

**REPORT TO EDUCATION AND CHILDREN'S SERVICES COMMITTEE –  
8 OCTOBER 2020**

**THE DEVELOPMENT OF SCQF LEVEL 4 & 5 FOUNDATION APPRENTICESHIPS IN  
ABERDEENSHIRE SCHOOLS AND THE USE OF DELEGATED POWERS BY THE  
DIRECTOR OF EDUCATION AND CHILDREN'S SERVICES BY REASON OF  
SPECIAL URGENCY**

**1 Reason for Report / Summary**

- 1.1 To provide the Education and Children's Services Committee with an update on Aberdeenshire Council's successful bid to Skills Development Scotland (SDS) to deliver Level 4&5 Foundation Apprenticeships (FA) in our schools. This report also seeks to inform the Committee of the use of delegated powers by the Director of Education and Children's Services, by reason of special urgency, in respect of the provision of Foundation Apprenticeships and to seek authorisation to engage external providers to deliver apprenticeship courses in schools where required.

**2 Recommendations**

**The Committee is recommended to:**

- 2.1 Acknowledge the successful Aberdeenshire Council bid to Skills Development Scotland to become a lead provider for the delivery of Level 4 and 5 Foundation Apprenticeships for session 2020/21. The value of the contract award is £275,000**
- 2.2 Acknowledge the use by the Director of Education and Children's Services of delegated powers, as fully provided for in Appendix 1 of this report, in order to engage external providers to deliver Level 4 and 5 Foundation Apprenticeship courses in schools, where required.**
- 2.3 Agree that Level 4/5 Foundation Apprenticeship progress will be reported to the Committee alongside the wider Foundation Apprenticeship delivery progress updates and that regular annual updates are provided to the ECS Committee along with the ongoing 'milestone' evidence reporting to Skills Development Scotland.**

**3 Purpose and Decision Making Route**

- 3.1 Since session 2019/20, Aberdeenshire Council has been a lead provider of Scottish Credit & Qualifications Framework (SCQF) Level 6 Foundation Apprenticeships in our schools. This has improved the senior phase curriculum offer and the opportunities for young people. There has been a very significant uptake and successful development of Foundation Apprenticeships as a result.
- 3.2 At its meeting on 21 March, 2019, this Committee acknowledged the successful Aberdeenshire Council bid to become a lead provider for the delivery of

Foundation Apprenticeships in Aberdeenshire schools from August, 2019, and requested officers provide regular updates to the Committee.

- 3.3 At its meeting on 19 March, 2020, this Committee considered an update report on the development of Foundation Apprenticeships in Aberdeenshire schools. The Committee acknowledged progress made with the development of Foundation Apprenticeships in Aberdeenshire schools during session 2019/20 and acknowledged the successful bid by the Council to SDS to continue as a lead provider for the delivery of Foundation Apprenticeships in session 2020/21. At that stage, discussions were ongoing with SDS in relation to the possibility of introducing some Level 4 and 5 apprenticeship courses.
- 3.4 SDS is now expanding the Foundation Apprenticeship curriculum and is offering Foundation Apprenticeships at SCQF Levels 4 and 5 through a pilot programme. In August, 2020, Aberdeenshire Council was successful in its bid to deliver these courses in our schools for session 2020/21. This report is to inform members of our successful bid to develop Level 4 and 5 Foundation Apprenticeships and to update on the use of delegated powers. The information in this report has not been considered by any other committee.

#### **4 Discussion**

- 4.1 The Scottish Government has ambitions to significantly improve the work-related offer to pupils across Scotland and has identified Foundation Apprenticeships (FA) as a central part of achieving this vision. The strategic context rests in the first two recommendations from the Scottish Government *“Commission for Developing Scotland’s Young Workforce report: Education Working for All!”*

##### **Recommendation 1 - Senior Phase Vocational Pathways:**

Pathways should start in the senior phase which lead to the delivery of industry-recognised vocational qualifications alongside academic qualifications.

##### **Recommendation 2 - Preparing Young People For The World Of Work:**

A focus on preparing all young people for employment should form a core element of the implementation of the Curriculum for Excellence, with appropriate resource dedicated to achieve this.

