

**REPORT FOR: Education Consultative
Forum**

Date: 27th January 2010

Subject: INFORMATION REPORT
Machinery of Government changes / 16-19
education provision

Responsible Officer: Heather Clements, Director Schools and
Children's Development

Exempt: No

Enclosures: Nil

Section 1 – Summary

This report sets out the main changes for the Local Authority that will take place as a result of the successful passage of the Apprenticeship, Skills, Children and Learning Act (2009), specifically as the Commissioners of 16-19 education provision in Harrow.

FOR INFORMATION

Section 2 – Report

2.1 Current position

The current statutory responsibility, including for the academic year 2010/11, for the commissioning and funding of 16-19 education in Harrow lies with the Learning and Skills Council (LSC).

From 1 April 2010, this responsibility – the Machinery of Government - is passed to the Local Authority.

£27,773,060 (at 2008-09 rates) of funds will be transferring from the LSC to Harrow. These funds will be principally allocated to Harrow College, Stanmore College, St. Dominic's Sixth Form College, The Harrow Schools Collegiate and voluntary sector providers.

The local authority will also work in partnership National Apprenticeship Service, after April 2010, to ensure learners in Harrow will have access to this line of learning.

2.2 Local Authority responsibilities from April 2010

Local Authorities are the “champions” of young people in their area, focusing on achieving better outcomes for them, even when those outcomes are achieved in a different local authority.

The Local Authority will have new duties and powers. As the commissioners of 16-19 learning, these include:

- securing sufficient provision of education and training for young people residing in their area, regardless of where they want to learn, or who are held in youth custody in their area;
- procuring learning provision with providers located in the area on behalf of other local authorities whose residents travel into their area to learn, and;
- commissioning of Information, Advice and Guidance (IAG) services, through Connexions services or others.

This will help to achieve a number of key outcomes, i.e.:

- To lay the foundations for the successful raising of the participation age to 18 from 2015.
- To make sure that the right provision is in place to allow every young person to access their entitlements to learning, including Diplomas and Apprenticeships, and deliver the September Guarantee.
- To make sure that provision supports the achievement of all of the five Every Child Matters outcomes.
- To provide opportunities so that every young person can participate in learning and prevent any young person from suffering the long term effects of not being in education, employment, or training (NEET).

The new approach from local authorities to support the delivery of these outcomes needs to include:

- Strong leadership to ensure the provision of a coherent learning and support offer for young people, through strategic integrated commissioning.
- Provision which is flexible enough to meet the needs of some young people who need to re-engage in learning at different times of the year, including young people who are leaving youth custody and enabling those in employment without training to access learning and training alongside their job.
- Assuring that information, advice and guidance (IAG) is sufficient, effective and relevant to school, college and labour market needs.
- An approach which takes a critical look at the mix and balance of provision and the support needed to meet the needs of all young people.
- A clear focus on supporting vulnerable young people and their families, focussed particularly on children in care, teenage parents, young people with learning difficulties and disabilities and young carers.

The development and operation of the new local authority function is guided by a set of key principles:

- The system will operate in the interests of the learner, addressing learner choice and diversity, and will ensure access to learner entitlements and curriculum pathways.
- The system will take into account the needs of employers and employability.
- The system will seek the involvement of providers as key strategic partners.
- Commissioning should be sustainable, impartial and provider neutral, securing high quality provision from the most appropriate quality assured providers.
- Funding - based upon the national funding formula and applied at the level of the provider - will follow the learner.
- The process will provide and encourage flexibility for local authorities and other partners to respond to needs.
- The system will ensure consistency in key features based on the National Commissioning Framework.

Local authorities are expected to be effective commissioners of 16-19 education by:

- undertaking collaborative planning between local authorities to determine the education and training needs of young people across travel to learn areas and to make sure provision is made available for all young people to progress in learning, wherever it is most appropriate to do so, including delivery of the learner entitlements and the September Guarantee.
- ensuring that the quality of provision and institutional performance at least meets minimum standards (e.g. of accreditation), and continues to improve.
- procuring provision within the framework of the national funding system and ensuring it is affordable within national and local budgets.
- enabling the respective parties to the commissioning process to deliver their responsibilities for handling and accounting for the revenue and capital funds invested in young people's learning.
- delivering provision and a support offer for young people, including provision for the

most vulnerable, that enable access to the 14-19 entitlement.

The term “commissioning” is used to refer to all stages of the commissioning process, including needs analysis, planning, funding, procuring, contracting, making payments, and monitoring provision of education and training, services for young people so that:

- Local authorities and their partners build a sophisticated understanding of the existing and potential needs of young people based on qualitative and quantitative evidence and informed by engagement with learners.
- Data are provided (i.e. census returns on learner volumes and achievement) at agreed points throughout the year and used to inform future commissioning decisions.
- Provision is strategically planned and designed, with the involvement of learners, employers and current and potential providers, and with a strong understanding of what is effective and delivers value for money.
- Local authorities develop a diverse, sustainable provider base offering sufficient, appropriate (in relation to need and demand) and high quality provision.
- Provision is procured from the most appropriate providers.
- Provision is monitored to assess performance against expected outcomes.
- Local authorities give providers the freedom to be innovative and creative within an agreed framework to ensure delivery of the full learner entitlement.

These reforms are intended to ensure that local authorities not only commission well, but put in place systematic processes to join up all their support and positive activities.

