

Report to: **Scrutiny Committee for Children's Services**

Date: **23 November 2009**

By: **Director of Children's Services**

Title of report: **Update on key 14-19 Developments**

Purpose of report: **To inform the Committee of two key 14-19 developments, the Raising of the Participation Age (RPA) and the 16-19 Funding Transfer**

Recommendations: The committee is recommended to consider and comment on the issues and note the progress of their implementation.

1. Background Information: Raising of the Participation Age (RPA)

1.1 In the summer the DCSF invited Local Authorities to submit Expressions of Interest to take part in a RPA Trial. East Sussex was one of 7 Local Authorities (LA) nationally to be successful. The other LA taking part in the Trial are:

- Swindon, Cumbria, Wandsworth, Barnsley, Hertfordshire and Newcastle.

The Trials seek to accelerate the planning already underway in LA for RPA implementation and to share good practice in specific areas.

1.2 East Sussex has been awarded £100,000 as part of the Trial which is to be used to increase capacity to prepare for RPA. We have appointed a RPA Manager to lead the Trial for us and a Business and Administration Apprentice to provide additional support. Both these posts will be located in the 14-19 Team within Learning and Schools Effectiveness.

1.3 Last year we wrote our 'Towards Implementation: RPA Strategy' which outlined the key activities we would take with our partners and stakeholders to prepare for the raising of the participation age in 2013 and 2015. The RPA Trial will implement this strategy, working on the overall challenges, barriers and solutions of full participation.

1.4 There are three main themes where activity will be focused as part of the Trial: communication, commissioning and support for specific young people.

1.5 **Communication:** Raising awareness of the raising of the participation age and dispelling some of the misconceptions is a key priority for us. Raising the Participation Age means that all 17 and 18 year olds will be required to stay on in education, training or employment/volunteering with training, it is not the raising of the school leaving age to 18 years. Our work will focus on a communication campaign for professionals within Children Services, schools, colleges, connexion providers and other key partners. We are also setting up Year 7 and Year 8 Learner Focus groups, and a Parents Focus Group. These groups will be used to engage with young people and to inform our policy and communication campaign. We will also 'track' the learners in these groups as part of our research to understand the choices young people make, and why. Another aspect of the communication theme is to undertake a small social marketing campaign within a specific geographical area (probably Hastings) to help raise aspirations and raise awareness.

1.6 **Commissioning:** Part of our Trial will focus on modelling the additional provision that will be required to meet the requirements of RPA, and this is being developed alongside our new responsibilities for 16-19 commissioning. We will be working with our partners to develop new provision where we have identified gaps or where we know there is learner demand. We are working with the National Apprenticeship Service (NAS) on a 'Jobs without Training' project, this project aims to increase the number of apprenticeships by identifying young people in employment without training and working with the young person and their employer to see if their role could be turned into an apprenticeship role. We also have a pilot with School Sixth Forms to increase the number of young people that stay on in Sixth Forms, where this is appropriate for

the young person. We are working with School Sixth Forms to help broaden the curriculum available to their learners and to help them create personalised packages for learners. Building on the successful 14-16 Alternative Education Provision Directory we will develop a 16-19 Directory of courses that School Sixth Forms can purchase places on for their learners, courses will be commissioned centrally by the CSA and will include third sector providers.

1.7 Support for Specific young people: A central part of our Trial focuses on identifying the support mechanisms that will need to be developed to ensure that more 16-18 year olds can participate in education, training or employment with training. We know that those who do not currently participate are those from more vulnerable groups such as learners with learning difficulties/& or disabilities (LLDD), looked after children (LAC), teenage parents and homeless young people. Working with teams across Children's Services we will map the existing support that exists (or doesn't exist) for pre-16 learners and identify how this support can be developed for post-16 learners and the implications of this. This area of activity will build on the existing work being done to improve the transition of young people to post-16 learning.

