

Proposals for pan-Berkshire delivery and governance of Machinery of Government Changes from 2010-11 onwards

1. Background

This paper was produced by the Berkshire Machinery of Government (MOG) Changes Group – for membership see Appendix A. This group met on 8.9.08, 8.10.08 and 8.11.08 to discuss proposals for the delivery and governance of the LSC functions which local authorities will be responsible for from 2010, and the phases for implementation as set out in the document *Raising Expectations: enabling the system to deliver*¹. For further details see Appendix B.

2. Purpose of the paper

This paper outlines the changes that will involve the LSC and local authorities in the Machinery of Government Proposals, and proposes options for the delivery and governance of current and future strategic planning and commissioning of educational opportunities for 14-19 year olds. The first stage of this was the submission to GOSE of the proposal for a pan-Berkshire sub-regional grouping across the six ex-Berkshire local authorities (Slough, Bracknell Forest, Windsor and Maidenhead, Wokingham, West Berkshire and Reading) on September 26th 2008. This needs to be agreed by GOSE and the Secretary of State. The second stage is to develop more detailed proposals for the governance and operating models for the sub-regional grouping from 2010-11 onwards.

3. Areas of responsibility that will be transferred to local authorities.

These are:

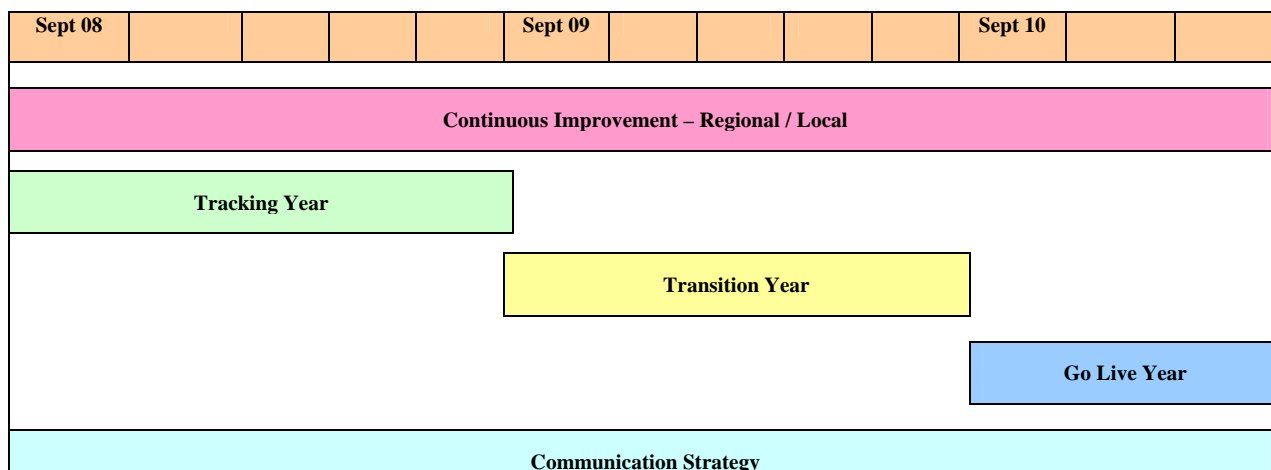
- Strategic lead for 16-18 education and training
- Commissioning for 16-18 education and training
- Strategic lead and commissioning for young people with learning difficulties and disabilities (LDD) up to 25
- Commissioning Work-related learning
- Recommending priorities for capital development to the relevant funding bodies in response to learner needs

The result of this is to give local authorities the clear responsibility for commissioning all 16-19 provisions.

4. Timelines

The proposals are to be implemented in three main phases as follows:

¹ Raising Expectations: enabling the system to deliver. DIUS 2008



Stage	Action	Date
1	26 th September – Local authorities to provide GO with short proposal for sub-regional grouping November to February – feedback from GO	26th September 2008 November 2008-February 2009
2	Immediate planning for implementation from autumn 2008 onwards Detailed proposals to be submitted to GO Shadow sub-regional grouping to be in place by January 2009 Commissioning model in place by September 2009	Nov 2008- Feb 2009 2008-9 2009-10
3	Delivery methodology in place using agreed model	2010-11
4	14-19 funding formula implemented	2011-12

5. The transfer process

As part of this process it will be necessary to transfer skills from the LSC to local authorities by using secondments for shadowing, building experience; early transfer of staff wanting to move to local authority roles. The 6 local authorities propose to work closely with the LSC to achieve this. In the first instance it is proposed that the LSC second a project manager to work with the Berkshire Machinery of Government Changes Group to assist with the development. At this stage it is not assumed that LAs will transfer the current LSC structures.

6. Funding

Overall 16-18 activities commissioned for 2008/2009 in FE providers is £35 million. In addition there is £51.4 million allocated to school sixth forms across Berkshire for 2008/2009. The work related learning budget is £300,125. Funding will go direct to providers via the local authority.

