.
- 3.3 It is a requirement of the DfE that Somerset Council's Accountability Statement, Sub-Contracting Policy and Fees & Charges Policy (Appendices 1, 2 and 3 respectively) are approved, signed, and published on the Council's website.

## **4. Other options considered**

4.1 Other options considered, and the reason for rejecting them in respect of the delivery of the Community Learning Programme in 2023/24 are set out below:

a) In-house management and delivery:

- (i) Somerset Council no longer have a retained Adult Community Learning function, nor the capacity or capability required to develop a delivery programme based on evidence of need across our communities, working with local delivery partners, without compromising provision for Somerset residents in 2023/24.
- (ii) Somerset Council does not currently have the capacity or capability to meet many of the obligations of the Community Learning Grant Funding Agreement.

b) Procure via a competitive tendering process:

- (i) Somerset Council no longer have a retained Adult Community Learning function, nor the capacity or capability required to develop a programme specification based on evidence of need across our communities without compromising provision for Somerset residents in 2023/24.
- (ii) An open procurement process would not have been achieved for mobilisation of delivery within the timeframe available.
- (iii) SS&L have contacts, systems, experience, and teams in place to continue delivering during the next year as they have been delivering the programme for the last 8 years. It's unlikely another provider in Somerset would be able to mobilise effectively within the timeframe.
- (iv) SS&L have a network of established partnerships throughout Somerset to enable the programme to be delivered locally / reach out to communities and rural areas.

## **5. Links to Council Plan and Medium-Term Financial Plan**

5.1 Community Learning will connect with the following priorities of the Council Plan:

- a) A Healthy and Caring Somerset
- b) A Flourishing and Resilient Somerset
- c) A Fairer, Ambitious Somerset

5.2 The following planned objectives of the Community learning Programme have been set to meet the priorities of the Council Plan:

- a) Enrich the stability, prosperity, and social cohesion of our communities.
- b) Empower the personal responsibility of individuals to become independent, healthy and maintain their own social well-being.
- c) Increase social mobility and aspiration based on an ethos of lifelong learning.
- d) Support an inclusive, flourishing, and resilient economy.

5.3 Community Learning will support and enhance the Council's strategic aims and objectives in the following ways:

- a) Working with communities to attract and retain working age adults to ensure a skilled workforce is available within the County.
- b) It will enhance the education sector to ensure that Somerset benefits economically, by improving education, skills and vocational training at all levels. Community Learning will work closely with local partners who will raise aspirations and boost local opportunities.

## 6. Financial and Risk Implications

6.1 Somerset Council has been awarded a grant of £2,524,199 for the academic year from 1 August 2023 to 31 July 2024 to deliver a community learning programme in accordance with the objectives of the funding. The funding will be transferred to the Council in twelve equal instalments commencing August 2023. The funding will be transferred under a Section 31 Local Government Act 2003 ring-fenced grant.

6.2 The table below sets out how this funding will be allocated/used:

Amount	Purpose	Recipient
£1,994,199	Delivery and management of the core Community Learning programme (grant award)	SS&L
£130,000	Management of the Community Learning partners (direct award contract)	SS&L

£400,000	Delivery of provision via Community Learning partners (procurement process led by SS&L, contracted by SC)	Various
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6.3 SS&L will receive a total of £2,124,199 which will be paid in twelve equal instalments at the end of each month commencing August 2023 for the delivery of the core programme and for the management of local partners.

6.4 The remaining funding (£400,000) will be retained by Somerset Council to directly award to local Community Learning delivery partners via individual contracts as previously approved by way of an Officer Non-Key Decision as detailed in Appendix 4.

6.5 There is negligible risk to Somerset Council solely in accepting this funding from the DfE. However, there will be a risk in the re-allocation of the funding to SS&L for the following reasons:

- a) If SS&L fail to deliver according to the DfE’s funding conditions, Somerset Council may be liable to repay the DfE, while the same may not be recoverable from SS&L.
- b) The DfE may reduce payments to Somerset Council, while Somerset Council’s obligated payments to SS&L remain the same.
- c) SS&L will incur fixed costs up to £1,221,000 which SC may not be able to recover if the DfE reduce funding payments or request a refund for any reason.