2. Background Information: 16-19 Funding Transfer

2.1 On 1 April 2010, unitary and county councils will take over responsibility for commissioning education and training for 16-19 year olds. This responsibility is transferring from the Learning and Skills Council (LSC) which will cease to function at the end of March 2010.

2.2 This will be a major change for these councils. It will affect services for children and young people but also have a major impact on other parts of the council. For local government as a whole, this is a major transfer of functions representing £7bn of public funding.

2.3 In East Sussex we have been preparing for the funding transfer by working closely with the LSC Sussex, current arrangements include:

- Transition Board established with members from across Children's Services, the LSC and Adult Social Care.
- Confirmed names of staff that will be transferring
- Shadowing arrangements in place for LSC staff from October 09 – April 2010
- Appointment of a consultant to provide expert advice on technical 16-19 funding issues
- Appointment of a consultant to develop a model of effective relationship management with post-16 providers
- Establishment of a FE College Group to support the transition and discuss key concerns and priorities with providers

2.4 The Local Government Association (LGA) is holding a conference for Councillors on the 30th November about the 16-19 Funding Transfer. East Sussex is running a workshop at this conference on the RPA Trial.

3 Conclusion and Recommendations

3.1 To note the progress being made and to agree any additional activities that needs to take place.

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ATTACHED DOCUMENTS: Councillor Briefing from ReACT attached as **Appendix 1**
16-19 Guide for Councillors; attached as **Appendix 2**

COUNCILLOR BRIEFING**16-19 CHANGES – DON'T BE OUT OF THE LOOP!**

There are many big changes taking place in education and training for young people. Under the 2008 Education and Skills the age of participation in education or training will increase to 17 by 2013, and to 18 by 2015. Councils, working with colleges, Connexions and other providers are helping to roll out new diplomas. Councils are increasing the numbers of apprenticeships they provide to respond to increased unemployment.

On 1 April 2010, unitary and county councils will take over responsibility for commissioning education and training for 16-19 year olds. This responsibility is transferring from the Learning and Skills Council (LSC) which is being wound up.

This will be a major change for these councils. It will affect services for children and young people but also have a major impact on other parts of the council. For local government as a whole, this is a major transfer of functions representing £7bn of public funding.

The process of change will be complicated and technical, particularly over the next few months. But it is important not to see this as a purely managerial exercise to be handled by officers. It is a crucial opportunity for local government to show how it can join up opportunities and support for young people; it needs your political leadership and oversight.

When councils take over the lead on 16-19 they will be able to:

- Bring together provision of all sorts for children and young people right up to the age of 19
- Make sure that education and training for 16-19 year olds meets the needs of all - including the most vulnerable and those who are at risk of becoming NEET (Not in Employment Education or Training)
- Provide a smoother transition at 16 and at 19 for students with special educational needs
- Plan education and training that balances learners' choices, employers' needs, and response to economic trends

THE FACTS

The basic building block for 16-19 planning and commissioning is the sub-regional group (SRG). These sub-regional groups have been formed by councils themselves. Some are based on counties; other bring together councils across a wider area or city region. All the SRGs are now formed and are agreeing between themselves how they will carry out their business. If you are not already aware of the new structures

you should contact your Director of Children's Services for information and ask how councillors will be involved in the SRG.

The LSC will cease to exist on 1 April 2010. Around 950 staff in total will transfer on this date to local councils to provide additional capacity to carry out 16-19 work.

Three new organisations are being set up:

The Young People's Learning Agency (YPLA) which will:

- Set a national framework for 16-19 commissioning
- Control the overall national budget for 16-19 and ensure that sub-regional plans work together
- Provide strategic data analysis to support commissioning
- Allocate funds to councils to meet their plans for education and training

The Skills Funding Agency (SFA) which will:

- Fund colleges and other providers for learners aged 19 and over
- Performance manage further education colleges

The National Apprenticeship Service NAS (part of the SFA) which will:

- Procure the right number and type of apprenticeship places to meet the needs of each sub region.

