

Herefordshire Council Machinery of Government Update Briefing 4 June 2009 – Updated September 7th 2009

Introduction

From April 2010, responsibility for securing sufficient education and training provision for all young people, including those aged 16-19, and 19-25 year olds being assessed for a learning difficulty and/or disability, as well as juveniles in custody will pass from the Learning and Skills Council (LSC) to local authorities. In addition, the Young People's Learning Agency (YPLA) will be established as a Non-Departmental Public Body (NDPB) to support local authorities discharge their planning and commissioning functions and to ensure funding and budgetary control within the system.

Context for the changes

The Government's long term strategy for children is to make the UK the best place in the world for children and young people to grow up. The changes in the current delivery arrangements that we are making will:

- place 0-19 commissioning under the leadership of local authorities enabling local decision-making at the right level;
- more fully integrate the commissioning of services and provision for young people to support delivery of raising the participation age and access to the 14-19 entitlements;
- provide greater focus on strengthening the role of local authorities and Children's Trusts as champions of young people; and
- provide greater impetus for implementing the Common Application Process.

These changes need to be set alongside initiatives to improve learning routes and support to integrate services for young people, and are crucial to the successful delivery of the historic raising of the participation age to 17 by 2013 and 18 by 2015. The 16-19 transfer will put in place the infrastructure to enable every young person to access the most individually appropriate, engaging and high quality provision - and will give local authorities the tools they need to deliver the best outcomes for young people.

A diagram of the proposed structures is attached to this paper.

The role of local authorities

Local authorities are at the heart of the new network. Collaborative groupings at sub-regional and regional level will be crucial to ensure that strategic planning and effective commissioning decision making across areas is aligned and comprehensive.

Local authorities' role as Strategic Planners will encompass:

- planning to meet local resident learning needs;
- planning to meet collective learning needs across travel to learn patterns (this includes advocating for young people who travel across boundaries to learn to drive up quality, retention and achievement);
- planning to take account of multi-stakeholder requirements – parents and carers, employer, communities and partner agencies; and

- convening and supporting collaborative working through the Local Area Agreements, Children's Trusts and 14-19 Partnerships.

Their role as Lead Commissioners within sub-regional groupings (SRGs) will comprise:

- meeting the needs of all who learn in local authority areas through a sustainable provider base (this includes learners with specific needs – e.g. Learners with Learning Difficulties and/or Disabilities (LLDD) and young offenders);
- collaboratively agreeing learning required across travel to learn patterns by working sub-regionally and regionally; and
- working with colleges and other providers as strategic planning partners and by agreeing high quality provision through negotiation and dialogue.

In addition to the above they will have a crucial role to raise aspirations through:

- delivering raising the participation age, improving attainment targets for Level 2 and 3, and reducing the Not in Education, Employment or Training (NEET) cohort;
- effectively delivering Every Child Matters outcomes for all young people by joining up services and leveraging the strategic commissioning role within Children's Trusts;
- managing the environment to enable transition throughout a learner's journey; and
- managing the market and ensuring provider quality is maintained and raised for 16-19 learning provision.

Local authorities already have considerable expertise and capacity in relation to their wider commissioning role – for example in commissioning childcare places and targeted youth support services. To enable local authorities to take on their new duties we intend to transfer staff with the appropriate expertise, knowledge and skills to deliver. We will also ensure that local authorities are supported through the developing role of the YPLA.

The staff transferring to each local authority will have been identified by the LSC as discharging those functions that are transferring to the local authorities under the Machinery of Government changes. Those functions are described in the draft local authority Framework document that DCSF have developed with partners. The LSC have used a set of role descriptions to identify those staff that match to those functions.

LSC staff will be working alongside local authority staff during the transition year 2009-10, and transfer formally on 1 April 2010.

The precise organisation, structure and roles within local authorities from April 2010 is a matter for the individual local authority, and so during this period we expect them to clarify how individuals will be integrated into their existing teams. We would anticipate that this will include discussion with the individuals involved. Contractual terms and conditions are, of course, protected under the terms of the transfer.