- 4.2 As previously reported to the Committee, Aberdeenshire Council became a lead provider of SCQF Level 6 Foundation Apprenticeships in 2019 and launched the first frameworks (courses) in June, 2019. In session 2019/20, we successfully delivered almost 200 FAs. For session 2020/21 we currently have 320 pupils studying a Level 6 Foundation Apprenticeship through the Aberdeenshire Council model.
- 4.3 In July, 2020, SDS invited tenders to deliver Level 4 and 5 Foundation Apprenticeships and we were informed of our successful bid to deliver 120 Level 4/5 FAs in Aberdeenshire schools in August, 2020. Obviously, this was not an ideal timescale to get these courses up and running but this was beyond our control.

### **Special Urgency Powers - Specific Delegations for Procurement**

- 4.4 The SDS tendering process for the Level 4/5 Foundation Apprenticeships was delayed from February/March until July, 2020, due to the Covid crisis. The successful Aberdeenshire Council bid to deliver the courses in the current session was only confirmed in August, just prior to the schools returning from the summer holiday. We could not confirm the school requirements (and therefore what required to be procured) until they returned.
- 4.5 As with our existing Level 6 FAs, our default position is to deliver these in schools timetabled alongside other subjects and delivered by our own staff where possible. Where schools do not have the staffing capacity or specialist expertise, we require to bring in external providers. Due to the forecasted spend on external training services for Level 4 & 5 Foundation Apprenticeship qualifications, conducting a formal tendering process would normally be the default procurement route.
- 4.6 However, this was not possible due to the very restricted timescale, given that we required to get these courses up and running as soon as possible and we did not have the timescale to implement the normal procurement procedure. There was an urgency to get a service provider in place and delivering services. Failure to secure a service provider would have meant the risk of not running the courses this year and therefore the result would have been Aberdeenshire Council losing out on the funding.
- 4.7 Normally, any decision regarding items for inclusion on a procurement plan which relate to the purchase of services where the value is £50,000 or more and relates to more than one area would be a matter for the Committee to determine. Procurement for the FA Level 6 was previously agreed by the Committee. The timescale involved for the Level 4/5 FAs was beyond our control and therefore, following consultation with the relevant parties, the Director has exercised his use of delegated powers by reason of special urgency to approve external providers to be engaged to deliver the courses in schools where this was required.
- 4.8 Further detail as to the context and the reasons for the use of urgency powers by the Director of Education and Children's Services is contained within the form requesting use of the powers, which forms Appendix 1.

### **Level 4/5 Foundation Apprenticeships in context**

- 4.9 One of the ways identified by the Scottish Government to improve Scotland's productivity and meet future skills challenges is by extending work-based learning to all levels (SCQF Levels 4-11) through apprenticeships. In its work to address this, SDS looked at a vocational offer in schools which created closer links with employers. The development of the Level 4/5 Foundation Apprenticeship offer is led by SDS and SQA with the aim of offering S3 to S6 pupils the chance to gain both personal development and accredited skills in a work-based context.

- 4.10 The programme of Level 4 and 5 Foundation Apprenticeships enables young people to achieve a work-based learning qualification at an earlier stage in their learning and is aimed at extending the reach of the Foundation Apprenticeship offer of the future.
- 4.11 Foundation Apprenticeships at Levels 4 and 5 aim to enable individuals to identify and develop meta-skills such as communication, creativity and self-management, which can contribute to work readiness and create high performing employees.
- 4.12 The programme is also enabling employers to make a structured contribution to school learning by providing real life work-based situations which add value to learning and provide a pathway that articulates to other work-based qualifications available in the Senior Phase and beyond, such as Foundation, Modern and Graduate Apprenticeships.
- 4.13 The Level 4/5 Apprenticeships are open to any S3-S6 pupil and are available in the following subjects;
- Construction - Level 4&5
  - Hospitality - Level 4&5
  - Automotive - Level 4
- 4.14 The Level 4/5 FA courses will be delivered in schools and all admin. and support will be managed centrally by the FA Project Team. The FA Team will organise all providers, employers, provide teaching and assessment materials, etc, which will keep any additional workload and administration connected with the introduction of these courses to a minimum for schools. The FAs available and the model of delivery will have the following key features:
- Delivery in school with classes being timetabled alongside other subjects at a time that fits in with the school
  - Cohorts of approx. 8-10 pupils
  - Delivery can be either by school staff or external providers
  - All delivery costs will be covered by the FA Project Team
  - Courses will be planned to fit local school and community needs
  - Schools can deliver one or more of the level 4/5 FA cohorts
- 4.15 The Aberdeenshire Council Level 4/5 offer will be managed by the FA Project Team alongside the existing Foundation Apprenticeships and is a partnership with schools, employers and learning providers to provide expertise, knowledge and work-based learning. The Level 4/5 opportunities are across Automotive Skills, Hospitality and Construction in either a Skills for Work or a National Progression Award. Table 1 below outlines which schools will be offering Level 4/5 through the Aberdeenshire Council model.

