

REPORT TO CABINET

Title: **FURTHER EDUCATION AND TRAINING PROVISION IN THE ROYAL BOROUGH – ABOLITION OF THE LEARNING AND SKILLS COUNCIL**

Date: 26 February 2009

Member Reporting: Councillor Mrs Quick

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Wards Affected: All

1. SUMMARY

1.1 The Learning and Skills Council (LSC) will cease to exist from July 2010 and the responsibility for commissioning all learning and training opportunities for 14-19 year olds will rest with local authorities. These responsibilities will include:

- The strategic lead for 16-18 education and training
- Commissioning of 16-18 education and training
- The strategic lead and commissioning for young people with learning difficulties and disabilities (LDD) up to age 25
- Commissioning work-related learning
- Recommending priorities for capital development to the relevant funding bodies in response to learner need

1.2 A sub-regional grouping comprising the six Berkshire authorities will be set up. This proposal has been agreed by GOSE. This group will have responsibility for the strategic functions outlined above. The governance of the group will be through a strategic board consisting of:

- 6 local authority representatives (either the lead members or director of children's services)*
- 1 FE college principal (elected by FE Colleges)
- 1 headteacher of a school with 6th form (elected by Berkshire secondary headteachers)
- 1 young person (from youth parliament)
- 1 major employer
- 1 training provider
- 1 Berkshire local authority chief executive (to chair the group for the first year)
- 1 National Apprenticeships representative

* With each authority having one vote on key decisions

1.3 The shadow sub-regional grouping needs to be in place early in 2009, as local authorities need to be ready to deliver the new models by 2010-2011 and begin the transition immediately. There is a pan-Berkshire Machinery of Government group working closely with the LSC to plan the handover of responsibilities and to ease the transfer to the strategic board referred to above. This group is developing further work as follows:

- A project plan for implementation
- Detailed terms of reference and governance, delivery and implementation
- A proposed structure, set of functions and costings for the new service (we await further government guidance on funding and staffing proposals)
- Training and development activities to prepare staff in local authorities and the LSC for the change
- A communication/consultation strategy to engage all stakeholders with these proposals
- An analysis of the needs of young people with LDD and planning of appropriate provision
- An analysis of the current capital funding situation in the LSC and links with any local authority developments

1.4 A shared commissioning service would be led by the board. The delivery/operational model proposed is that the staff in this service would be employed and administered by one host authority, taking responsibility on behalf of all six local authorities. There has been no discussion to date about which authority would be host.

1.5 The attached paper describes the strategic delivery and governance functions of the board, together with the principles underpinning the delivery.

2. **RECOMMENDATION:**

That the proposed arrangements for Berkshire, following the demise of the LSC in July 2010, be noted and approved.

What will be different for residents as a result of this decision?
Better achievement and increased participation for young people through improved local arrangements for post 16 education and training

3. **SUPPORTING INFORMATION**

Background

3.1 The demise of the LSC will result in new responsibilities for local authorities, which have been highlighted above. By 2013 young people will stay in education and

training until at least the age of 18, ensuring compulsory participation for 16-17 year olds. Local authorities will discharge their responsibilities to provide a place in learning for every young person through strategic commissioning.

- 3.2 Guidance from DCSF and DIUS proposed that small authorities formed sub-regional groupings to deliver these functions, as no single authority could deliver all provision to meet learner needs. These groupings should reflect travel to learn patterns. The proposals for pan-Berkshire governance and delivery are outlined in the attached paper, produced on behalf of all six unitary authorities and endorsed at the Berkshire leaders' meeting on 18 December. Berkshire is proposed as a sub-region as it contains within its borders the main providers of general FE for young people in the area. 90.3% of students from year 11 continued their education post 16 within Berkshire.
- 3.3 It is also proposed that the six local authorities continue with their existing 14-19 partnerships, with local membership representative of stakeholders engaged in the 14-19 agenda. All 14-19 partnerships will inform the strategic planning carried out by the sub-regional group.
- 3.4 The sub-regional group will be supplemented by the establishment of a Young People's Learning Agency (YPLA) which will have responsibilities for budgetary control and for securing coherence in the event that agreement cannot be reached.
- 3.5 The proposals are to be implemented in three phases. September 2008-September 2009 will be a tracking year, with the LSC leading operations and local authority staff shadowing the LSC's commissioning process. A commissioning model will be put in place during this year. September 2009-August 2010 will be a transition year, with local authorities taking increased responsibilities from the LSC. September 2010 will see the full transference of functions, when we 'go live'. As part of this process, it will be necessary to transfer skills from the LSC to local authorities by using secondments for shadowing and building experience, with early transfer of staff wanting to move into local authority roles.

4. OPTIONS AVAILABLE AND RISK ASSESSMENT

4.1 Options

	Option	Comments	Financial Implications
1.	Fully engage in membership of the sub-regional board and work closely with the other five Berkshire authorities to develop more detailed proposals for the governance and operating models from 2010-2011 onwards, to be agreed by GOSE and DCSF Recommended option	This will give the authority an opportunity to influence the overall commissioning strategy for all post 16 learning and training and for provision for learners with learning difficulties and/or disabilities (LDD) up to age 25.	Revenue: £35 million was the 2008-2009 figure for 16-18 activity from FE providers across the six unitary authorities; in addition there is £351.4 million allocated to school sixth forms for 2008-2009. The work-related learning budget is £300,135. Funding will go direct to providers.

	Option	Comments	Financial Implications
2.	Suggest that Windsor and Maidenhead manages the responsibility for post 16 education and training for its own learners	The borough is very small and has insufficient capacity to take on this complex responsibility. It would not have the economies of scale which would accompany the pan-Berkshire model and may end up costing far more for the Borough to meet its statutory duties to ensure sufficiency of provision for all learners. It would be unable to provide the breadth of provision to meet learners with LDD needs nor those aged 16-18, 45% of whom attend post 16 education in FE providers across Berkshire.	

4.2 Risk assessment

- 4.2.1 The government may not fully fund all the required growth for places within the system.
- 4.2.2 It is not clear whether the funding provided for staffing will match the current spend on staffing for the functions transferring.
- 4.2.3 There appears to be no funding allocated to the transition process itself
- 4.2.4 There may be a risk that local young people may not be served well by the consortium arrangement, although this is neither the intention nor expectation. In the first instance, it is the intention that the borough commits to the consortium arrangement for three financial years, which would be subject to review at the end of the period. If the borough is not satisfied that residents' needs are being met, there will be an opportunity to consider alternative commissioning arrangements.

5. CONSULTATIONS CARRIED OUT

- 5.1 Papers presented to Berkshire Chief Executives at their meetings on 13 November and 11 December 2008
- 5.2 Papers presented to the Berkshire leaders' group on 18 December 2008

6. COMMENTS FROM OVERVIEW AND SCRUTINY PANEL

- 6.1 The Panel endorsed the report but queried the mechanism that would be used to select the non local authority Strategic Board members.

7. IMPLICATIONS

The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓	✓	N/A	N/A	✓	✓

Background Papers:

Raising Expectations: staying in education and training post 16 (DCSF 2007)

Raising Expectations: enabling the system to deliver (DCSF 2008)