

Shared Services Joint Committee

Wednesday 27th April 2022

Report Title	Disaggregation Change Request: Learning and Development
Report Author	Marie Devlin-Hogg, Assistant Director Human Resources, NNC marie.devlin-hogg@northnorthants.gov.uk Alison Golding, Assistant Director Human Resources, WNC alison.golding@westnorthants.gov.uk
Executive Member	WNC Cllr Mike Hallam, Portfolio Holder for HR & Corporate Services. NNC Cllr Scott Edwards, Executive Member for Children, Families, Education and Skills.

Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	None

List of Appendices

None

1. Purpose of Report

- 1.1 This report seeks approval of a change request to re-profile the disaggregation timeline for the Learning and Development functions noted in 3.1, ensuring the safe and legal disaggregation of training provision and minimal disruption to service delivery across North Northamptonshire Council (NNC), West Northamptonshire Council (WNC) and Northamptonshire Children's Trust (NCT).

2. Executive Summary

- 2.1 Learning and Development (L&D) is a hosted service, delivered by North Northamptonshire Council to West Northamptonshire Council and the Northamptonshire Children's Trust, through established service level agreements.
- 2.2 Prior to Vesting Day (1st April 2021), each individual sovereign authority had responsibility for their own learning and development arrangements, with some having more comprehensive provision than others. On 24th September 2020, the North Northamptonshire Shadow Executive Committee approved and adopted a Disaggregation Blueprint. The Disaggregation Blueprint identified that the L&D service would be hosted by NNC and would be disaggregated by October 2022.
- 2.3 Detailed disaggregation fact checks and impact assessments have been undertaken by the service leads, supported by the NNC Transformation Team and the outcome of these have led to the recommendations noted in this report. Section 5 of this report highlights the key risks that were identified as part of the fact checking / impact assessment process. The original Blueprint proposed disaggregation of all Learning and Development functions from April 2022, with a completion date of October 2022. This paper seeks approval of a change request that recommends a two phased approach to disaggregation but still with a completion date within the 2022/ 2023 financial year. This will mitigate some of the risks that have been identified and deliver the Blueprint requirements in a safe and legal way.
- 2.4 Section 6 of this report notes that the financial considerations of this change request have been factored into the 2022/23 Learning and Development budget.

3. Recommendations

That the Shared Services Joint Committee:

- 3.1 Approve the recommendation to re-profile the disaggregation timeline for the Learning and Development functions listed below, to commence in October 2022 (re-profiled from April 2022):
- iLearn (Learning Management System, LMS).
 - The Business Support function.
 - The Apprenticeship Training Provider function.
 - Apprenticeship Employer Digital Account Service.
- 3.2 Approve the recommendation to re-profile the disaggregation timeline for the L&D Children's function that delivers services to the Northamptonshire Children's Trust (NCT), in line with the Service Level Agreement timelines for 2022/23. This is currently due to expire on 30 September 2022, pending ongoing discussions with NCT.

- 3.3 Reasons for Recommendations:
- Ensures that NNC, WNC and Northamptonshire Children's Trust continue to operate in a safe and legal way, maintaining the ability for all three organisations to access statutory and mandatory training as required.
 - Ensures that our current apprenticeship learners across NNC, WNC and NCT continue to receive a consistent, in-house apprenticeship training service whilst completing their learning journey and the apprenticeship levy monies are managed and allocated in accordance with Education & Skills Funding Agency rules and regulations.
 - Ensures the fulfilment of our contractual and service level agreement obligations to the Children's Trust.
- 3.4 Alternative Options Considered;
- Continuing with a hosted service arrangement beyond March 2023 is not an option, as it fails to align to the Blueprint and the agreement to separate L&D services for WNC and NNC in the 2022/2023 financial year.