**Table 1: Overview of Level 4/5 Foundation Apprenticeship Delivery 2020/21**

Construction	Hospitality	Automotive
Alford	Aboyne	Alford
Portlethen	Alford	Banchory
Turriff	Peterhead	Mearns
Fraserburgh *	Portlethen	Portlethen
	Fraserburgh*	Turriff

\*Fraserburgh Academy delivery is through North East Scotland College (Nescol).

- 4.16 An innovative aspect of the Level 4/5 FA offer is the inclusion of a Work-based Challenge Unit, with pupils working in teams with a local employer to design, develop and deliver a project whereby learners identify and deploy their meta-skills alongside the technical skills required by the project.
- 4.17 Pilot delivery from last session in other areas has provided clear evidence that Level 4/5 Foundation Apprenticeships are creating more confident young people with the critical skills and relevant qualifications for the workplace. With the benefits gained from work-based learning and the programme will bring education and employers closer together.
- 4.18 The delivery this session builds on previous pilots and will also be reviewed at the end of this year to create a final model which will be embedded into the Scottish school curriculum. The development of the Level 4/5 offer will enable us to support young people in preparing for their career and provide career development opportunities for those already in employment.
- 4.19 The Aberdeenshire Council FA delivery model ensures the FA has parity of esteem with other Level 4 and 5 courses. FAs are a subject choice offer and are timetabled as a school would any other senior phase course. All frameworks are delivered as a one-year FA model. As with the other existing Foundation Apprenticeships, with the close proximity of the college, Fraserburgh Academy delivers all of its Level 4/5 FAs through NESCOL.
- 4.20 FA delivery varies from school to school depending on local circumstances and the FAs being offered. Partnership has been central to how the Aberdeenshire Council delivery model has been developed and the Level 4/5 delivery will also reflect this.
- 4.21 Foundation Apprenticeships are a recognised academic qualification and are likely to have a significant impact on individual and school attainment. An overview of how the Level 4/5 FAs are tariffed through Insight is outlined in Table 2 below. For example, a Level 5 FA pass is almost the equivalent of an A pass in a National 5 course. There is no doubt that the introduction of the Level 4/5 FA into our schools will help raise attainment and address aspects of the Scottish Government's Closing the Gap agenda.

**Table 2: Level 4/5 Foundation Apprenticeships Insight Tariff Points**

Course	Insight Tariff Points			
FA L5	Pass			
Insight Points	80			
Nat 5 Grade	A	B	C	D
Insight Points	84	74	64	59
FA L4	Pass			
Insight Points	41			
Nat 4	Pass			
Insight Points	33			

The Level 4/5 Foundation Apprenticeships are also credit rated at 30 SCQF tariff points.