6.6 The Council will work with SS&L to deliver the requirements of the Community Learning programme in line with the objectives and funding rules as set out by the DfE. Subject to approval of this decision, SC will issue the funding via a ‘back-to-back’ grant agreement. If the delivery partner fails to deliver or is not delivering the project in accordance with the funding rules, the funding agreement between the Council and SS&L provides for the Council to withhold or suspend future monthly payments or request repayment of non-fixed-cost money already allocated.

<b>Likelihood</b>	1	<b>Impact</b>	3	<b>Risk Score</b>	3
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## **7. Legal Implications**

- 7.1 While Legal Services have confirmed that we are able to sign the DfE Grant Funding Agreement given there is negligible risk associated solely with accepting grant money see the risk in re-allocating the grant money to SS&L, highlighted at para 6.5 above.
- 7.2 Legal Services have drafted the back-to-back funding agreement between the Council and SS&L.
- 7.3 Legal Services have advised that the agreement referred to at 7.2 above has been drafted on its face as a grant, and as such the Subsidy Control Act 2022 (SCA) would apply. The team are working with Legal Services to ensure the SCA is complied with. However, see para 7.5 below.
- 7.4 Legal and Procurement Services have also advised on the direct award of a separate contract to SS&L to manage and oversee the Community Learning partner delivery. This activity could not be done in isolation of the wider activity in the transition year.
- 7.5 Legal Services have advised there is a risk that the agreements with SS&L could be construed by a court as a directly awarded contract for delivery of services, and consequently be in breach of the Public Contracts Regulations 2015. If SC are challenged on this basis and lose, then: the agreement could be declared ineffective; a financial penalty may be imposed against SC; and an award of damages may be made against SC to the aggrieved party.
- 7.6 We consider the risk identified by Legal services at 7.5 above to be low given that SS&L have delivered the programme in Somerset for the previous 8 years following contract award from DfE through an open procurement process.

## **8. HR Implications**

- 8.1 There are a number of HR implications in respect of this decision as set out below:
- a) Resources will be required to ensure that our legal obligations in respect of receiving the grant can be delivered. Through the transition year we are aiming to put in place minimal resources which will include programme management/oversight (including preparing commissioning intentions for future years); performance and claims management; monitoring quality

reports; managing any issues raised by Ofsted inspections and individual learner records and data collection/reporting. These resource requirements are subject to a separate governance decision.

- b) TUPE of staff within SS&L may apply in 2024/25. This is being considered by legal teams from both SS&L and the Council and will be further reviewed as we progress plans for procurement of delivery in 2024/25.

**9. Other Implications: - None**

**10. Equalities Implications**

10.1 The Equalities Impact Assessment identifies several potential barriers to someone successfully taking part in Community Learning courses. To address these the EIA attached to this report identifies the actions in place to minimise these.

10.2 A full review of Equalities and Impacts will be undertaken as part of the procurement process for the year 2024/25 this will ensure the robustness of the procurement process.

**11. Community Safety Implications**

11.1 There are no direct community safety implications associated with this decision.

**12. Climate Change and Sustainability Implications**

12.1 There are no direct climate change or sustainability implications associated with this decision.

**13. Health and Safety Implications**

13.1 There are no direct health and safety implications associated with this decision.

**14. Health and Wellbeing Implications**

14.1 The benefits to those participating in Community Learning are:

To widen participation and transform people's destinies by supporting progression relevant to personal circumstances including:

- a) Improved confidence and willingness to engage in learning

- b) Acquisition of skills preparing people for training, employment, or self-employment
- c) Improved digital, financial literacy and / or communication skills
- d) Parents / carers better equipped to support and encourage their children's learning
- e) Improved and / or maintained health and / or social well-being including mental health as learning can be offered in 'bite-size' courses
- f) increasing awareness of having more control of life and enjoying learning which results in building confidence at work and in the community.
- g) Community learning tutors will encourage progression as appropriate to the individual.
- h) A complete list of purposes set out for the delivery of Community Learning can be found on the Education and Skills Funding (ESFA) website here: [ESFA funded adult education budget: funding rules 2023 to 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/esfa-funded-adult-education-budget-funding-rules-2023-to-2024)