The role of the YPLA

The YPLA will be a 'behind the scenes' slim line NDPB, with a fundamentally different remit to the LSC. It will be principally a supporting and enabling body, designed to support local authorities in fulfilling their new duties, individually and in SRGs and Regional Planning Groups (RPGs). In particular the small number of YPLA staff based in each region will provide regional planning and commissioning support, information, advice, analysis and specialist expertise. The YPLA Board will have significant local authority membership.

The YPLA's responsibilities will be to:

- ensure budgetary control of the £7 billion being transferred to local authorities to enable them to carry out their new functions;
- provide a national commissioning framework to help local authorities commission provision;
- promote consistency and simplicity in planning by providing a national statement of priorities and developing and operating the national funding formula;
- provide strategic analysis services to support the planning and commissioning process:
- provide data on participation, attainment and economic development in local, sub-regional and regional areas;
- work with the RDAs and other regional partners to provide information on future skills needs in an area for both young people and adults, as well as any other economic and labour market intelligence;
- co-ordinate the support and provide secretariat services for the RPG;
- work with local authorities to support and facilitate the production of commissioning plans at local, sub-regional and regional levels to ensure their coherence and fit within the national budget.
- fund and performance manage open Academies on behalf of the Secretary of State. Posts will transfer to the YPLA from the DCSF to undertake this work. Whilst the precise arrangements are still to be worked through, it is clear that the YPLA will be the best-placed organisation to bring that support and challenge linked to the overall funding and commissioning process.

The role of Government Offices (GOs)

The transfer of funding from the LSC to local authorities means that there will be no single line of accountability for the achievement of key participation, attainment and Public Service Agreement (PSA) targets from provider through local, regional and national structures. Additional posts in GOs will provide the necessary 16-19 learning and commissioning expertise to ensure the best interests of young learners are at the heart of the new performance management arrangements and that these arrangements support local authorities in the delivery of the entitlement and attainment and NEET PSA targets.

Key Implications for Herefordshire Council – updated 7th September 2009

1) Sub Regional Groupings

As part of these changes we are continuing to work with neighbouring Local Authorities in a Sub Regional Grouping. The main driver for this is to ensure that learners who cross authority boundaries to learn are able to access suitable provision. Herefordshire have agreed to work with Worcestershire, Shropshire and Telford and the Wrekin in a loose partnership; travel to learn patterns are low across all county boundaries, but there are similarities between the make up of the authorities. The Sub Regional Grouping will become an important body in negotiating local provision to meet the national and regional budgets.

Sub Regional Groups were required to submit 'stage 2' proposals by the end of February 2009 which provided information regarding the groups plans in a range of areas such as governance, collaboration and strategic contribution, resources and capacity, policy and planning, quality and targets.

In response to this The Sub Regional Grouping has drafted a Memorandum of Understanding and dispute resolution proposal as well as working to a live action plan to ensure that we meet all required timescales.

There is currently one working part of the Sub Regional Group to specifically look at Information, Advice and Guidance (IAG) to ensure that learners are able to access the same information, wherever they live.

Information is yet to be provided which will clearly define the responsibilities that must be completed by individual LA's and those which can be delivered by a 'shared' service – clarification on this should be provided in the form of the Commissioning Framework (Consultation period commences Autumn 2009)

2) Staffing Transfer

We have now been notified that we have 5 members of LSC staff transferring into the Local Authority.

1 x Partnership Manager:	Alexia Heath – Experience of contract with FE
3 x Partnership Advisor's:	John Riley – ESF/ Capital Projects
	Roger Fielder – Apprenticeships/ work based learning
	Christine Sheppard - SRG
1 x Administrator:	Suellen Holloway – Experienced administrator

In addition there is one further Band 3 (Partnership Manager) role vacant within the local Authority.

The LSC have matched staff to these roles and LAs have had no influence on the matching process; it has been conducted wholly within the LSC. Nevertheless for the vacancy within Herefordshire that has not been filled by the matching process we should receive a funding allocation instead of an individual.