- 4.22 The reports on Foundation Apprenticeships to the meetings of the ECS Committee on 21 March, 2019, and 19 March, 2020, outlined that regular FA updates would be provided through the Performance Management Unit Pentana process. Level 4/5 Foundation Apprenticeships will be added to this reporting process.
- 4.23 The FA Project Team will continue to develop Foundation Apprenticeships as a universal offer to all our senior phase pupils. The addition of the Level 4/5 offer will help support the wider Developing the Young Workforce (DYW) agenda in a number of ways as follows:
- Development of Broad General Education (BGE) and pre-FA courses to ensure an effective pathway into the FA options while at the same time helping to deliver pupil entitlements as outlined in the Career Education Standard.
  - The Equalities Agenda – As previously outlined, the FA programme is helping to support young people at risk of disengaging from education. As well as this, we are developing an FA Equalities Policy which will have plans to promote career options through FAs. As required by SDS, this will actively target those who are care experienced and identified equalities groups such as gender, Black & Minority Ethnic groups, young people with disabilities and care leavers. As a Council, we consider all the protected characteristics, not only the groups identified by SDS, and, therefore, our FA Equalities Plan will reflect this.
  - Performance Management and Quality Assurance – we will have an ongoing focus on our performance management and quality assurance procedures as the project grows in scale.

#### 4.24 Challenges

As with any new development, there has required considerable leadership and change management from all involved, both in the education system as well as with employers, to promote and sustain the development of Foundation Apprenticeships as a viable and universal curriculum offer to our pupils.

Specifically, the following areas have presented challenges:

- Timescale – The timescale of introducing these Level 4/5 FA courses is far from ideal. SDS accepts this but the delay in tendering was beyond its control and primarily due to Covid. To mitigate against this very tight

timescale, special arrangements have had to be agreed in relation to procurement, school timetabling and recruitment. The goodwill, understanding and can-do attitude of all involved in this is much appreciated and should be noted. However, the benefits to pupils are such that both the FA Team and the schools involved feel the extra workload to get the courses up and running is worth it.

- Employer engagement – The Level 4/5 delivery requires employers to come into schools to develop projects with the pupils, and advise and mentor pupils through the year. While we will build on existing school partnership links, in the current Covid climate for business, we do not underestimate the pressure on employers’ time and resources. To assist with delivery, DYW North East, Opportunity North East, SDS and others, such as The Wood Family Trust, have also committed their support to ensuring enough employers are engaged. Aberdeenshire’s DYW and FA Project Team have also invested significant resource in engaging employers and we are confident that we can have the required number of employers actively engaged to meet our requirements of up-scaling of the FA delivery.
- Accommodation – Some schools have limited availability of Technical workshop and Home Economics kitchen accommodation to host the Level 4/5 delivery. Where this is the case, suitable and local alternative accommodation is being used.

## 5 Council Priorities, Implications and Risk

5.1 This report helps deliver the following Council Priorities:

### Our People

- Education
- Health & Wellbeing

### Our Environment

- Resilient Communities

### Our Economy

- Economy & Enterprise

5.2 This report helps support the delivery of the [Aberdeenshire Children’s Services Plan](#) Priorities - Corporate Parenting.

5.3 The table below shows whether risks and implications apply if the recommendation(s) is(are) agreed.

Subject	Yes	No	N/A
Financial		x	
Staffing		x	
Equalities		x	
Fairer Scotland Duty			x
Town Centre First			x
Sustainability		x	
Children and Young People’s Rights and Wellbeing		x	

- 5.4 An equality impact assessment was carried out and presented to the Committee meeting in March, 2019. [FA March 2019 Report Link](#) It identified that there is a positive impact on groups with protected characteristics. The development of FAs in Aberdeenshire secondary schools will help identified at risk groups, as outlined in the Developing the Young Workforce Programme, including support for young people at risk of disengaging from education including those who are care experienced. An equality impact assessment is not required here because the purpose of this report is to inform the Committee on the expansion of FAs and does not have a differential impact on any of the protected characteristics.
- 5.5 There are no direct staffing and financial implications arising from this report. Aberdeenshire Council's Education and Children's Service has secured SDS funding to be used for the purposes of the FA Delivery Programme and for no other purpose. The costs involved are in relation to staffing, tendering of external providers, costs of materials, and central support and administration. Recruitment will be in line with identified need and Council procurement processes and procedures.
- 5.6 The following Risks have been identified as relevant to this matter on a Corporate Level. [Corporate Risk Register](#)
- ACORP005 - Working with other organisations (e.g. supply chains, outsourcing, partnership working and commercialisation). This is mitigated through the Council's Partnership Policy & Partnership Risk Registers and Procurement Policy and clear governance and milestone reporting to SDS and the ECS Strategic Leadership Team. Governance risk is mitigated through the SDS-led Regional Guidance Strategic Group.
  - ACORP004 - Business & Organisational Change (*including ensuring governance structures support change, and, managing the pace of change*)
  - ACORP006 - Reputation Management (*including social media*)

