

WEST DUNBARTONSHIRE COUNCIL

Report by the Chief Education Officer

Council Meeting: 23 June 2021

Subject: Leamy Foundation

1. Purpose

- 1.1** The purpose of this report is to detail the work that Leamy Foundation performs and how that work is funded.

2. Recommendations

- 2.1** It is recommended that the Members note:

- a) the work that Leamy Foundation performs;
- b) the funding previously made to the Leamy Foundation through a variety of funding streams over the last four financial years;
- c) that Council officers will engage with the Leamy Foundation to identify approaches to working together on shared goals; and
- d) that a report will be brought back to a future Council to detail the approaches to working together on shared goals although, these would all be subject to overcoming the significant challenges in terms of Procurement Law.

3. Background

- 3.1** The Leamy Foundation is a local charity based in Alexandria. The Leamy Foundation aspires to create positive, confident and connected communities promoting active community food growing and developing natural heritage outdoor learning resources.

- 3.2** At the meeting on 26 May 2021 Council agreed the following motion:

“Council agrees in principle to accept the Leamy Foundation, a registered charity, No SC045684, as a "Strategic Partner" subject to successful negotiations between the relevant Council officers, the Leamy trustees, plus final approval by WDC. The Leamy Foundation currently works in partnership with WDC Greenspace on various projects and with Education on the "Learn & Grow" project across our Schools and Nurseries. Council agrees discussions between both parties should start as soon as practicable.

A report will be brought to June Council with details of the work that Leamy does with the Council, how that work is funded, and what benefits our schools and our citizens could gain from forming a strategic partnership with the Leamy Foundation.”

4. Main Issues

4.1 The Leamy Foundation currently engages with a number of Council Services and are active in a number of programmes being delivered in West Dunbartonshire including:

- The ‘Learn and Grow’ project which aims to provide an active community food growing and outdoor learning resource in every education establishment in West Dunbartonshire;
- Learn and Grow Microgreen pilot projects;
- Developing outdoor spaces within schools and early learning childcare centres (ELCC);
- Maintaining current learn and grow spaces in 25 ELCCs / schools;
- Providing learn and grow training for participating family members and volunteers;
- Providing learn and grow lesson plans;
- Providing out of hours learning projects for children and families;
- Developing ELCC outdoor environments; and
- Developing a Neighbourhood Action Plan for Alexandria

4.2 The table below identifies expenditure with Leamy from April 2017 to March 2021, with a total spend of £194,000:

Service Area	2017/18	2018/19	2019/20	2020/21	TOTAL
Capital	£0	£61,311	£3,595	£9,730	£74,636
Environmental Improvement Fund	£0	£61,311	£1,595	£0	£62,906
Allotment Development	£0	£0	£0	£9,730	£9,730
Invest In Your Community Initiative	£0	£0	£2,000	£0	£2,000
Revenue – Education	£0	£27,033	£32,986	£42,160	£102,179
Pupil Equity Fund	£0	£1,875	£1,590	£0	£3,465
Scottish Attainment Challenge	£0	£24,958	£0	£0	£24,958
Opportunities For All	£0	£0	£20,000	£20,000	£40,000
Holiday Hunger	£0	£0	£8,174	£3,336	£11,510
Early Years	£0	£200	£0	£18,824	£19,024
Primaries/ASN	£0	£0	£3,222	£0	£3,222
Revenue - Other Services	£10,000	£2,758	£4,546	£0	£17,304
Libraries	£0	£2,758	£3,353	£0	£6,111
Working 4 U Jobs Growth	£10,000	£0	£0	£0	£10,000
HRA Repairs	£0	£0	£1,193	£0	£1,193
Total – All	£10,000	£91,102	£41,127	£51,890	£194,119

