Department for Education

Annex F- Delivery model options for a curriculum intervention

October 2022

Contents

Summary of options

The analysis of the shortlisted options and the marketplace option are in the economic case.

Subject to any potential approval of creating an arm's length body, we are keen to explore option 4.

Option	Outcomes (50%	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Overall Score
Option 1 - Do nothing BAU: Do not intervene, leave the commercial market to mature over the next 5-10 years	0/50	5/20	10/10	0/10	10/10	25/100
Option 2 - Ongoing grant funding of Oak	28/50	9/20	1/10	4/10	7/10	49/100
Option 3 — Pure procurement	27/50	12/20	8/10	4/10	7/10	58/100
Option 4 - NDPB company + procurement	44/50	15/20	7/10	8/10	5/10	79/100
Option 4a - NDPB company without procurement	33/50	12/20	5/10	6/10	5/10	61/100

Option 5 — NDPB statutory body + procurement	44/50	15/20	0/10	8/10	5/10	72/100
Option 5a - NDPB – statutory body without procurement	33/50	12/20	0/10	6/10	5/10	56/100
Option 6 - DfE core + consultants + procurement	35/50	10/20	5/10	3/10	5/10	58/100
Option 6a - DfE core + consultants (without procurement)	25/50	7/20	3/10	1/10	4/10	40/100
Option 7 - Make part of an existing organisation	27/50	15/20	2/10	5/10	9/10	58/100
Option 8 - Executive agency	38/50	11/20	7/10	4/10	7/10	67/100
Option 9 - Public corporation NDPB – company	32/50	5/20	1/10	4/10	7/10	49/100
Option 10 - NDPB - charity + procurement	42/50	14/20	7/10	7/10	5/10	75/100

Option 11 - CIC + procurement	42/50	15/20	2/10	5/10	5/10	71/100
Option 12 - NDPB + market place	33/50	14/20	5/10	2/10	3/10	57/100

Option 4a NDPB – company (without procurement)

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Score
33/50 Objectives – 11 Sector – 7 Strategic alignment - 15	12/20	5/10	6/10	5/10	61/100

Outcomes

This option is the same as option 4, but rather than procuring the resources and their iterations, they would be produced in-house.

This means the resources and their development would be seen less as ‘by the sector for the sector’, less credibly high quality as they would be less informed by expertise from across the sector, and therefore receive less sector buy-in and uptake than option 4.

Sustainability

This option should increase supply directly through providing high-quality, user-centred curriculum resources.

It should also increase demand from teachers for high quality resources by increasing curriculum expertise and demonstrating the value of drawing on high quality resources. It will also actively promote high quality parts of the commercial market.

Unlike option 4, public funding will not be flowing into the commercial market via procurement, reducing any market shaping/stimulating effect option 4 may have.

As per option 4 representatives from the market have raised concerns that providing full curriculum packages for free will damage the commercial market.

Deliverability

This option scores lower on deliverability than option 4 as this involves recruiting the expertise and resource to create the products from scratch, rather than building on the best in the system.

Value For money

This option would raise questions around it delivering value for money, as it is not building on the best of the market.

Affordability

As per option 4.

Option 5 NDPB (statutory body) + procurement

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Score
44/50 Objectives – 15 Sector – 14 Strategic alignment - 15	15/20	0/10	8/10	5/10	72/100

This option is the same as option 4, except that NDPB would be a statutory body not a Government Company. This would give the body a stronger legislative footing but would not have the flexibilities of a company and would take longer to set up. [REDACTED] Therefore this scores the same as option 4, but 0 for deliverability.

Option 5a NDPB – statutory body (without procurement)

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Score
33/50 Objectives – 11 Sector – 7 Strategic alignment - 15	12/20	0/10	6/10	5/10	56/100

Same as option 4a except for deliverability as per option 5.