The following Risks have been identified as relevant to this matter on a Strategic Level ([Directorate Risk Register](#)):

- ECSR002 – Developing Excellence and Equality
- ECSR003 – Embedding GIRFEC
- ECSR004 – Support Inclusive, Vibrant & Healthy Communities

## 6 Scheme of Governance

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report. They are satisfied that the report complies with the [Scheme of Governance](#) and relevant legislation.

- 6.2 The Committee is able to consider and take a decision on this item in terms of Section E.1.1.b of the List of Committee Powers in Part 2A of the Scheme of Governance, as it relates to Education.

**Laurence Findlay**

**Director of Education and Children's Services**

Report prepared by Andrew Ritchie, Lead Officer, DYW

Date: 10 September, 2020

## **LIST OF APPENDICES**

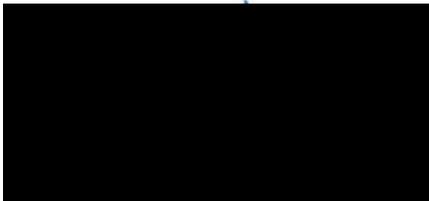
**APPENDIX 1      Special Urgency Form – Use of Specific Delegations to Chief Officers**

## SPECIAL URGENCY - USE OF SPECIFIC DELEGATIONS TO CHIEF OFFICERS IN SECTION B

	<p>This form records and confirms approval of the use of the delegation to the Specified Chief Officers (called the Delegated Officer) in <a href="#">Section B of Part 2B of the Scheme of Governance</a>.</p> <p>The Delegated Officer can make a decision instead of Full Council, Committee or Sub-Committee</p>
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<b>Full Council/Committee with delegation</b>	Education and Children's Services		
<b>Delegated Officer</b>	Director of Education and Children's Services		
<b>Requesting Officer</b>	Name: Andrew Ritchie	<b>Date prepared</b>	<b>24.08.20 updated 03.09.20</b>
	Service: ECS		
	Job Title: Lead Officer DYW		
<b>1. Recommendation</b>			
Description of the matter that requires use of special urgency delegation and how it has arisen	<p>Recently we have been awarded the contract to deliver Level 4/5 FAs in Aberdeenshire schools. While the timing of this offer is not ideal (this has been beyond our control) we hope to get these courses up and running as soon as possible.</p> <p>The Level 4/5 Apprenticeships would be open to any S3-S6 pupil and are available in the following subjects;</p> <ul style="list-style-type: none"> <li>• Construction Level 4&amp;5</li> <li>• Hospitality Level 4&amp;5</li> <li>• Automotive Level 4</li> </ul> <p>We have the contract to deliver approx. 4 cohorts in each framework. (ie 12 cohorts in total across Aberdeenshire schools)</p> <p>The Level 4/5 FA courses will be delivered in schools and all admin and support will be managed centrally by the FA Project Team. The FA Team will organise all providers, employers, provide teaching and assessment materials, etc, which will keep any additional workload and administration connected with the introduction of these courses to a minimum for schools. The FAs available and the model of delivery will have the following key features:</p> <ul style="list-style-type: none"> <li>• Delivery in school with classes being timetabled alongside other subjects at a time that fits in with the school</li> <li>• Cohorts of 8-10 pupils</li> <li>• Delivery can be either by school staff or external providers</li> <li>• All delivery costs will be covered by the FA Project Team</li> <li>• Courses will be planned to fit local school and community needs</li> <li>• Schools can deliver one or more of the level 4/5 FA cohorts</li> </ul>		
What is the recommendation to the Delegated Officer?	<p><b>Approve a procurement of the required services to start delivery in our schools as soon as practicable.</b> The contract awarded to Aberdeenshire Council from Skills Development Scotland was for £275,000 and the value of the contract element of our delivery will be a maximum of £175,000. The remainder of the grant is used to support</p>		

