



Scrutiny Review

Provision of Swimming Lessons in Ryedale District Council's Swimming Pools



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A Terms of Reference for the Review



Executive Summary

This Report sets out the results of a review into the provision of the Learn to Swim (LTS) programme at Derwent Pool, Norton and Ryedale Sports Centre, Pickering.

This review has been carried out by Ryedale District Council's Scrutiny Committee.

The aim of the review was to consider the current 10 year contract between Ryedale District Council, Everyone Active and understand:

- i. The provision of swimming lessons (the Learn to Swim – LTS – programme) and
- ii. The potential consequences for the swimming clubs affected Derwent Valley Swimming Club (DVSC) and Ryedale Swimming Club (RSC)

The review has involved gathering information from Everyone Active (EA) and both DVSC and RSC to enable the Committee to understand the position regarding the provision of LTS swimming lessons.

The Task Group wishes to thank all those who gave their time in contributing to this review.

Key findings include:

1. The previous Leisure Management Contract was increasing pressure on the Council's budget and a strategic decision to procure a new contract for Leisure Management to ensure the sustainability of the Council's leisure services and to keep the swimming pools open.
2. There is a contract between the Council and EA for the provision of Leisure Management, the pools are leased to EA who are responsible for delivery of the Leisure Specification. EA must provide a clear pathway from LTS into club sessions.
3. EA have a policy to be the sole provider of LTS lessons.
4. It is the opinion of the Committee that the social value of the club structure is an asset to Ryedale.
5. The Scrutiny Committee do not want to see DVSC or RSC put in jeopardy.

The recommendations of Scrutiny Committee are:

1. That RSC and DVSC are allowed to continue their LTS lessons during the hours agreed in the Leisure Specification.
2. Everyone Active and the swimming clubs work together to ensure a smooth transition pathway from Everyone Active lessons to Club sessions.
3. Council considers an incremental increase in the specified hire charge per hour to the swimming clubs.
4. That Overview and Scrutiny Committee take a greater role in scrutinising the Performance Management of the Contract, in line with the terms of reference for the Committee.



2. Scope of the review

The terms of reference for the Review were agreed at the Overview and Scrutiny Committee on the 2 November 2017. (See Appendix A) in summary:

The review will make recommendations to the Policy and Resources Committee, on the arrangements for the provision of the Learn to Swim programme in Ryedale.

3. Membership of the Committee

Councillor G Acomb (Vice-Chairman)
Councillor J Clark (Chairman)
Councillor D Cussons
Councillor K C Duncan
Councillor J Frank
Councillor B Gardiner
Councillor E Jowitt
Councillor D E Keal
Councillor J E Sanderson
Councillor T Thornton

Scrutiny Review Task Group supporting officers:

Beckie Bennett (Delivery and Frontline Services Lead)
William Baines (Programmes, Projects and Performance Officer)
Anthony Winship (Council Solicitor)
Fiona Casson (Solicitor and Legal Services Manager)
Jos Holmes (Senior Commissioning Officer)

4. Methodology

The Scrutiny Review was proposed at the meeting of the Overview and Scrutiny Committee on October, 5 2017 as part of the Annual Report from Everyone Active on the third year of the Leisure contract for Ryedale DC.

The Committee agreed that the Overview and Scrutiny Committee conduct a Scrutiny Review of the provision of swimming facilities in Ryedale, with particular interest in children's swimming.

The Task Group approached the review by holding the following evidence sessions:

- Task group with Derwent Valley and Ryedale Swimming Clubs 26 October 2017
- Task group with Everyone Active 18 December 2017
- Task Group 15 February 2018
- Task Group 8 March 2018 – letter sent to EA and Clubs – deadline 9 April for action and response
- EA meeting planned with RSC 23 April 2018 and DVSC on 7 May 2018.
- Task Group on 19 April 2018

In addition, both swimming clubs were invited to submit supporting documents to the committee.

The submitted documents included:



1. Copy of the Ryedale Swimming Club presentation to the Scrutiny Committee
2. Summary Document
3. Comments on RDC Sport & Active Lives Strategy
4. Annex 1 - RDC Sport & Active Lives Strategy 2013-2023
5. Sports Volunteering in England in 2002 (Sports England)
6. Public Sector Equality Duty
7. Equality Act 2010 – Public Sector Equality Duty – What do I need to know?
8. Are Everyone Active's Lessons a good use of our pool?
9. RSC Competition Squad – can it function alone?
10. Contract Review
11. Feedback from RSC Members following communication sent on EA proposal to take over RSC widths
12. ASA Learn to Swim Programme Diagram and Award Brief

Ahead of the task group meeting on 15 February 2018, further evidence was collected from the two swimming clubs regarding the number of swimmers, prices and other outstanding information.