2. Report Background

- 2.1 Learning and Development is a North hosted service, delivering a comprehensive range of blended learning opportunities, qualifications, and apprenticeships to over 8000 learners across North Northamptonshire Council, West Northamptonshire Council, the Northamptonshire Children's Trust and the Private Voluntary and Independent Care Sector (PVI). In line with the agreed Blueprints, the Shadow Authorities agreed to establish separate L&D services for WNC and NNC by October 2022.
- 2.2 In total, there are seven functions that fall within the Learning and Development service, and these are reflective of the workforce structures and specialisms that they currently serve:
- **Adults, Communities and Wellbeing**
Provision of training to Adults, Communities and Wellbeing (over 3600 learners). Also includes training to the Private Voluntary Independent care home sector and provision of undergraduate placements and Assessed and Supported Year in Employment for social workers.
 - **Leadership and Digital - Corporate L&D**
Provision of corporate training and development for employees of NNC, WNC and associated partners; includes leadership and management development, face to face training courses and mandatory/statutory training.
 - **Children's and Education**
75% of this L&D function undertakes work on behalf of the Northamptonshire Children's Trust (NCT) through a Service Level Agreement. The remaining 25% of this team deliver L&D services to the Children's and Education Directorate within NNC and WNC.
 - **iLearn - Learning Management System (LMS) function**
The current iLearn online learning management system enables booking and access to statutory and mandatory training. It provides an extensive catalogue of online learning and also hosts training resources for ERP Gold and other business critical systems, such as those used in social care.
 - **The Business Support function**
The Business Support function provides support for all areas of L&D and inter-links closely with the iLearn system in terms of course administration and the

processing of key management information and reports. This includes mandatory and statutory training records and data.

- **The Apprenticeship Training Provider function**

This function is responsible for the in- house delivery of apprenticeships including Team Leader Level 3, Business Administration Level 3 and Lead Adult Care Worker Level 3 (this includes the CQC Required Care Certificate Training funded by the Apprenticeship Levy).

- **Apprenticeship Employer Digital Account function**

This function manages the digital apprenticeship accounts for NNC, WNC and NCT in accordance with Education & Skills Funding Agency rules and regulations. It is also responsible for the procurement and commissioning of external training providers and consultancy support to increase apprenticeship take up and ensure all levy funds are utilised.

2.3 Detailed fact checks relating to each of the different areas within L&D have been completed by the relevant service leads and the information gathered has been used to inform the recommendations in this report.

2.4 The fact checks highlighted several key risks associated with the disaggregation of all seven L&D functions simultaneously from April 2022; and this has led to a change request that recommends disaggregation takes place in two phases, but still with a completion timeline within the 2022/23 financial year:

- **Phase 1**, commencing from April 2022 (as per original timeline), to include Leadership and Digital, Adult's, Communities and Wellbeing and Corporate Children's/ Education (does not include Children's Trust).
- **Phase 2**, commencing from October 2022 (revision to original timeline), to include iLearn (Learning Management System, LMS), Business Support, Apprenticeship Training Provider, the Apprenticeship Digital Account and Children's Trust.

2.5 The main risks associated with the disaggregation of all functions from April 2022 relate to the quality and consistency of service delivery to our learners, statutory compliance and fulfilment of existing contractual obligations. These are highlighted in more detail in the next section.

3. Issues and Choices

3.1 Continuing with a hosted service arrangement beyond March 2023 is not an option, as it fails to align to the Blueprint and the agreement to separate L&D services for WNC and NNC in the 2022/2023 financial year.

3.2 One of the choices that has been considered in depth is to continue with the current proposed timeline of disaggregating **all** L&D functions by October 2022, rather than the recommended two stage / staggered approach put forward in this report. At the time when the original disaggregation timetable was agreed, the full fact-finding process for each service had not been undertaken. As a result of this more detailed analysis, it has become evident that commencing disaggregation of all seven functions from April 22 poses

significant risks to the delivery of our online learning system, business support function, apprenticeships and the Children's Trust service level agreement.

- 5.1.1 Specifically, the current hosted iLearn /online learning management system and business support function provides the necessary tools for employees to book and access mandatory and statutory training relevant to their roles; and enables each organisation to monitor and report compliance for audit and statutory purposes; including Ofsted and the CQC (Care Quality Commission). The current contract for iLearn expires on 31st March 2023, after which time, each organisation will need to have in place alternative arrangements to deliver their own online training and reporting. This will require a comprehensive re-tendering exercise to ensure the new learning management system reflects future learning needs and operating models. Reprofilling the disaggregation for this function to commence from October 2022 – March 2023 will better align with the contract timelines and also mitigate the risks of non-compliance of mandatory training and reporting for all three organisations.