Option 6 DfE core + consultants + procurement

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Score
35/50 Objectives – 8 Sector – 7 Strategic alignment - 20	10/20	5/10	3/10	5/10	58/100

This option means setting up a team within DfE consisting of civil servants and a significant number of contracted external experts who will produce curriculum maps, procure a digital platform, procure in-class and remote-education resources from the sector, quality assure those resources, conduct user testing and data analysis to then commission iterations of the resources.

Outcomes

This means high quality, knowledge-rich, well-sequenced curriculum resources would be made freely available to the sector. These resources would have been created in collaboration with the sector and would be continuously refined and updated to reflect user feedback and the latest thinking and policies. The department would have full control over the resources, so there would be no risk of divergence from Government policy.

However, resources that have been produced directly by central government are unlikely to be seen as ‘by the sector for the sector’ and might even be seen as an attempt by the Government to infringe on teacher autonomy. Therefore, the resources and the collaborative process of developing them would struggle to get the necessary buy-in and trust from the sector to have the impact we need.

[REDACTED]

This option would allow the department full control.

Sustainability

This option will increase supply directly by procuring high-quality, user centred curriculum resources.

If this achieves less buy-in from teachers, it will have less impact on increasing demand for high quality resources compared to option 4.

Deliverability

This option has scored low on deliverability due to the lack of expertise in-house to collate and quality assure content.

Value for money

Due to the department not having the expertise in-house to collate and quality assure content and, therefore, the need to rely extensively on consultants, this option would not be viewed as a good use of tax-payers money due to the high consultancy fees. This option will also not build on the significant investment of public money to date.

Affordability

The volume of resource and skill required for this option means it scores low in the affordability category. Consultancy fees are very high and would not be viewed as cost effective.

Option 6a DfE core + consultants (without procurement)

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Score
25/50 Objectives – 3 Sector – 2 Strategic alignment - 20	7/20	3/10	1/10	4/10	40/100

This has the same comparative disadvantages to option 6 as options 5a and 4a have, to options 5 and 4 respectively. Without procurement DfE would be even more reliant on consultants, which would be more costly.

Option 7 Make part of existing organisation

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Score
27/50 Objectives – 7 Sector – 5 Strategic alignment - 15	15/20	2/10	5/10	9/10	58/100

Outcomes

We have considered whether we can expand an existing ALB to capture all the benefits of option 4, while minimising the costs and complexities associated with setting up a new ALB.

There is, however, a concern in principle that the objectives could get diluted under the pressure of the organisation's existing policy objectives. A lean and focused body is required with a singular core purpose. Diluting that into a broad remit, can be detrimental to both the new and existing remit and can create difficult tensions between the two.

Furthermore, in practice our assessment of existing DfE ALBs concludes that these do not fulfil the functions needed for this work. The only one that is close to being suitable is the Standards and Testing Agency, but this would not be workable for the reasons below (nb. this has been agreed with STA Deputy Director).

STA is coming out of a period of reduced activity given the cancellation of statutory assessments due to the pandemic, during which time a third of its staff moved to new roles outside the Agency. STA is currently focussed on 'building back', as it comes back to delivering all statutory assessments in 2021/22. A change in scope like this would be a distraction to that fundamental task and increase the delivery risk.

STA also has a very specific relationship with schools, particularly given the link with school-level accountability using the assessment results - compared with Oak currently. Oak has developed a collaborative, peer-to-peer approach in its relationship with teachers.

STA has credibility in a particular way and for covering a particular area of education (assessment) but is not involved in curriculum resources given the potential conflict of interest in being responsible for measuring pupil attainment and also involved in supporting schools to increase attainment.

Concern around conflict with role in statutory assessments and the nature of the voluntary engagement we need with optional in-class resources e.g. primary teachers may feel they have to use the resources from the body that also provides their KS2 assessments (SATs). Expertise in STA is focussed around curriculum expertise in the context of assessment rather than curriculum expertise in the context of curriculum development and planning, to support teaching.

STA is part of the government and is not sector led.

Sustainability

The principles here would be the same as option 4, except as discussed above, it is likely less sector buy-in would be achieved by expanding an existing an ALB rather than creating a new one, which would limit behaviour change and therefore stimulation of demand.