Legal Briefings were provided by the Council Solicitor which are exempt documents given the information contains commercially sensitive contractual details and therefore has legal privilege.

Leisure contract finance information was provided to the Committee, indicating the annual cost of the contract with both the current and previous providers.

5. Findings

The research undertaken highlighted the following key findings:

Leisure Management Contract

- The current 10 year contract between RDC and Everyone Active is worth £1.7m over 9 years
- The contract with EA represents an average annual saving to RDC of £186k per annum over 9 years (total £1.7m)
- EA contractually are responsible for leisure management which includes providing swimming lessons (the Learn to Swim – LTS – programme)
- There is a contract between RDC and EA for the provision of Leisure Management. The pools are leased to EA and it is their responsibility to deliver the Leisure Specification
- EA have a policy to be the sole provider of Learn to Swim Lessons
- EA must provide a clear pathway...from Learn to Swim into the club sessions
- The price of swimming lessons charged by the clubs was raised as an issue by bidders during the procurement process.
- It may have been that this could have been addressed through consultation with the clubs and agreement by the Council during the first year of the contract.
- EA tendered on the basis of providing LTS lessons to 1000 pupils
- EA have a gap of 200 pupils on LTS swimming lesson scheme, compared to tender
- EA claim an annual loss of income



The provision of Swimming Lessons

- The clubs have provided swimming lessons in Ryedale swimming pools for approximately 40 years
- Both swimming clubs became aware of EA's intention to be the sole provider of LTS after the contract was awarded
- There is no reservation in the contract reserving swimming lessons for the Clubs.

Potential consequences for Swimming Clubs

- Pool time each week and hire charges for clubs is protected in the Leisure Specification
- Loss of income for RSC and DVSC if not able to continue LTS lessons
- Reduction in club members on LTS for both clubs and potential loss of transition to competition squads (although EA are required to provide a clear pathway from LTS lessons into the swimming clubs)
- It is the opinion of the Committee that the social value of the club structure is an asset to Ryedale

Impact on Ryedale District Council

- Reputational risk impact with the community and potentially with contract suppliers

Recommendations

The following recommendations are made by Overview and Scrutiny following the review into the provision of swimming lessons at the Council's swimming pools:

1. RSC and DVSC are allowed to continue their LTS lessons for the people of Ryedale during the hours agreed in the Leisure Specification.
2. Everyone Active and the swimming clubs work together to ensure a smooth transition pathway from Everyone Active lessons to Club sessions.
3. Council considers an incremental increase in the specified hire charge per hour to the swimming clubs.
4. O and S Committee is to take greater role in scrutinising the Performance Management of the Contract, in line with the terms of reference for the Committee

Recommendations 1-3 will be made as a Part B item to the next meeting of Policy and Resources Committee and then to Full Council as these require a decision to change existing policy.

Recommendation 4 to be agreed by the O and S Committee within the terms of reference for the Committee.

Terms of Reference - Scrutiny Review of Provision of Swimming Lessons in Ryedale District Councils Swimming Pools

Aim of the Review	<p>To consider the current 10 year contract between RDC and Everyone Active and understand</p> <ul style="list-style-type: none"> - the provision of swimming lessons - the potential consequences for swimming clubs
Why has this review been selected?	<p>The issue of swimming lesson provision was raised at Scrutiny Committee on 5 October 2017 by Everyone Active as part of their annual report to the committee.</p> <p>Ryedale Swimming Club attended this committee and raised concerns about the planned changes Everyone Active were going to make to the provision of swimming lessons.</p>
Who will carry out the review?	<p>The review will be carried out by a task group including:</p> <ul style="list-style-type: none"> • A minimum of 2 members of the O and S committee (but open to all members of O and S) • Support will be provided by the Delivery and Frontline Services Lead, the Senior Commissioning Officer and the Projects, Programmes and Performance Officer • With input from other officers as required, including the Monitoring Officer
How the review will be carried out?	<p>The task group will consider the current contractual arrangement between the Council and Everyone Active and in particular the terms relating to pool activities and the provision of swimming lessons.</p> <p>The review will include consultation with Everyone Active and two swimming clubs, Derwent Valley and Ryedale Swimming Clubs.</p>
What are the expected outputs?	<p>It is expected that the task group will produce a report, summarising the evidence they have gathered to enable a proposed way forward for the provision of swimming lessons.</p>
Timescale	<p>It is anticipated that the group will conclude the outcomes of the review by February 2018. Progress reports will be submitted to the committee if required during the review.</p>