There will be a single transparent formula, providing funding for places identified through commissioning, which will be applied across all the funding strands. The formula is based on:

- Standard learning numbers (SLN)
- National funding rate
- Provider factor
- Additional learning support (ALS)

There are current risks around this funding as follows:

- The Government may not fully fund all the required growth for places within the system.
- It is not clear whether the funding provided for staffing will match the current spend on staffing for the functions transferring
- There appears to be no funding allocated to the transition process itself.

7. Proposed changes

Nationally

By July 2010 the LSC will not exist and Local Authorities will become responsible for commissioning all services for 14-19 year olds.

By 2013 young people will stay in education and training until at least the age of 18 i.e. compulsory participation for 16-17 year olds.

Locally

Local authorities need to be ready to deliver the new model by 2010-11 and begin planning the transition immediately. Our proposals for pan-Berkshire governance and delivery are outlined below. The shadow sub-regional grouping needs to be in place by January 2009.

Our proposal is that the six local authorities continue with the existing 14-19 partnerships in their areas, with membership representative of the community engaged in 14-19 deliveries. However, information from all 14-19 groups will be fed into the strategic planning carried out by the sub-regional group.

8. Proposals for outcomes and delivery and governance

The overall outcomes of the proposed changes are to:

- Raise achievement
- Increase participation in learning

The group will agree local and pan Berkshire targets in relation to these two areas as an aggregate of the individual local authority plans and strategies.

The strategic delivery and governance functions will be to:

- Ensure clear overall, strategic planning to meet current and future needs as part of the six LA Children and Young People's Plans
- Commission education, training, apprenticeships and work related learning provision to meet each local authority's and pan Berkshire current and future learner and skill needs in the area
- Plan and commission the most effective way of delivering diplomas to meet learner entitlement and ensure value for money
- Agree the principles and criteria for decommissioning provision
- Recommend priorities for capital development in response to growth, learner needs and the skills needs in the Berkshire area
- Ensure links to other strategy, policy and new initiatives (e.g. targeted youth support, adult skills)
- Commission provision for students with additional needs up to 25 to overcome barriers to learning, including:
 - Students with learning difficulties and disabilities
 - Students who are in juvenile custody
- Monitor delivery against needs and targets, ensure commissioning has met local needs, and that funding is allocated against agreed priorities and future needs
- Have agreed means of resolving disputes in a timely fashion

9. The principles underpinning the delivery

Based on the following principles for the future delivery of 14-19 (and up to 25 for young people with LDD) education and training:

- Commissioning, delivery and governance are based on the work of the locally driven 14-19 partnerships that are responsible for identifying and feeding into the Berkshire group (and wider area) the needs for growth and changes in local provision and for new provision.
- Young people can access high quality education and training to equip them with the skills and qualifications that they need in their current and future lives.
- Every young person has access to the provision they need within acceptable travelling times.
- Planning and delivery are kept as simple as possible and costs and bureaucracy are minimised.
- The delivery is sustainable

- The commissioning and delivery of services is not carried out for commercial gain.
- Local authorities are provider neutral in their commissioning decisions.
- Informed judgements take account of current needs analysis, and forecast future needs.
- Equity of provision is based on local needs (young people's needs and the needs of the market for skills).
- Decision-making is transparent.
- Continuation and development of information, advice and guidance about available education and training opportunities for young people.
- Key stakeholders are engaged e.g. young people, employers, and providers.
- The model retains flexibility to adapt to changing local or national requirements.

10. Recommendations

1. A sub-regional grouping consisting of the 6 Berkshire local authorities is set up with responsibility for the strategic functions outlined above, working within the agreed principles. The rationale for this grouping is set out in Appendix C.
2. The governance of the group would be through a strategic board consisting of all six local authorities and other stakeholders. This board would be responsible for the functions set out in section 6 and operate with respect to the principles set out in section 7.
3. The board would lead a shared commissioning service. The delivery/operational management 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 (e.g. similar to the existing arrangement where Bracknell takes a lead in employing staff operating the SE Grid for Learning).
4. The proposed membership of the board would be:
 - 6 local authority representatives (either lead member or director of children's services)
 - 1 FE college principal (elected by FE Colleges)
 - 1 headteacher of school with 6th form (elected by Berkshire secondary HTs)
 - 1 young person (from youth parliament)
 - 1 major employer
 - 1 training provider
 - 1 Berkshire unitary authority chief executive (to chair the group for the first year)
 - 1 National apprenticeships Service representative

The proposal would be that each authority has one vote on key decisions and other members are non-voting.

5. The Board would meet and consult regularly with a wider consultative/Advisory group of stakeholders
6. The Berkshire MOG group are commissioned to develop 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 costing for the new service (further government guidance is awaiting on funding and staffing proposals)
 - Training and development activities to prepare staff in local authorities and the LSC for the change. In this tracking year it is necessary for LA staff to shadow the commissioning process undertaken by the LSC so we develop a shared view of learner needs and skills demand in Berkshire
 - A communication / consultation strategy to engage all stakeholders with these proposals (see Appendix D)
 - An analysis of the needs for LDD young people and planning of appropriate provision
 - An analysis of current situation with capital funding in LSC and link with any local authority developments.