WHAT TO DO NOW**Front line/ward councillors**

- Get briefed on the 16-19 changes and what they mean for the young people in your ward;
- Be an advocate for the young people you represent, use your best efforts to understand their wishes and needs;

- Know the providers of education and training in your ward. These could be schools and colleges. They could also be voluntary organisations. Understand what they do;
- If you are a governor find out how the school or college fits into the wider provision for young people in the area;
- Know your local employers and what their needs are for skilled staff;
- Understand how 16-19 education and training helps to meet the targets in your Local Area Agreement (LAA).

Councillors with responsibility for economic regeneration

- Understand how 16-19 education and training support regeneration and action on the recession;
- Understand how 16-19 education and training help to meet targets in your Local Area Agreement (LAA);
- Ensure the sub regional group (SRG) has a good understanding of the sub-regional and regional economy and how these are changing;
- Ensure the SRG has a good understanding of employers' views.

Scrutiny councillors

- Work with colleagues to understand how decisions on 16-19 commissioning are made and what evidence is used;
- Constructively challenge proposals for education and training provision;
- Assess whether the commissioning process is fair to different sorts of learning providers and check that the sub regional group (SRG) is not just commissioning "what it knows";
- Advocate on behalf of young people where there is evidence that they are not getting the support or entitlement they need;
- Think about the needs of learners coming in from other areas as well as learners who live in your local authority area. Do all learners get good information, advice and guidance (IAG)? Is the curriculum offer right to meet their needs?
- Challenge the council and the SRG to make effective links with employers and understand their views.

Lead members for children

- Consider sharing the lead for this work with other colleagues, in the interests of spreading workload and raising awareness;
- Talk to your leader and tell other councillors about the changes – particularly those with an interest in skills, employment and economic regeneration;
- Understand how these changes can help you achieve your Local Area Agreement (LAA) priorities;
- Consider how you and colleagues from neighbouring councils can work together to lead the sub regional group (SRG);
- Speak up for the needs of the most vulnerable young people: those with special educational needs, young offenders, those who need non-standard provision;
- Think about how to build provision and support for 16-19 year olds into the children's trust, the children and young people's plan, the 14-19 area partnership;
- Ensure sensible links pre and post 19 for young people and providers;
- Build relationships with employers which link to the contacts the council already has. Remember that employers will not care that there are different systems for pre and post 19;
- Build good relationships with all the providers in your area. Some of these may already be in place through your 14-19 partnership;
- Think about how you can involve both providers and employers in your SRG;
- Challenge the SRG to think big about the needs of your area and the sub-region, to commission fairly without favouring one sort of provider over another and to meet the needs of all learners even if this means they go outside your council's area to learn;
- Make sure learners get good quality, impartial advice about their options for education and training.

Where to go for more information:

The React programme, supporting councils through the 16-19 changes

www.lga.gov.uk/react

DCSF 16-19

<http://www.dcsf.gov.uk/14-19/index.cfm?go=site.home&sid=57&pid=505&ctype=None&ptype=Contents>

The funding and commissioning
of 16-19 education:

**How do you know that
your council will be ready?**



Why is this important?

From 1 April next year all unitary and county councils will take over responsibility for 16-19 education from the Learning and Skills Council (LSC). This is a huge shift in responsibility and funding involving the transfer of £7bn of public money and nearly 1000 LSC staff. Lead members for children have a crucial role to play but this change will affect the whole of the council.

There is a great opportunity here to use the council's local leadership role to bring together services for young people and to join up education and training with the skills needs of the local economy and the region.

When councils take over the lead on 16-19 they will be able to:

- bring together provision of all sorts for children and young people right up to the age of 19
- make sure that education and training for 16-19 year olds meets the needs of all - including the most vulnerable and those who are at risk of becoming NEET (Not in Employment Education or Training)
- provide a smoother transition at 16 and at 19 for students with special educational needs
- plan education and training that balances learners' choices, employers' needs, and response to economic trends.