Deliverability

This option scores low on deliverability due to the concerns highlighted above regarding STA – the only possible option for us to add remit to. Otherwise, this option would have the advantage of potentially not needing new legislation and a lengthy approvals process.

Value for money

If it were deliverable, this option would represent good value for money as it would avoid the high costs of creating a body from scratch.

Affordability

Adding to an existing organisation should reduce costs significantly and, therefore, this option scores high for affordability.

Option 8 Executive Agency

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for money (10%)	Affordability (10%)	Score
38/50 Objectives – 10 Sector – 9 Strategic alignment - 19	11/20	7/10	4/10	7/10	67/100

Outcomes

This option is the same as option 4, except that the new body will be an EA rather than a NDPB.

Although this option gives some separation from DfE, it provides significantly less than the NDPB option, and therefore faces similar issues to option 6.

Sustainability

Similar to option 6 though may benefit from more separation from DfE.

Deliverability

Although more deliverable than the NDPB options, this would still require significant resource to deliver.

Value for money

If sector buy-in is not achieved, and ultimately the resources are not used in line with expectations, this will impact on the option displaying value for money over time.

Affordability

This option scores relatively high on cost and is viewed as less costly than the NDPB options.

Option 9 Public Corporation

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for Money (10%)	Affordability (10%)	Score
32/50 Objectives – 6 Sector – 8 Strategic alignment - 18	5/20	1/10	4/10	7/10	49/100

Outcomes

It is unlikely we could meet the criteria for a Public Corporation (PC) while offering resources for free as most of the PC's income has to come from commercial sources. This would impact on our ability to meet our objectives.

This option would provide substantial day-to-day operating independence but be controlled by government.

Sustainability

We have scored this option low for sustainability due to the entity needing to gain over 50% of their income from purely commercial activities. This would, therefore, require careful consideration of impact on market and commercial/legal implications.

Deliverability

To be a Public Corporation the entity would need to gain over 50% of their income from purely commercial activities. This makes this option not deliverable.

Value for money

As the entity would be gaining income from purely commercial activities, this would be viewed as value for money over time.

Affordability

This option would have relatively high start-up costs which are reflected in the score for affordability.

Option 10 NDPB - charity + procurement

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for Money (10%)	Affordability (10%)	Score
42/50 Objectives – 15 Sector – 14 Strategic alignment - 13	14/20	7/10	7/10	5/10	75/100

Outcomes

This is similar to option 4 except that the department may have less influence, as charities are subject to the control of the High Court's charity law authority.

Sustainability

As option 4, but restrictions around charities may reduce flexibility.

Deliverability

As per option 4

Value for money

This option has been marked down for value for money due to the strict regulations charities are under and how this could impact on the flexibility and future direction of the organisation.

Affordability

As per option 4.

Option 11 Community Interest Company + procurement

Outcome (50%)	Sustainability (20%)	Deliverability (10%)	Value for Money (10%)	Affordability (10%)	Score
42/50 Objectives – 15 Sector – 14 Strategic alignment - 12	15/20	2/10	5/10	5/10	71/100

Community Interest Companies (CIC) are limited companies which operate to provide a benefit to a specified community.

These involve an 'asset lock' feature to ensure that the assets of the CIC are used for the benefit of the community.

In a government context they are mainly used to spin out public bodies to become independent e.g. it was considered for School Food Trust, and CICs have been spun out of Primary Care Trusts in the NHS.

Outcomes

Similar to option 4, except the Department has less influence: it can set governance arrangements in articles of association, but would be unable to close a CIC down or control finances.

Sustainability

As per option 4.

Deliverability

We think the deliverability of this option would be relatively low. Although it is technically easy to set up a CIC, [REDACTED]. There is also a question as to whether a CIC would be the right fit when resources would be free and whether an asset lock feature would be appropriate when any revenue presumably returns to government. It is an extremely rare option for ALBs and is more suited to the private sector setting up social enterprises.

Value for money

Marks deducted due to the lack of financial control and how this could impact on value for money over time.

Affordability

As per option 4

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