14.2 Community Learning will engage with experienced local partners throughout Somerset, the benefits will be:

- a) Community Partners are already working locally and consider all areas of the population in Somerset especially those in hard to reach and rural areas. This will include people on low incomes, with low skills and little or no social mobility.
- b) Community Partners have the experience and knowledge of local areas, cultures, and specific needs of local people.
- c) Community Partners will support local people to build confidence and engage in learning to suit their lifestyle, to prepare for further learning and / or employment

## **15. Social Value**

15.1 The Community Learning programme will develop skills, confidence, motivation, and resilience for adults of all ages and backgrounds throughout Somerset. The focus points of the programme are to improve the health and well-being including mental health of adults in Somerset, progress towards formal learning or employment and develop stronger communities.



15.2 Community Learning will be working towards the following social value priority areas:

- a) Developing employment, skills, and training opportunities, particularly for hard-to-reach/disabled/target groups.
- b) Deliver the programme to people who are disadvantaged and least likely to participate particularly in rural areas by way of outreach activities.
- c) Improving health and wellbeing, maintaining independence, and reducing inequalities of local residents and employees.
- d) Helping build community capacity and playing an active role in the local community, especially in those areas and communities with the greatest need.
- e) Working with local partners with expertise and knowledge of the needs in local rural areas.

## **16. Scrutiny comments / recommendations:**

16.1 The proposed decision has not been considered by a Scrutiny Committee.

## **17. Background**

### ***Purpose of Community Learning Funding***

17.1 The purpose of Community Learning is to develop the skills, confidence, motivation, and resilience of adults of different ages and backgrounds in order to:

- Progress towards formal learning or employment and/or
- Improve their health and well-being, including mental health and/or
- Develop stronger communities

17.2 The objectives of Community Learning are to:

- focus public funding on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills.
- collect fee income from people who can afford to pay and use, where possible, to extend provision to those who cannot.

- widen participation and transform people's destinies by supporting progression relevant to personal circumstances.
- develop stronger communities, with more self-sufficient, connected, and pro-active citizens.
- commission, deliver and support learning in ways that contribute directly to these objectives.

17.3 The Community Learning programme is targeted at groups of people who have barriers to reaching their learning and career aspirations. These include, but are not limited to:

People on a low income (less than £23,000 per annum)	Adults with low levels of English and Maths skills
Rurally isolated individuals	Adults with a below level 2 qualification
Residents living in deprived wards	People with a history of drug/alcohol abuse
Volunteers	Ex-offenders
Parents / families who need additional support	People who have experienced domestic abuse
People who have experience of mental ill health	Unemployed people
Travellers	Homeless people
Adults with learning difficulties	Adults with disabilities
Older isolated learners	Migrant workers
Refugee and asylum seekers	Individuals from black & minority ethnic groups

17.4 There are seven themes under which learning is delivered:

1. Engaging and/or building confidence
2. Preparation for further learning
3. Preparation for employment
4. Improving essential skills including English, ESOL, Maths and Digital
5. Equipping parents/carers to support children's learning
6. Health and well-being
7. Developing stronger communities

- 17.5 The benefits to those participating in community learning have been well documented and include an increase in self-confidence; meeting new people and making new friends and consequently understanding other people and cultures; a feeling of having more control of their life and enjoy learning more which will give more confidence at work as a result.
- 17.6 The Adult Participation in Learning Study 2019 by the Learning and Work Institute ([Adult Participation in Learning Survey 2019 - Learning and Work Institute](#)) found that the most commonly cited barriers to learning for adults who have not taken part in learning for at least three years is a lack of interest, work or other time pressures and feeling too old and many confirm that nothing is preventing them from taking part in learning in the next three years. There is a need not only removing barriers to learning, but actively promoting the benefits of learning and encouraging participation.

