

Meeting: Cabinet **Date:** 19th March 2024

Wards affected: None

Report Title: Learning Management System – contract renewal

When does the decision need to be implemented? As soon as possible to allow for contract renewal process to complete.

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1. Purpose of Report

- 1.1 To request approval for the Council's Learning Management System contract (LMS) to be renewed via the G-Cloud framework. The LMS hosts all of our e-learning courses and course bookings for staff training and development.
- 1.2 The current annual contract expires on 31st March 2024. The cost of renewing for one year plus the option to extend for a further year will be £80,180 (£40,090 per annum) therefore the cost will have to be approved by Cabinet.

2. Reason for Proposal and its benefits

- 2.1 A one year contract with the option to extend for a further year is proposed to allow adequate time for a new procurement process and implementation period for this contract.
- 2.2 This is likely to be involved due to the need for wide stakeholder engagement and implementation. Adequate time is needed for this and a one year renewal may not allow enough time for this.
- 2.3 The LMS is used by Torbay Council staff and external users, such as Schools, Early Years providers, Health and other partners to provide statutory Childrens Services training.

- 2.4 The LMS also provides mandatory training for all staff, ensuring that they receive the necessary training in regard to their health and safety, equality and diversity, safeguarding and information governance and security.
- 2.5 It also provides the platform for appraisals and staff development so is key in supporting our learning and development activities and ensuring that our workforce have access to the training that they need to support them in their job roles.
- 2.6 In providing the above the LMS ensures that the Council has a skilled workforce that can adequately deliver services and the ambitions of our Community Plan, it's themes and ambitions.
- 2.7 In particular, the delivery of statutory Children's Services training to service providers in our community supports the ambition of wanting Torbay to be a place where we have turned the tide on poverty and tackled inequalities; where our children and older people will have high aspirations.
- 2.8 In developing our workforce we are also supporting the ambition of ensuring quality jobs, and the themes of thriving people and ensuring a Council fit for the future.
- 2.9 The reasons for the decision are to provide assurance that the new procurement process can be completed, including time for full stakeholder consultation and system implementation should a new a provider be appointed.

3. Recommendation(s) / Proposed Decision

1. To approve the cost of £80,090 for the renewal of the Learning Pool contract from 1st April 2024 to 31st March 2026.

Appendices

Appendix 1: None.

Background Documents

Learning Pool - [Ready-made Content Library](#) | [Learning Pool](#)

Supporting Information

1. Introduction

- 1.1 The Council currently has a contract in place with Learning Pool to provide its learning management system, which hosts our e-learning courses and course bookings.
- 1.2 The current contract expires on 31st March 2024 and needs to be renewed. It is proposed that the contract is renewed for one year with the option to extend for a further year to allow time for a new procurement process and implementation period if a new provider is appointed.
- 1.3 If the contract is renewed on this basis, the cost for the two-year period would be £80,180 which requires Cabinet approval.

2. Options under consideration

- 2.1 The option of extending the current contract by 1 year only with no option to extend has been considered however it is unlikely that the procurement process can be completed in this time.
- 2.2 A contract renewal for one year including the option to extend by a further year will allow adequate time for the procurement process to be completed.

3. Financial Opportunities and Implications

- 3.1 The cost of the contract renewal will be met from existing training budgets from Human Resources and Children's Services.

4. Legal Implications

- 4.1 External users of the system, such as Schools, Early Years providers and partners such as Health and voluntary sector organisations require statutory Children's Services training in order to provide services to children and families.
- 4.2 Council staff must also be provided with relevant training to ensure that the Council is compliant, as an employer, with Health and Safety legislation, Data Protection and GDPR regulations, the Equality Act and child and adult safeguarding processes.
- 4.3 If the workforce does not receive appropriate training the Council could be at risk of legal challenge and financial penalties. For example, non-compliance with the Equality Act could result in an employment tribunal claim, there is currently no limit in the amount of compensation that can be offered in regard to injury to feelings.

5. Engagement and Consultation

- 5.1 The decision to renew the contract does not affect members of the community therefore engagement and consultation has taken place with internal services only.

6. Purchasing or Hiring of Goods and/or Services

- 6.1 The procurement will be undertaken with full support and advice from the procurement team and Social Value has been incorporated into the process and contracting requirements.

7. Tackling Climate Change

- 7.1 The LMS is an online learning and development service which is hosted remotely, therefore has a positive impact on our carbon footprint as an organisation.

8. Associated Risks

- 8.1 The risk of not renewing the contract with our current provider is significant. Without a learning management system in place the Council is unable to provide mandatory training to its workforce and statutory training to external service providers.
- 8.2 The Council could be at risk of legal challenge and financial penalties for non-compliance if training is not provided. For example, non-compliance with the Equality Act could result in an employment tribunal claim, there is currently no limit in the amount of compensation that can be offered in regard to injury to feelings.

9. Equality Impacts - Identify the potential positive and negative impacts on specific groups

	Positive Impact	Negative Impact & Mitigating Actions	Neutral Impact
Older or younger people			Neutral Impact
People with caring Responsibilities			Neutral Impact
People with a disability			Neutral Impact
Women or men			Neutral Impact
People who are black or from a minority ethnic			Neutral Impact

background (BME) (Please note Gypsies / Roma are within this community)			
Religion or belief (including lack of belief)			Neutral Impact
People who are lesbian, gay or bisexual			Neutral Impact
People who are transgendered			Neutral Impact
People who are in a marriage or civil partnership			Neutral Impact
Women who are pregnant / on maternity leave			Neutral Impact
Socio-economic impacts (Including impact on child poverty issues and deprivation)			Neutral Impact
Public Health impacts (How will your proposal impact on the general health of the population of Torbay)			Neutral Impact

10. Cumulative Council Impact

10.1 None.

11. Cumulative Community Impacts

11.1 None