

## OFFICER DECISION RECORD

<b>Decision title: Adult education – protecting learner continuity and provider stability</b>
<b>Decision reference number:</b> 01.03.20
<b>Decision date:</b> 27 March 2020
<p><b>Background / reason for decision:</b></p> <p>This decision was taken in light of the COVID-19 pandemic and the very difficult challenges this presents to the delivery of adult education across the West of England. During this difficult time, the Combined Authority considers it is critical to maintain as much ‘normality’ and continuity of provision wherever this is possible. The Combined Authority wishes to reassure adult education providers that it will take all reasonable steps to ensure continuity of learning where this is possible, and to protect the stability of the provider base.</p> <p>This is an emergency decision taken in light of the COVID-19 pandemic. The West of England Combined Authority constitution allows the Chief Executive of the Combined Authority in cases of urgency or emergency, to take any decision on behalf of the Combined Authority (after consultation with the Mayor). This decision has been taken under this provision.</p>
<p><b>Options considered:</b></p> <p>Option 1 – This is the option delivered through the decision set out in this decision record.</p> <p>Option 2 – Not to take action – this was considered inappropriate and inadequate as a response in light of the COVID-19 situation. It is considered that not taking action at this point would seriously threaten the stability of the region’s adult education provider base.</p>
<p><b>Decision:</b></p> <p>In response to the current challenges, the Combined Authority (WECA) confirms the following:</p> <ol style="list-style-type: none"> <li><b>1. Payments:</b> WECA will continue to pay providers in line with their current payment profile (as set out in the Grant Funding Agreements) for the remainder of the academic year unless the provider asks WECA, in writing, to do otherwise. Some providers have already verbally indicated that they would like payments to be frozen. If this remains the case, providers are asked to confirm this in writing as soon as possible.</li> <li><b>2. In-year reconciliation:</b> WECA will not seek to recover any funding as a result of the mid-year review process that was completed in February 2020 and the further review process scheduled to take place in April / May will not proceed.</li> <li><b>3. End-of-year reconciliation:</b> WECA is not yet in a position to fully confirm the authority’s intentions regarding any potential end-of-year reconciliation of funding as this will depend on</li> </ol>

a number of different factors. However, WECA is able to confirm that the authority does not wish any provider to be financially penalised or destabilised as a result of COVID-19 and therefore has no plans to recover funds due to under-performance that may occur as a result of the pandemic, on the condition that providers comply with the **Expectations of Providers** set out below:

WECA's position regarding end-of-year reconciliation may however be shaped by wider government interventions and support that may be accessed by providers in response to the pandemic. Whilst wishing to protect the stability of providers, the authority remains obliged to protect the public purse and therefore must avoid the risk of double-funding arising from decisions concerning end-of-year reconciliation.

WECA will continue to monitor the situation and will confirm the precise approach to end-of-year reconciliation later in the year once the actual impact on delivery and the wider context is clearer. In the meantime, providers are asked to notify the authority if they either apply for, or secure, other forms of government support that relate to COVID-19.

**Expectations of providers:**

The measures set out above are intended to protect the stability of providers during the current crisis and ensure that they are in a position to recommence normal delivery as soon as it is reasonable to do so. In exchange for these measures, providers are expected to commit to the following:

**a. Protect learners:** Although the authority is confident that this will be the case, providers are asked to make best efforts to ensure that learners are supported to continue their learning during the current disruption. This includes both supporting the retention and completion of existing learners and the recruitment of new learners where it is possible to do so (not least as this may be a highly effective means through which to support vulnerable and disadvantaged residents during the necessary isolation brought about by the COVID-19 situation).

**b. Protect staff:** The authority intends to protect the income of all providers irrespective of the current situation in order to ensure that a stable and secure network of providers is intact and able to continue delivery once normality resumes. Given this, providers are expected to take all reasonable steps to ensure that their staff (including agency staff) continue to be paid throughout the crisis and avoid lay-offs. For a provider who is exclusively funded by WECA, this should normally be entirely possible given the protections that are outlined though it is appreciated that providers funded from a number of sources may face different challenges. However, if a provider is considering any staffing changes that are likely to impact on current or future WECA delivery, this should be discussed with the authority in advance.

**c. Protect sub-contractors:** Sub-contractors are a vital component of the West of England Adult Education system and therefore the measures set out above are intended to support both directly funded providers and their sub-contractors equally. As WECA is committing to continue to pay our providers in line with their agreed profile, the authority's clear expectation is that WECA funded providers ensure that their subcontractors continue to be paid as normal.

**d. Keep WECA informed:** As the situation appears to be changing rapidly, it is important that effective communication is maintained to ensure that the authority fully understands what is happening and is therefore in a position to respond effectively. All providers should already have performance monitoring meetings scheduled. It is proposed to proceed with these meetings (via

TEAMs virtual meeting arrangements) but to predominantly focus on how providers are responding to COVID-19. Providers are also asked to complete and submit the new Monthly Claim Report and associated risk-register. This may prove to be particularly important if current challenges make it more difficult to rely on the Individualised Learner Record. To avoid the risk of double-funding it is particularly important that providers inform WECA of any applications or grants of funding from central government or other relevant organisations that may impact on their WECA adult education delivery.

**4. Allocations for 2020:** WECA remains confident that the authority will be in a position to confirm indicative allocations for 2020 on 10<sup>th</sup> April 2020 as was originally planned. The authority also expects to be in a position to continue the implementation of the 2020/21 Planning and Allocations process broadly as planned (though the authority will continue to monitor the situation and is willing to consider any reasonable adjustment that providers may request).

**Consultation:** The option/decision set out was recommended by Stephen Bashford, WECA Director of Business & Skills. The Combined Authority Mayor was consulted on 27 March 2020 and is fully supportive of the decision.

**Officer making decision:** Patricia Greer

**Position:** Chief Executive

**Report / appendices / background documents:** Guidance note sent to Adult Education providers explaining the decision taken.