### **Community Learning in Somerset**

- 17.7 Up until 2015 Somerset County Council was funded via the Department for Education (DfE) to directly deliver adult learning via its Somerset Skills & Learning Service (SS&L). In 2014, following the Cabinet Office's objectives to decentralise non-statutory services, it was agreed that this service would be externalised. SS&L were set up as a Community Interest Company and the funding was novated, in full, from the Council to them. However, since 2017 following a change in funding rules the DfE have undertaken an open procurement process each year for the ongoing delivery of Community Learning in Somerset and SS&L had to competitively tender for the funding. SS&L have been successful for the last 8 years in securing this contract.
- 17.8 In November 2022 Somerset Council were approached by the DfE to discuss the Community Learning Grant (CLG) coming back under the management of the Council from August 2023. This would bring Somerset in line with other local authorities as we are the only area where community learning provision is directly procured by the DfE.
- 17.9 For the previous 8 years Somerset Skills & Learning (SS&L) have been directly contracted by the DfE. Their delivery model has included a sub-contracting arrangement whereby around £400k of funding has been used to fund smaller, community-based organisations to deliver activity in the community where it would not provide value for money for SS&L to try and do this themselves. SS&L have an established Community Learning Partnership for this purpose. Localised delivery is especially important in some of our more rural areas and

among the harder to reach population to ensure a wider participation reach for our communities.

#### **Community Learning Programme: 2023/24**

- 17.10 There are a number of options for how the Community Learning programme could be delivered, however, due to time and resource constraints in the first year (August 2023 – July 2024) a transitional approach is recommended.
- 17.11 Following extensive internal discussions with Senior Managers, Commercial and Procurement and the Legal Team it was agreed with DfE that we would implement a transition year approach whereby SS&L would effectively continue to deliver the Community Learning programme as it has done in the past.
- 17.12 It was notionally agreed with SS&L early in 2023 that these transition year arrangements would be put in place. This confirmation was required to ensure that SS&L could plan for delivery from August 2023.
- 17.13 The level of funding has been £2.524m per annum in recent years and DfE have confirmed that this amount will be awarded for the year 2023/24.
- 17.14 SS&L are proposing to enrol 6,167 learners in 2023/24 onto their programmes. In 2022/23 the target was 5,520 learners (final figures to be confirmed) and 5,969 learners were enrolled in 2021/22.
- 17.15 Historically, around 15% of learners lived in one of the 20% most deprived communities in England with many in the most deprived (IMD 2019).
- 17.16 The programme will be delivered by 98 staff (62 FTEs) plus a pool of freelance and specialist staff to meet specific requirements. Delivery will include remote workshops using online tools such as Zoom and Moodle. Face to face sessions will also be offered including a flexible timetable across evenings and drop-in workshops.
- 17.17 The Council will have responsibility for monitoring performance, claims management, monitoring quality reports, managing any issues raised by Ofsted inspections and the timely and accurate reporting of individual learner records and data collection.
- 17.18 As part of an evolving national requirement the Council, as a funding recipient, must develop and publish an Accountability Statement. A draft was submitted to DfE for their deadline of 31<sup>st</sup> May 2023 and a final version will need to be submitted in due course.

17.19 In order to implement the planned sub-contracting arrangements with SS&L and delivery partners the Council must also develop and approve a Sub-Contracting and Fees & Charges Policies. The Policies are attached at Appendix 2 and 3 respectively. The Sub-Contracting Policy has been developed in line with funding requirements and the Council's existing sub-contracting policy. Further to approval from the DfE, we are planning to adopt SS&L's Fees & Charges Policies as they will be setting these levels for their own, and delivery partners', delivery. These are inline with funding requirements and have previously been approved by the DfE.

### **Community Learning Programme: 2024/25 and beyond**

17.20 Since notionally accepting the receipt of funding the Council has been considering options for delivery models for future years. Discussions are still underway to determine a fully compliant approach to commissioning a programme of delivery in 2024/25.

17.21 Throughout the transition year period SC will build the capacity and capability to effectively manage the programme. We will identify a range of robust and challenging objectives based on local, regional, and national priorities to inform the Community Learning programme from August 2024. Connecting with the priorities of the SC Plan, the objectives will include:

- a) Enrich the stability, prosperity, and social cohesion of our communities.
- b) Empower the personal responsibility of individuals to become independent, healthy and maintain their own social well-being
- c) Increase social mobility and aspirations based on an ethos of lifelong learning
- d) Support an inclusive, flourishing, and resilient economy.