	employer engagement, school administration and materials.
<b>2. Justification for use of delegation</b>	
Detail the consequence/risk if matter cannot be progressed timeously and include why this cannot wait for the next meeting of the committee.	<p>The bidding process for the Level 4/5 was delayed from February/March until July 2020 due to the Covid crisis. Our successful bid to deliver was confirmed earlier this month.</p> <p>Due to the forecasted spend on external training services for SCQF Level 4 &amp; 5 Foundation Apprenticeship qualifications (max. £175K p.a.), conducting a formal tender would be the default procurement route. However, for the reasons outlined below this is not possible:</p> <ul style="list-style-type: none"> <li>• We have only recently received confirmation that our bid for funding from SDS was successful.</li> <li>• We have only recently received confirmation from schools on their ability to deliver the services using their existing staff. Most classes will need to be delivered by external providers.</li> <li>• There is an urgency to get a service provider in place and delivering services – failure to do so would mean running the courses this year is not feasible and therefore result in losing out on the funding.</li> </ul> <p>The timescales involved have been outwith the Council's control. The bidding process was during the school summer holiday. We could not confirm the school requirements (and therefore what requires to be procured) until they returned.</p> <p>Report went to Committee in March 2020. <a href="https://committees.aberdeenshire.gov.uk/FunctionsPage.aspx?dsid=103481&amp;action=GetFileFromDB">https://committees.aberdeenshire.gov.uk/FunctionsPage.aspx?dsid=103481&amp;action=GetFileFromDB</a></p> <p><u><a href="#">Procurement for the Foundation Apprenticeships level 6 was previously agreed by Committee.</a></u></p>
<b>3. Consultation</b>	
Chief Executive	Date: 3 September 2020 Response: Agreed
Chair of Committee	Date: 3 September 2020 Response: Agreed
Vice Chair of Committee	Date: 3 September 2020 Response: Agreed
Opposition Spokesperson of Policy Committee (if a policy committee decision)	Date: 3 September 2020 Response: Agreed
Any other relevant officer or elected member	Date: NA Response:
<b>4. Council Priorities, Implications and Risk</b>	
Specify which Council Priorities are supported by the decision to be made	<p><b>Our People</b></p> <ul style="list-style-type: none"> <li>• Education</li> </ul> <p><b>Our Environment</b></p> <ul style="list-style-type: none"> <li>• Resilient Communities</li> </ul> <p><b>Our Economy</b></p>

	<ul style="list-style-type: none"> <li>Economy &amp; Enterprise</li> </ul>
Detail any other key strategic priorities that this decision supports	Developing the Young Workforce Strategic Plan
Equalities Impact Assessment required?	Yes – Same as wider FA programme. Link <a href="#">here</a>
Fairer Scotland Duty	N/A There will be benefits to the young people in completing these Foundation Apprenticeships as they progress through life.
Staffing Implications	This will be dealt with from within existing resource.
Financial Implications	All is covered by the SDS funding.
Sustainability	
Town Centre First Principle	Yes No N/A
Children and Young People's Rights and Wellbeing	This offers young people an enhanced curriculum to better meet their needs making links between school and the world of work which will allow for more coherent next step pathways into work, college or university.
<b>5. Governance</b>	
Name of Committee and delegation in <a href="#">Part 2A of the Scheme of Governance</a> that should have been utilised	Committee: Education and Children's Services  Delegation: E 4.2.1
Monitored by Finance	Name: Mary Beattie  Date:
Monitored by Legal	Name: Lauren Cowie  Date: 3 September 2020
Final Decision by Delegated Officer	Agreed.
If required, Committee Meeting to be reported to -	Committee: Education and Children's Services  Date of Meeting: 8 October 2020
Electronically Signed by Delegated Officer	  Name:  Date: 4 September 2020

**A COPY OF THIS FORM ONCE COMPLETE MUST BE FORWARDED TO [ASKGOVERNANCE@ABERDEENSHIRE.GOV.UK](mailto:ASKGOVERNANCE@ABERDEENSHIRE.GOV.UK)**