

## Officer Decision Record – Executive Decision

**If Key Decision: Decision Ref. No.**

**B094/20.....**

***If not a Key Decision write n/a above***

### OFFICER DECISION RECORD <sup>i</sup>

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

**Subject:** *(If a Key Decision please use the same title as provided in the Forward Plan)*

To negotiate an extension of the existing contract between Hertfordshire County Council and Herts for Learning for the provision of HfL services and support to HCC.

**Type of Decision:** Executive  
*(Please delete as applicable)*

**Key Decision (Executive Functions only):** Yes  
*(Please delete as applicable)*

**Executive Member/Committee Chairman:**

Terry Douris

**Portfolio (Executive Functions only):**

Education, Libraries and Localism

**Officer Contact:** Simon Newland

Operations Director, Education

**April 2020**

**Tel:** 01992 588755, ext. 28755

## 1. **Decision**

To further extend the contract between Hertfordshire County Council and Herts for Learning for the provision of Herts for Learning Services and Support to Hertfordshire County Council by one year to cover the period 1st April 2021 to 31<sup>st</sup> March 2022.

## 2. **Reasons for the decision**

The original contract commenced on the **1st September 2013** and continued for a period of three years until **31st August 2016** but could be extended at the agreement of both parties for up to three years.

The parties extended and varied the Contract by way of a deed of variation from 1st September 2016 to 31st August 2017.

The parties further extended and amended the Contract and First Variation with effect from 1st September 2017 to 31st March 2018.

The parties further extended and amended the Contract and Second Variation with effect from 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019.

A new contract commenced on 1<sup>st</sup> April 2019 and continued until 31<sup>st</sup> March 2020 but could be extended at the agreement of both parties for further one-year periods of up to a total of six (6) further Contract Years.

In October 2019, Hertfordshire County Council undertook a consultation with maintained schools on proposals for the de-delegation of funding by Maintained Schools for the year 2020/21 and also for the following two years i.e. 2021/22 and 2022/23 for school improvement and other support provided by HfL to allow the Council to continue to fund Herts For Learning to undertake a range of functions in support of schools, separate to and beyond what is provided to those schools on a traded basis.

These activities are necessary for the Council and its Maintained Schools to continue to operate as successfully on behalf of local children as we have come to expect over many years.

The proposals for the de-delegation of funding were supported by a majority of maintained schools and formally agreed by the Schools Forum in 2019 specifically to support the extension of current arrangements with Herts for Learning.

The Council and Herts for Learning now wish to extend for a further year with effect from 1st April 2021 to 31<sup>st</sup> March 2022.

**April 2020**

A paper was taken to Schools Forum on September 23<sup>rd</sup>, 2020 asking Forum to reconfirm the decision made at Schools Forum in November 2019 that the total cost and funding arrangements for the HfL contract covering the financial year 2021/22 is similar to that for 2020/21, uplifted for inflation. This was agreed by Schools Forum.

Both HCC and HfL believe that the support provided by Herts for Learning through the contract has contributed and continues to contribute to the excellent performance of Hertfordshire schools. HfL is a schools' company and owned by HCC and Hertfordshire Schools. The share capital comprises 126 (19%) shares owned by HCC and 521 (81%) shares owned by Hertfordshire schools.

The total cost of the contract is being met by a combination of allocated DSG (Dedicated Schools Grant) budget and de-delegation as agreed by the Schools Forum and additionally HCC funding totalling £314,000.

### 3. **Alternative options considered and rejected**

As indicated in section 2 both parties believe that the support HfL provides schools through the contract has been extremely beneficial to Hertfordshire schools overall and because the contract enables an extension for a further six years up to April 2026, no alternative options were considered at this time.

### 4. **Consultation** *(see Summary of Requirements below)*

**Was any Councillor consulted?**      **Yes** *(delete as applicable)*

**If yes:** Terry Douris

(a)      Comments of Executive Member/Committee Chairman *(delete as applicable)*

No comments.

(b)      Comments of other consultees

### 5. **Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

*(If a Councillor declares a conflict of interest DO NOT PROCEED without seeking advice from Democratic Services or Legal Services).*

### 6. **[Following consultation with the Executive Member/Committee Chairman,] I am proceeding with the proposed decision.** *(delete*

**April 2020**

words in square brackets if no requirement to consult the Executive Member/Committee Chairman)

Signed: .....

Title: .....Operations Director, Education.....

Date: 10.02.2021

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.<sup>ii</sup>

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### Summary of Requirements to Inform/Consult Councillors

Significance of Proposed Action	Controversial	Relevant Councillor(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	<b>Executive Functions:</b> Consult relevant Lead Executive Member and, where appropriate, Local Councillor <b>Non-Executive Functions:</b> Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	<b>Executive Functions:</b> Inform Lead Executive Member and Local Councillor <b>Non-Executive Functions:</b> Inform Local Councillor
Local	Yes	<b>Executive Functions:</b> Consult Lead Executive Member and Local Councillor <b>Non-Executive Functions:</b> Consult Local Councillor
General or County-wide	No	<b>Executive Functions:</b> Consult relevant Lead Executive Member (s) <b>Non-Executive Functions:</b> Consult relevant Committee Chairman

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General or County-wide	Yes	<b>Executive Functions:</b> Consult relevant Lead Executive Member (s) and the Leader of the Council <b>Non-Executive Functions:</b> Consult relevant Committee Chairman/Leaders all Political Groups
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