## **18. Background Papers**

The documents referenced to in this report are:

- DfE Grant Funding Agreement
- Somerset Council's Accountability Statement for Adult Community Learning
- Officer non-key decision report to approve the direct award of £400,000 to local Community Learning delivery partners
- Overview of Community Learning in Somerset

## 19. Appendices

1. Somerset Council's Accountability Statement for Adult Community Learning
2. Somerset Council's Sub-Contracting Policy for Adult Community Learning
- 3a. Somerset Council's Fees & Charges Policies for Adult Community Learning
- 3b. ACE Pound Plus Policy 2023-24
4. Officer non-key decision report
5. Overview of Community Learning in Somerset
6. ESFA Grant Funding Agreement 2023/24




## Report Sign-Off

	Officer Name	Date Completed
Governance	David Clark	13 July 2023
Legal	James Redwood-Davies on behalf of Gill Byron	13 July 2023
Communications	Chris Palmer	13 July 2023
Finance & Procurement	Nicola Hix / Jason Vaughan	24 July 2023
Commercial & Procurement	Claire Griffiths / Paul Skuse	24 July 2023
Workforce	Chris Squire	13 July 2023
Asset Management	Oliver Woodhams	11 July 2023
Executive Director / Senior Manager	Mickey Green / Paul Hickson	11 July 2023
Strategy & Performance	Alyn Jones	11 July 2023
Executive Lead Member	Cllr Ros Wyke	1 July 2023
Executive Lead Member	Cllr Liz Leyshon	1 July 2023
<b>Consulted:</b>		
Local Division Members	N/A	
Opposition Spokesperson	Deputy Leader of the Opposition and Opposition Spokesperson for Resources and Performance	13 July 2023

	Opposition Spokesperson for Prosperity, Assets and Development	sent 26 July 2023
Scrutiny Chair	Scrutiny for Policies and Place Committee	12 July 2023

## Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or [www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)

<b>Organisation prepared for (mark as appropriate)</b>	 <b>Somerset</b> Council	P	 <b>NHS</b> <b>Somerset</b>	 <b>NHS</b> <b>Somerset</b> NHS Foundation Trust
<b>Version</b>	<b>2.0</b>	<b>Date Completed</b>	<b>20/6/2023</b>	
<b>Description of what is being impact assessed</b>				
<p>Impact of the Community Learning Programme; designed to develop the skills, confidence, motivation, and resilience of adults of all ages and backgrounds to:</p> <ul style="list-style-type: none"> <li>• Improve health and well-being, including mental health.</li> <li>• Progress towards formal learning or employment</li> </ul> <p>Develop stronger communities</p>				
<b>Evidence</b>				
<p><b>What data/information have you used to assess how this policy/service might impact on protected groups?</b> Sources such as the <a href="#">Office of National Statistics</a>, <a href="#">Somerset Intelligence Partnership</a>, <a href="#">Somerset’s Joint Strategic Needs Analysis (JSNA)</a>, Staff and/or <a href="#">area profiles</a>, should be detailed here</p>				
Office of National Statistics for data and information such as unemployment based on age, ethnicity, and geographical area.				



Somerset Trends for information on qualification status based on geographical area.

[How your area has changed in 10 years: Census 2021 - Office for National Statistics \(ons.gov.uk\)](#)

Somerset Intelligence for data/information on ward profiles, travel and access, age, etc.

[District Community Profiles - Somerset Intelligence - The home of information and insight on and for Somerset - Run by a partnership of public sector organisations](#)

Index of Multiple Deprivation 2019 for data on area profiles

[Deprivation - Somerset Trends](#)

Census 2021 for data on demographics

[Census 2021](#)

Somerset's Joint Strategic Needs Analysis for data/information on people and groups

[Joint Strategic Needs Assessment \(JSNA\) - Somerset Intelligence - The home of information and insight on and for Somerset - Run by a partnership of public sector organisations](#)

The information gathered from the sources above help to shape our curriculum plan. It informs the content of Somerset's community learning offer; ensuring it is designed to meet the needs of both local residents, employers, and local community groups. It also informs how we market our provision; ensuring that our offer is accessible to all who can benefit, particularly those with multiple needs, rural areas and social deprivation. SS&L want to ensure that its' learner demographic is representative of the Somerset demographic. Additionally, our preparation helps to identify where partners will be best placed to engage with a particular target group, whether based on reach or specialism.