2.3 **Preparation in 2009/10**

In preparation for the full transfer of responsibility, Local Authority officers have;

- Allocated an officer from the Achievement and Inclusion (A&I) Service to work alongside senior officers from the LSC and the London Young People’s Learning Agency (YPLA), a non-departmental public body that provides local authorities with support through to March 31 2010, for the current commissioning round thereby ensuring 16-19 learners, and their providers, are fully prepared for the 2010/11 academic year.
- The same officer has been working with REACT, the Raising Expectation Action Programme, a Local Government Association (LGA) sub-group, funded by the DCSF, that supports local authorities as they take on responsibility for the commissioning of learning for 16-19 year olds. The React Programme works closely with the Association of Directors of Children's Services. The team supports local authorities in building capacity to ensure the smooth transfer of commissioning and funding responsibilities from the Learning and Skills Council. React’s role has been to support councils through this challenging process.
- To accommodate these changes, especially in London where 16-19 learners frequently travel across local authority boundaries, London local authorities have been working in close partnership to facilitate the transfer of responsibilities. London local authorities work together through the London Regional Planning Group to ensure

there is a strategic approach to the London wide education and skills development agenda. An officer from the Local Authority has represented the interests of Harrow on the RPG, and on the Regional Allocations Group (RAG), that scrutinises each boroughs planning and allocation arrangements. For the 2009/10 allocation process, this was carried out as a dry run, whereas for the 2010/11 allocation the Local Authority is taking a far more active role in determining the allocations across Harrow.

- The Local Authority have been fully involved in all the Provider Meetings, in partnership with the LSC, and has made an initial submission of 16-19 learner numbers for Harrow in 2010/11
- To support providers who wish to grow the numbers of 16-19 learners in their institutions, the Local Authority will be supporting these institutions to submit a business case to the Regional Allocations Group.
- Harrow Local Authority has a representative on the RAG Business Processes Technical Group, to inform future London wide processes for 16-19 planning
- To ensure the local authority is well placed to ensure all planning is informed by effective data, we have undertaken a full curriculum audit to help providers to plan a curriculum that will provide all 16-19 learners with an opportunity to access all four lines of learning (apprenticeships, Diplomas, Foundation Learning, GCSE/A levels) by 2013.
- To assist Local Authority planning for 16-19, we have commissioned a full analysis of the outcomes of learners from our schools in relation to their aspiration for future study. All findings have been reported to the 14-19 Strategic Group.
- To support the Machinery of Government changes the Local Authority has continued to work closely with the Further Education Colleges and the Sixth Form College by undertaking a relationship building exercises, through enhanced communications with college principals and their corporate management.
- To fully understand the nature of the “travel to learn” patterns across our neighbouring local authorities, we have, and continue to be engaged in inter-borough dialogues to ensure all Harrow resident learners receive the best possible opportunities even if they travel out of borough. These conversations are taking place with Hillingdon, Brent and Barnet in the first instance.

2.4 **Funding and Staffing**

Currently the funding for 16-19 education provision is based on a national formula and is paid directly to providers by the LSC. The national funding formula is an activity based formula with each course attracting a set amount of funding. From 1 April 2010 funding will continue to be based on the national funding formula however the council will receive the funding for all providers within the borough from the YPLA. The council will be

responsible for monthly payments to individual providers. In future years the council will have to ensure that the 'basket' of courses commissioned from 16-18 providers is affordable from the pot of funding allocated by the YPLA through the Regional Planning Group. It is expected that some audit functions relating to the funding will also transfer to the council however the details are still to be finalised.

It is envisaged that Harrow will require the following 16-19 Team in order to carry out the responsibilities described above:

- 1 x Commissioner (Team Leader)
- 2 x Quality Assurance / Development managers
- 1 x Finance Officer
- 1 x Data Officer

No LSC staff are transferring to Harrow. Instead the local authority will receive funding to establish an appropriate infrastructure, including these key staff and some administrative support, from April 2010. Although the LSC have yet to confirm the exact amount of funding and how this will be paid it is expected that the funding provided to the authority will be adequate to cover the additional costs resulting from the transfer of responsibility from the LSC.

Existing Local Authority staff who will be supporting this transfer are attending REACT funded training in January/February. The training will encompass:

- Finance and Commissioning – 24th January – check I though February.
- Performance Management – 15th January
- Vulnerable Young People – 11th February
- Information Management – 20th January

2.5 Local arrangements

The strategic leadership for the effective delivery of the new local authority responsibilities will lie with the Harrow 14-19 Strategic Group.

The 16-19 staff will work within existing Local Authority structures associated with commissioning, quality assurance, finance and data.

A key priority for Harrow will be to establish quality assurance processes for 16-19 learning to ensure high standards of provision for all 16-19 learning. Wherever possible existing structures, already in place for earlier phases, will be further enhanced

The quality assurance arrangements for the Further Education Colleges will lie with Skills Funding Agency.

Section 3 – Further Information

None

Section 4 – Financial Implications

See 2.4

It is expected that the transfer of funding from the LSC to the local authority will match the expenditure required to deliver the new responsibilities and duties.

Section 5 – Corporate Priorities

None specifically, but the Local Authority is expected to ensure that vulnerable young people are included in the commissioned provision.

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Date: 11 January 2010		

Section 6 - Contact Details and Background Papers

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Background Papers: None