- 4.3** In considering the possible impact of the Leamy Foundation being declared a Strategic Partner, it is important to realise that Strategic Partner classification has no significant status – it simply indicates a body with which the Council may have significant shared aims and objectives. Importantly it neither guarantees funding nor preferential treatment.
- 4.4** The Leamy Foundation has recently submitted a request for additional funding tied to the delivery of a number of programmes. The total package amounts to in excess of £300,000 of works and services and as such presents a significant procurement challenge for the Council were it to simply award such funding for the delivery of these programmes. The award of contracts from £50,000 is regulated in Scotland and the award of services from £189,330 is subject to the full World Trade Organisation regime (equivalent to the former EU Procurement Directives) which has strict controls around such direct awards. Accordingly any funding of the Leamy Foundation request to deliver these services may represent a significant legal challenge.
- 4.5** In addition to the possible challenge noted above the financial proposal from the Leamy Foundation is at a level that is significantly higher than current budgets. Whilst such challenges may not be able to be overcome to deliver the programme in the manner the Leamy Foundation anticipates, officers will negotiate with the Leamy Foundation with a view to bringing a report to a future Council, which will seek to maximise the benefits of partnership working with the Leamy Foundation. In the meantime existing Education programmes should continue in line with their anticipated timescales. The current planned programmes in Education run until July 2021 with Summer Extravaganza activity finishing in August 2021.

5. People Implications

- 5.1** There are people implications currently of 8 hours per month aligning to existing remits from Greenspace and Educational Services officers participating in project development, sourcing 'green' spaces and development of learning resources.

6. Financial and Procurement Implications

- 6.1** Council funding to the Leamy Foundation from 2017/18 to 2020/21 is shown in the table at 4.2. In terms of current budgets, the Education Services budget has budgeted revenue expenditure with the Leamy Foundation in 2021/22 and plans to spend £20,000. A handful of schools have indicated that they are in preliminary discussions with the Leamy Foundation to engage with them as part of their 2021/22 PEF plan. Although potential costs are not yet available this is unlikely in aggregate to be more than a few thousand pounds.
- 6.2** As stated above, the proposal from the Leamy Foundation which seeks significant Council funding each year is currently not budgeted.

- 6.3** The Council and the Leamy Foundation working together on shared goals would all be subject to overcoming the significant challenges in terms of Procurement Law.

7. Risk Analysis

- 7.1** While the Council will work with the Leamy Foundation to arrive at a model which meets both parties' wishes, there are significant procurement challenges which may not be able to be met.
- 7.2** Any award of contract / appointments to the Leamy Foundation without properly addressing such procurement issues could leave the Council and the Leamy Foundation exposed to significant losses and the reduction of the contracts.
- 7.3** Without the benefit of the usual financial and organisational checks which would be carried out under a regulated procurement exercise, there is a danger to the delivery of programmes. It is therefore intended that as part of the process in preparing the future report to Council, the financial stability of the Leamy Foundation is a consideration.
- 7.4** The Leamy Foundation has no known links to Serious and Organised Crime which would have significant political and reputational ramifications for the Council.

8. Equalities Impact Assessment (EIA)

- 8.1** No equalities impact assessment was required in relation to this report. Equalities Impact will be considered in the future report to Council.

9. Environmental Sustainability

- 9.1** This report is relevant to the Council's Climate Change Strategy by addressing an approach which is anticipated to promote the following aims:
- 'Learning for Sustainability' food growing resources / activities in schools / ELCC and local communities;
 - Community volunteers, family, and pupil leaders; and
 - Reducing the Net Zero Carbon impact via use of locally grown food, reducing food waste.

10. Consultation

- 10.1** All Chief Officers, Legal Services and the Corporate Procurement Unit have been consulted on the contents of this report.

11. Strategic Assessment

- 11.1** This report aligns with the strategic priorities of the Council for 2017 – 2022.

Laura Mason
Chief Education Officer
16 June 2021

Person to Contact:	Laura Mason, Chief Education Officer Laura.mason@west-dunbarton.gov.uk
Appendix:	None
Background Papers:	Minutes from the meeting of West Dunbartonshire Council, 26 May 2021
Wards Affected:	All Wards