It is intended that the new staff will sit within the Improvement and Inclusion Service Area within 11-19 and Integrated Services. Any data officer's transferring will sit within the Performance Planning Team. We will also have to make arrangements to support young

people with learning difficulties and disabilities. Once our initial staffing has been determined, more detailed planning can take place.

The terms and conditions of employment for staff transferring from the LSC will be protected for **two** years.

Further resources are expected for roles that are carried out regionally – Audit, Contract, Finance, LDD and Health & Safety. Confirmation of this is awaited.

3) Timeline for changes

The Sub Regional Grouping has been meeting since November 2009. We are working to a detailed action plan that will take us to April 2010. The summary timeline for activity is as follows:

Date	Activity
June – September 2009	Draft Memorandum of Understanding and Dispute Resolution Policy and consult
July 2009 (Actual date received August 2009)	Receive initial indicative staffing numbers and posts and agree and begin work shadowing processes. To Date: (7/9/09) Confirmed allocations received, 1 x Band 3 vacancy – Vacancy offered to LSC staff, no suitable staff available, Vacancy still available. Initial meetings set up with LSC partnership director Rolling programme of monthly meetings with LSC partnership director established Introduction to the 14-19 Team (half day) by end of September Comprehensive Induction programme currently being devised.
Summer 2009 (date tbc once framework released)	Review LSC commissioning framework, test commissioning scenarios to enable commissioning plan to be developed. Framework not yet released, understanding is the framework will be out for consultation October 2009 with a view to being ready to use for 2011/2012
September 2009	Continue to receive staffing allocations. Develop and agree the staffing structure. Carry out gap analysis of knowledge and skills transferring and plan accordingly Set up an internal post-16 funding steering group
October 2009	Memorandum of Understanding Cabinet sign off Agree arrangements for sharing information including data/transport policies and other awards Agree Protocols for impartial IAG Establish contacts with neighbouring authorities outside of SRG Work closely with LSC colleagues to commence the annual commissioning cycle for 2010/2011
December 2009	Agree final staffing structure. Advertise vacancies if appropriate. Agree provision requirements for vulnerable groups including those with learning difficulties and/or disabilities.
January- March 2010	Detailed work to take place with LSC to determine allocations. Discussions with Colleges, School Sixth Forms and providers
April 2010	Formal transfer of LSC staff

4) Connexions Service

Responsibility for funding for Information, Advice and Guidance (IAG) provision transferred to Local Authorities across England in April 2008 and Connexions Herefordshire and Worcestershire as the local provider has continued to provide services to date. In April 2010 it is proposed that Connexions Herefordshire and Worcestershire is taken in house in both Herefordshire and in Worcestershire local authority areas.

IAG is high profile on government agenda, National IAG Quality Standards have been produced a new bill is in place and new national guidelines are due out.

Local Authorities need to position Connexions services within the context of:

- The reform of 14-19 learning
- The 2005 Education and Skills White Paper
- The 2007 Children's Plan
- Raising Expectations White Paper
- 2008 Next Steps 14-19 Update Paper
- Post-16 funding transfer from the Learning and Skills Council (Machinery of Government)
- The Raising of the Participation Age as set out in the Education and Skills Act 2008

Within Children's Services we are reconfiguring in order to be able to address the range of existing, new and evolving challenges and demands placed upon us. The plans for the development of the Connexions service are set within that agenda and include the developing plans for the locality teams. A consultation on a proposed model for service delivery of the Connexions service from April 2010 onwards will soon be launched. Two recommendations emerged from the early work of the Connexions Development Group – either to bring the service wholly in house or to bring the strategic lead and associated services in house and to tender for the front line delivery. The preferred option is the former. The Connexions Development Group is working to tight timescales to ensure that the transfer is smooth; the planned cabinet discussion is 10 September 2009.

Conclusion

These changes are fundamental to the way that we will work in Children's Services and across the whole of our education provision, and commissioning provision is at the heart of this. This is not simply a return of colleges to the Local Authority as some suggest, and new and different relationships will need to be built for the benefit of learners both now and in the future.

This process is fast moving, and there will be much more to report – an update briefing is recommended in December.

Areas Requiring Further Clarification:

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