

Cabinet

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Raising Expectations: Enabling the System to Deliver

Report of David Williams, Corporate Director, Children and Young People's Services

[Cabinet Portfolio Member for Children's Services, Councillor C Vasey]

Purpose of the Report

1. The purpose of the report is to inform Cabinet about government proposals to transfer funding and commissioning responsibility for the delivery of education and training for young people aged 16-19 from the Learning and Skills Council (LSC) to individual local authorities from 2010 and to seek a decision on proposals for the development of a sub-regional grouping to deliver the commissioning responsibility.

Background

2. In Spring 2008 the Government published its *White Paper Raising Expectations: Enabling the System to Deliver*. This set out the Government's proposals to ensure that all 16 and 17 year olds participate in education or training and to ensure that every adult has the chance to improve their skills for employment. The proposals will see the abolition of the Learning and Skills Council and the transfer of funding for the education and training of 16-19 year olds to local authorities. This will provide local authorities with the responsibility to commission, amongst other things, places at General Further Education (GFE) Colleges and Sixth Form Colleges.

3. From 2010 local authorities will have a duty to secure sufficient provision for young people up to the age of 19 (including learners with learning difficulties and/or disabilities up to the age of 25 and young people in juvenile custody up to the age of 18). By 2013 local authorities will have a statutory duty to ensure full participation by all 17 year olds in education and training, rising to 18 year olds by 2015.

4. The Government now requires local authorities to come together to form a regional planning group in each of the 9 Government Office regions. These groups will agree an overall 16-18 commissioning plan for the region. Local authorities are then expected to cluster together in sub-regional groupings reflecting travel to learn patterns to share their commissioning plans and agree who is responsible for leading the planning, commissioning and funding for each college and provider in the area. The White Paper suggests that in some areas the "sub-regional grouping" could be a single local authority or all the local authorities in a region. Local authorities will also directly commission 16-19 places in their own schools, sixth form colleges and work based learning providers. A slim national agency, the Young People's Learning Agency (YPLA), will have responsibility for budgetary control and for securing coherence across the 16-19 system.

5. Local authorities are required by 26th September 2008 to submit proposals explaining how they intend to work together to deliver their new responsibilities. This requirement is set out in guidance from the Department for Children, Schools and Families (DCSF) which was only published on 30 July 2008. Local authorities are required to provide to the Director of Children and Learners of the relevant Government Office a short proposal of their sub-regional grouping outlining:

- proposed local authorities within any sub-regional grouping and supporting statements from each Director of Children's Services (DCS) of the Local Authorities (LAs) involved in the grouping;
- the rationale for the grouping, including a view about the match with travel to learn patterns; how it will help secure the delivery of the new curriculum offer; proposals to engage with neighbouring local authorities and groupings; and compatibility with other local and regional priorities, plans and proposals; and
- an early indication of whether the group will operate "model A" (where the YPLA commissions General Further Education provision for the sub-region) or "model B" (where the sub-region appoints a lead authority to commission GFE provision on their behalf) from September 2009 and a high level rationale for this. In both models the local authority would commission post-16 places in its own schools and in sixth form colleges.

6. Government expects that sub-regional groupings will emerge from the "bottom up". Discussions about the most appropriate groupings have been taking place across the North East Region and within sub-regions at various levels, including amongst Chief Executives and Directors of Children's Services. Whilst few local authorities have, as yet, taken formal decisions, it appears likely that the Tyne and Wear authorities will propose that they form a sub-region and that Tees Valley authorities will do likewise. This would cause particular issues for County Durham and, to a lesser extent, for Northumberland.

7. DCSF guidance on appropriate local authority groupings suggests that "travel to learn" patterns will be a major factor in determining how authorities should group together to commission places. This recognises the reality that very many young people travel across local authority boundaries for post-16 education.

8. The geography of the North East Region means that a relatively small proportion of learners travel to learn into or out of the region. Most of this movement relates to North Yorkshire. There are, however, substantial numbers of learners who travel across local authority boundaries within the region. These are summarised in Appendix 2. Members will note the substantial inward and outward movement between County Durham and neighbouring authorities in both Tyne and Wear and the Tees Valley. Thus, Durham County Council officers believe that the most appropriate proposal would have been for a commissioning group comprising all the Region's local authorities rather than dividing into sub-regional groupings.

9. As paragraph 6 suggests that view is not shared by other authorities in the Region. Given the significant movement between County Durham and both the adjacent conurbations it would not seem appropriate for the County to align itself entirely with one sub-region rather than the other. It is believed this could cause significant challenges in creating a coherent plan for commissioning provision, both for the authority and for our Colleges. It is not permissible for an authority to be a member of more than one grouping. Thus, it is recommended that County Durham

proposes it becomes a sub-region in its own right for this purpose. It is believed that Northumberland is considering a similar stance.

11. It appears that the DCSF is keen that most authorities move rapidly to adopt Model B (see paragraph 5). This is, in principle, the model preferred by officers. There are, however, substantial resource implications for the authority to manage this work. Thus, it is recommended that the Authority volunteers to operate Model B, provided that there is an appropriate provision of resource for the authority from the LSC and/or DCSF to provide adequate capacity for the work involved.