This is an ongoing process and will be monitored during each academic year.

Monthly reports are produced and presented to the relevant management teams.

Quarterly Curriculum & Quality meetings are held, which is chaired by one of SS&L's None-Executive Directors, where further scrutiny is provided to ensure that we are meeting our objectives. Should our provision not be engaging the targets groups as intended, outreach and marketing activity is reviewed, and actions set.

SS&L proactively engages with a well-established network of community-based organisations throughout the year. Additional partnership will be identified when appropriate to ensure all efforts are made to attract and engage our intended target group.

**Who have you consulted with to assess possible impact on protected groups and what have they told you?** If you have not consulted other people, please explain why?

Somerset Skills & Learning’s Community Learning Partnership (CLP), made up of a range of community-based organisations embedded within Somerset’s communities across the county. We consult with this partnership regularly to understand how regional and national themes are observed in local areas. We also look to gain an understanding of micro-localised areas across Somerset. SS&L are members of the [Holex](#) group who disseminate information regularly and are a resource of information from providers from across the country.

**Analysis of impact on protected groups**

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> <li>• Accessibility to residents who are under 19 years of age as eligibility criteria is for 19+</li> <li>• Marketing and outreach activity not designed or implemented in a way that reaches all ages within the eligible age group</li> </ul>	⊗	□	□

<b>Disability</b>	<ul style="list-style-type: none"> <li>• Accessibility to face-to-face sessions due to disability, such as a wheelchair user not being able to access a delivery venue that does not have the correct facilities</li> <li>• Accessibility to learning due to learning support needs based on disability, such as someone with a hearing impairment who would require a hearing loop/sign language interpreter to access the provision</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Gender reassignment</b>	<ul style="list-style-type: none"> <li>• Potential impact relating to opinions of other learners in same cohort that could impact on the individuals experience and their wellbeing. For example, other learners express negative views on gender reassignment</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Marriage and civil partnership</b>	<ul style="list-style-type: none"> <li>• Potential impact relating to opinions of other learners in same cohort that could impact on the individual's experience and their wellbeing. For example, other learners express negative views on same sex marriage or civil partnerships</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Pregnancy and maternity</b>	<ul style="list-style-type: none"> <li>• Accessibility due to pregnancy</li> <li>• Accessibility due to lack of childcare</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Race and ethnicity</b>	<ul style="list-style-type: none"> <li>• Accessibility due to non-awareness of service offer</li> <li>• Learners from minority groups reluctant to engage due to demographic of learner groups</li> <li>• Language barriers and those learners who do not have English as their main language</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Religion or belief</b>	<ul style="list-style-type: none"> <li>• Accessibility due to timings conflicting with religious commitments</li> <li>• Accessibility due to other participants conflicting with religious or cultural beliefs (such as mixed gender classes)</li> </ul>	☒	☐	☐
<b>Sex</b>	<ul style="list-style-type: none"> <li>• Accessibility due to other participants conflicting with religious or cultural beliefs (such as mixed gender classes).</li> <li>• Time and locations of sessions making learners feel safe to attend</li> </ul>	☒	☐	☐
<b>Sexual orientation</b>	<ul style="list-style-type: none"> <li>• Potential impact relating to opinions of other learners in same cohort that could impact on the individual's experience and their wellbeing. For example, other learners express negative views on same sex relationships</li> </ul>	☒	☐	☐
<b>Armed Forces (including serving personnel, families, and veterans)</b>	<ul style="list-style-type: none"> <li>• Accessibility due to times and days sessions are run conflicting with other commitments within the armed forces</li> </ul>	☐	☒	☐
<b>Other, e.g., carers, low income, rurality/isolation, etc.</b>	<ul style="list-style-type: none"> <li>• Accessibility for carers, those in the justice system, rurally isolated and impacted by a lack of transport infrastructure</li> </ul>	☐	☐	☒