Appendix D lists areas for further consideration within the governance of the MOG changes:

References:

Leitch report

Raising Expectations: staying in education and training post 16; TSO 2007

Raising Expectations: enabling the system to deliver: TSO 2008

Appendix A: Membership of Berkshire Machinery of Government Change Group

Membership

Anna Wright - DCS Reading (Chair)
Cliff Turner - DCS RBWM
Clair Pyper - DCS Slough
Lesley Heale - Director of Children's Services Bracknell Forest
Margaret Goldie DCS West Berkshire
Bob Walding - Area Director LSC
Denise Lawton - Partnership Director LSC
Shereen Sameresinghe Partnership Director LSC
Ken Jones - 14-19 Adviser West Berks
Martin Mahoney - 14-19 Adviser RBWM
Sue Roch - Head of Policy, Planning and Performance, Wokingham
Peter Devereux - 14-19 Adviser Wokingham
Peter Shotts - 14-19 Adviser Reading
Bill Alexander - Assistant Director Raising Achievement Slough
Peter Ward - 14-19 Adviser Slough
Bob Welch - Bracknell Forest
Martin Surrell - Bracknell Forest
Angela Wellings - RBWM
Richard Balfe GOSE

Appendix B: Details of Raising Expectations proposals

From the Raising Expectations papers (DCSF 2007 and 2008)

- DCSF approach has 4 key features
 - Local authorities will discharge their responsibilities to provide a place in learning for every young people through strategic commissioning
 - Local authorities will cluster together in sub-regional groupings reflecting travel to learn patterns to commission provision for young people across the wider local area
 - This will be supplemented by a slim national Young People's Agency which will have responsibilities for budgetary control and for securing coherence in the event that agreement cannot be reached locally
 - There should be progressive devolution of power and authority to sub-regional level as the collaborative arrangements become stronger, successful, and more formal

- DCSF outline the key elements of the change as being:
 - A clear role for local authorities to identify demand and plan provision to meet the needs of young people
 - An operating system in which local authorities can commission the provision that is needed
 - A performance management system which ensures that the system raises standards for young people
 - A funding model which ensures that money reaches providers as appropriate
 - A plan for managing the transition from the present to the future

Appendix C: Rationale for Berkshire becoming a subregion

A Berkshire sub regional grouping contains within its boundaries East Berkshire College, Bracknell and Wokingham College, Thames Valley University and Newbury College. It therefore has within its borders the main general FE provision for young people in the area. In addition the specialist provider Berkshire College of Agriculture is located within the sub region. In 2007 90.3% of students from Year 11 continued their education post 16 within the sub region.

The six LAs have a history of working very closely together.

- The six UAs have a single contract with Connexions Berkshire for the delivery of Information, Advice and Guidance across the sub-region.
- There is a common online 14-19 prospectus
- The six UAs work in partnership with two EBPs across the sub-region
- One LA currently acts as lead authority for the South East Grid for Learning across the sub-region
- The Learning Plus Value Added Project (formerly the LSC Berkshire Value Added project) has provided high quality post 16 data on all institutions across the six UAs and enabled the sharing of best practice within the sub-region

There are very strong links across the six UAs in the development of Diplomas. The five diplomas currently running for post 16 learners within the sub-region at Thames Valley University are already able to be accessed by young people across all six UAs. The 14-19 leads within the six UAs are working closely together to develop a coherent Diploma offer to ensure that the needs of individual learners within the sub-region are met. Each of the FE colleges within the sub-region has very strong links with at least one of the UAs.

Delivery of the September Guarantee to 16 and 17 year olds is being developed through a sub-regional working party. Discussions have begun within this group on future models for commissioning of work based learning within the sub-region.

None of the LAs is large enough to commission provision for its learners on its own. It is also not possible to split Berkshire further (e.g. East and West) in any way that makes sense for learners as there are so many students that cross the 6 local authority boundaries.

Appendix C: Stakeholders that need to be engaged with these proposals

<ul style="list-style-type: none">• Young people• Schools• FE Colleges• Elected members• Local authority staff• Other providers• LSC• GOSE• RDA	<ul style="list-style-type: none">• Employer organisations• Schools Forums• Connexions• Members of BBA• HE providers• Jobcentre Plus• Training providers• Third sector providers
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Appendix D: Areas for further consideration within the governance of the MOG changes

- How the relationship with school sixth forms and sixth form colleges would be managed
- Diploma planning
- Maintenance of quality standards
- How to link with adult skills agenda –strategy and governance
- How to link with requirements of Young People’s Learning Organisation
- How Academies fit within this system
- Use of BSF and 14-19 Capital Funding
- Improvements in matching analysis of learner needs to market need and long term forward planning
- Membership and role of the 14-19 commissioning group
- Links with Children’s Trusts and related strategies e.g. Targeted Youth Support
- Involvement of FE colleges and other providers
- Involvement of employers
- Links with surrounding local authorities
- Transfer of education business partnership funding from the LSCs to local authorities from April 2009
- TUPE arrangements for staff
- Pension transfer for staff
- Role of the Young People’s Learning Agency (YPLA)