12. The second stage of the implementation will be an assessment of the proposals to be carried out by DCSF in early 2009, to enable a "readiness to deliver" judgement to be made. Groups are invited to submit proposals detailing their commissioning and other partnership arrangements between November 2008 and February 2009 to enable an assessment to be made by April 2009. This is intended to allow sufficient time for a shadowing relationship to be agreed within the LSC for the start of the commissioning year in September 2009.

Risk Assessment

13. The decision about the submission of commissioning groupings is, in itself, low risk. The level of risk may change depending upon how the DCSF finalises groupings.

Financial Implications

14. The Machinery of Government changes transfer responsibility for funding and commissioning education and training from the LSC to individual local authorities. This will result in the Council being responsible for passporting significant (i.e. tens of millions) additional resource to schools, colleges and training providers. At this stage we assume that this will be cost-neutral and will be fully funded by Government grant.

15. Additional capacity will, however, be required within Children and Young People's Services to plan and meet this responsibility. The Service will require extra staff. This will need to be considered in the medium term financial plan. To date the Government has not indicated how much resource it will provide for the County Council for the work involved in taking on this substantial new responsibility although the LSC is expected to begin to align its resources with sub-regional groupings once they are decided. Members should note that whilst the Service has significant experience in Commissioning Services it has no spare capacity at this time to manage this massive shift of responsibility to the local authority. This is having an immediate impact on the work of the Service

Recommendations

16. Cabinet is recommended to:

- (i) Authorise officers to propose to the Government Office North East and the DCSF that County Durham forms its own sub-region for the purpose of commissioning 16-19 education and training.

- (ii) Indicate its preference to adopt “Model B” to commission places in General FE Colleges, subject to appropriate provision of resource for the Authority from the LSC and/or the DCSF.
- (iii) Delegate to the Corporate Director, Children and Young People’s Services, the authority to prepare the detailed proposal to meet the requirements summarised in paragraph 5 of this report.

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Background Papers:

1. Raising Expectations : Enabling the System to Deliver (DCSF White Paper, 2008).
2. Raising Expectations : Enabling the System to Deliver, Update and Next Steps (DCSF, 31 July 2008)
3. 16-18 Transfer Guidance : Sub-Regional Groupings and Assessment Process (DCSF, 31 July 2008).
4. FE Travel to Learn Date, LSC, May 2008.

Appendix 1: Implications

Local Government Reorganisation (Does the decision impact upon a future Unitary Council?)

Finance

The cost of 16-19 provision should be neutral. Further resource for staffing within CYPS to manage this new responsibility will be required from the LSC or other sources.

Staffing

See above

Equality and Diversity

None at this stage

Accommodation

None at this stage

Crime and disorder

None at this stage

Sustainability

None at this stage

Human rights

None at this stage

Localities and Rurality

Securing an appropriate commissioning group is important in ensuring that needs can be met in all areas of the County, especially those furthest from the major urban areas.

Young people

All 16-19 young people will be affected by the way education and training is commissioned.

Consultation

Informal discussions with all NE local authorities through officer networks; and with the LSC.

Health

None at this stage.

Travel to Learn Patterns

- 1.1 Commissioning arrangements for future provision of 14-19 education and training should reflect travel to learn patterns. In County Durham, existing travel to learn patterns support a county approach to strategic planning and commissioning of 14-19 education and training.
- 1.2 Within County Durham there are 4 Further Education colleges, 36 secondary schools (15 of which have 6th forms), 8 special schools (4 of which cater for students 16-18), 3 independent secondary schools with 6th forms, 12 providers of work-based learning and 9 providers of Entry to Employment.
- 1.3 In 2006/7 there were 7,183 16-18 year olds resident in County Durham participating in FE colleges, 3,557 participating in School Sixth Forms, 2,024 participating in work-based learning (average in learning) and 586 young people commencing Entry to Employment.
- 1.4 In 2006/7, travel to learn data (which is based on 'instances of learning') indicates that approximately 25% (1842) of County Durham FE learners accessed provision in other Local Authority areas in the region. Almost 46% (847) of that number travelled to Darlington, 15% (274) to Sunderland, 13% (234) to Newcastle, 10% (187) to Hartlepool, and 7% (120) to Gateshead.
- 1.5 The percentage of 16-18 year olds learning in FE colleges in County Durham in 2006/7 from outside the LA area accounts for 12% (734) of the cohort. Of those, the largest percentage travelled from Sunderland at 30% (218), 11% (78) from Gateshead, 10% (71) from Hartlepool, 8% (60) from Stockton and 7% (55) from Darlington.
- 1.6 In 2006/7, only 6% (218) of the total 16-18 year old County Durham residents participating in School Sixth Form provision did so outside the LA area. Of those, 42% (92) travelled to Gateshead and 26% (57) travelled to Sunderland.
- 1.7 The percentage of 16-18 year olds learning in School Sixth Forms in County Durham in 2006/7 from outside the LA area accounts for 11% of the total (390 out of 3,588 instances of learning).
- 1.8 In 2006/7 approximately 70% of 16-18 year olds resident in County Durham participating in work based learning did so in the county. The remaining young people participated in provision delivered in Gateshead, Darlington, Sunderland, Newcastle and Hartlepool.