<b>Other</b>	<ul style="list-style-type: none"> <li>Residents on low income or, for whatever reason, would not normally be able to access similar provision due to not being able to afford it, will be able to access the provision fully funded or subsidised – based on meeting eligibility criteria</li> </ul>	□	□	☒
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**Negative outcomes action plan**  
Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

<b>Action taken/to be taken</b>	<b>Date</b>	<b>Person responsible</b>	<b>How will it be monitored?</b>	<b>Action complete</b>
<p>A range of learning opportunities made available, which include face-to-face, remote/online, and blended options. This will provide those who are unable to travel or attend a face-to-face session due to time commitments, access a range of learning options. Recorded sessions made available online to further support accessibility.</p> <p>Additionally, sessions will be planned across the week at a variety of times of the day to ensure that is accessible at a time that suits learners and supports them to feel safe while attending our sessions. Surveys conducted to review this during the year.</p>	20/06/2023	Sara Hodges	Curriculum plans submitted for scrutiny and monthly reporting to relevant management groups	☒
All face-to-face provision planned in accessible buildings with alternatives provided where this is not possible. PEEPs	20/06/2023	Tracey Smith	Weekly health & safety checks	☒

<p>to be set up for all learners who identify as having a disability</p>			<p>reported. PEEPs submitted to Business Support Manager</p>	
<p>Learning support plans written up for all learners who feel they have a learning support need. The relevant adjustments made, and support provided; additional or adjusted learning resources, Learning Support Worker, etc.</p> <p>Learning support will include all resources or support needed to ensure that they are able to access the learning e.g., if an interpreter, sign language support worker, hearing loop are required.</p>	<p>20/06/2023</p>	<p>Kath Colvill</p>	<p>Learning support needs and learning support plans monitored by the Learning Support Coordinator and reported to the Quality Manager</p>	<p style="text-align: center;">☒</p>
<p>Alternative options made to learners under 19 who are not eligible for the DfE's Community Learning programme. CEIAG offered to all learners and signposting made to most appropriate support.</p> <p>Marketing Strategy accounts for all learners within the target group and uses a range of platforms and marketing approaches to ensure it reaches those groups. Success of</p>	<p>20/06/2023</p>	<p>Dave West</p>	<p>Daily monitoring of enquiries and gaps in support requests. Report submitted to</p>	<p style="text-align: center;">☒</p>

marketing activity monitored during the year and reported to SMT with actions set and monitored.			the Director of Quality & Curriculum	
Learner support needs assessed at enrolment and learners supported to access relevant support i.e. support with travel expenses, childcare, etc.	20/06/2023	Dave West	Daily monitoring of enquiries and gaps in support requests. Report submitted to the Director of Quality & Curriculum	☒
Learner Behaviour Policy, Equality & Diversity Policy and Safeguarding Policy implemented to mitigate against inappropriate behaviour impacting on others. Monitored through learner voice activity and reported through management structure.	20/06/2023	Justin Speirs	Learner voice activity such as facilitated question and answer sessions, surveys etc. Regular safeguarding meetings and IT set up to	☒

			monitor PC activity. Reporting through management structure including Board	
E&D, Safeguarding and Prevent posters displayed in all classrooms. Regular learner voice activity carried out to identify areas that can be improved	20/06/2023	Justin Speirs	Learner voice activity such as facilitated question and answer sessions, surveys etc. Regular safeguarding meetings and IT set up to monitor PC activity. Reporting through management structure	☒



			including Board	
<b>If negative impacts remain, please provide an explanation below.</b>				
<b>Completed by:</b>	<b>Justin Speirs - SS&amp;L</b>			
<b>Date</b>	<b>30<sup>th</sup> June 2023</b>			
<b>Signed off by:</b>	<b>Tom Rutland</b>			
<b>Date</b>	<b>11<sup>th</sup> July 2023</b>			
<b>Equality Lead sign off name:</b>	<b>Tom Rutland</b>			
<b>Equality Lead sign off date:</b>	<b>11<sup>th</sup> July 2023</b>			
<b>To be reviewed by: (officer name)</b>				
<b>Review date:</b>				