Without agreement to this change request, two organisations would no longer have access to an online Learning Management System in time for the proposed disaggregation process. There would be no access therefore to mandatory and statutory training or any other associated online learning resources. This includes access to the training resources for ERP Gold and other business critical systems such as those operating within social care. This would pose significant compliance, operational and reputational risks to each organisation.

As stated, the business support function is intrinsically linked the online learning system. If the change request is not approved, there would be no process in place for managing course bookings or producing the business-critical management Information that help to inform compliance, training needs and delivery.

- 5.1.2 Another key risk that has been identified with disaggregation of all functions from April 2022 involves apprenticeship delivery. Due to recent changes (in January 2022), the Government announced that it will no longer be accepting applications from organisations to become their own 'in-house' apprenticeship provider; unless there is clear evidence that no other provider can supply the apprenticeships in question. NNC is currently a registered 'in house' apprenticeship service provider, delivering a range of apprenticeship qualifications across NNC and WNC. Disaggregation of this function from April 2022 will mean that WNC have no ability to continue to deliver in-house apprenticeships to its employees. They will also have limited time to commission external providers for future provision or to passport their current apprentice learners to. If employees from the apprenticeship delivery service are disaggregated from April 2022 and transfer to West Northamptonshire Council, they will not be able to carry out their role as WNC are not a registered provider and have no mechanism to become one in the near future. This will render their roles redundant. There is a significant risk to the quality and consistency of learning for those apprentices who are currently completing their qualifications.

As the apprenticeship digital account function is so closely aligned to the apprenticeship delivery, it makes sense to disaggregate these functions within the same timescales, to avoid disjointed delivery and compliance / levy funding issues.

- 5.1.3 The L&D function currently delivers the iLearn, Business Support, Childrens and apprenticeship functions to the Northamptonshire Children's Trust, through a service level agreement. Presently, this agreement is due to expire on 30 September 2022, pending ongoing discussions with NCT. In order to fulfil our contractual obligations, it is recommended that the disaggregation of these functions aligns to the service level agreement timelines.
- 5.1.4 Considering the points raised above, staggering the disaggregation of L&D functions across 2022/23 will serve to mitigate the majority of the risks and issues that have been identified. This will still ensure that disaggregation is concluded within the financial year.

6 Next Steps

- 6.1 Pending agreement to this change request, the next steps will be to proceed with the disaggregation of the phase 1 and commence formal consultation with impacted employees and recognised trade unions.

7 Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 The impact of this disaggregation is factored into the 2022/23 Learning and Development budget.
- 7.1.2 The WNC Inter Authority Agreement (IAA) contribution is in place for 2022-23 for all seven L&D service areas. The IAA income to NNC will reduce by the associated amounts for the disaggregating service areas at the point of disaggregation.
- 7.1.3 NNC and WNC will meet future funding requirements through a review and realignment of existing budgets across the teams as required. This realignment will, for example, provide additional resource through the consolidation of legacy District and Borough training commissioning budgets.
- 7.1.4 It is recommended that a review of the team structures is undertaken by both authorities to ensure that the proposed structure can be accommodated within these realigned budget allocations.

7.2 Legal and Governance

- 7.2.1 The L&D service level agreement that is in place with the Northamptonshire Children's Trust is due to expire on 30 September 2022. The recommendations in this report seek to better align the service level agreement and the disaggregation timescales.

7.3 Relevant Policies and Plans

7.3.1 Formal consultation with staff and trade unions will take place in accordance with the agreed employment policies and procedures that are in place for each authority.

7.4 Risk

7.4.1 There are no significant risks arising from the proposed recommendations. The period of disaggregation would be extended by six months for four of the areas within L&D, but the completion timeline would remain within the 2022/23 financial year.

7.5 Consultation

7.5.1 Formal consultation with impacted employees and trade unions will commence in line with the agreed disaggregation timeline.

7.6 Consideration by Executive Advisory Panel

7.6.1 Not applicable.

7.7 Consideration by Scrutiny

7.7.1 Not applicable.

7.8 Equality Implications

7.8.1 Any equality impacts will be considered as part of the formal employee consultation process.

7.9 Climate Impact

7.9.1 Not applicable.

7.10 Community Impact

7.10.1 Not applicable.

7.11 Crime and Disorder Impact

7.11.1 Not applicable.

8 Background Papers

8.1 Not applicable.