Councils are transforming provision for young people, as they have for younger children. The transfer of funding and commissioning of 16-19 learning to local government needs to be seen as part of this broader picture which includes:

Reform of learning – to provide more learning options for all young people through four learning pathways:

- apprenticeships
- diplomas
- foundation learning tier
- general qualifications.

Councils and partners are also able to develop other learning options to ensure that every 16 and 17 year old is able to take part in a course which is best suited to their needs.

Integrated support for young people – bringing together education and training with other services particularly for the most vulnerable:

- high quality information, advice and guidance (IAG) for all
- supporting the whole person whether their needs are for learning, housing, health or positive activities
- easing transitions at 16 and 19 for young people with special educational needs/learning difficulties and disabilities.
- providing learning opportunities for young offenders.

Note on special needs: Local councils are currently responsible for the Special Educational Needs system which includes young people up to the age of 19. The new duties place a new responsibility on local authorities to commission learning for all young people aged 16-25 who have a learning disability assessment, which the LSC funds at present. These assessments are currently carried out by local authority Connexions services, and from next year, councils will be expected to make judgements about the best learning solution for each individual. This is a significant change and local authority officers are working closely with the Department for Children, Schools and Families and with the LSC about how best to manage the transition.

Note on young offenders: Councils which have a young offenders' institution (YOI) within their area will be expected to commission the learning for 15-17 year olds in these institutions. The LSC currently manages these contracts. Councils will be responsible for the educational provision for all 10-17 year olds, resident in their area who are in either secure children's homes or young offenders' institutions. Through youth offending teams, councils will be expected to track the learning of young people who are in YOIs.

Raising the participation age – even without the transfer from the LSC, “no change” would not be an option. When the participation age rises to 17 in 2013 and 18 in 2015, the range of options available to young people will need to be more flexible and varied. Additional places to do general qualifications will not meet this need.

New organisations

Three new organisations are being set up:

The Young People’s Learning Agency (YPLA) which will:

- set a national framework for 16-19 commissioning
- control the overall national budget for 16-19 and ensure that sub-regional plans work together
- provide strategic data analysis to support commissioning
- allocate funds to councils to meet their plans for education and training.

The Skills Funding Agency (SFA) which will:

- fund colleges and other providers for learners aged 19 and over
- performance manage further education colleges.

The National Apprenticeship Service (NAS part of the SFA) which will:

- procure the right number and type of apprenticeship places to meet the needs of each sub region.

Sub-regional commissioning

Councils have formed themselves into sub regional groups (SRGs) to commission 16-19 provision. Your council must commission enough places of the right sort for **all the learners who need places** in your council area – that is those who learn in your area, including those who travel in - not just those who are resident. Your council will also be responsible for ensuring positive outcomes for all the learners who are **resident** in your area, wherever they learn. All this means that you must work closely not just with the other councils in the SRG but quite possibly with other SRGs and regions.

Commissioning must not favour one sort of provider over another and councils must particularly avoid the pitfall of commissioning from providers they simply happen to know well for historical reasons. To ensure that young people have a good choice of provision, commissioning decisions should aim to support a broad range of providers. The 16-19 landscape is particularly diverse and includes:

- schools of different sorts with sixth forms
- sixth form colleges
- further education colleges – both general and specialist
- specialist independent colleges
- independent learning providers – both “for profit” and “not for profit”
- third sector providers
- employers
- council provision, sometimes delivered by adult learning services

Your council and your SRG will need effective and trusting relationships with all of these providers in order to make a success of the 16-19 provision you commission. You will probably need to look beyond the mainstream to ensure that every young person stays in learning. You can build on relationships you will already have through your 14-19 partnership and your children’s trust.

To make life more straightforward for providers they will have a “lead commissioner” who in most cases will be the host council for their main business operation. Your council is therefore likely to be lead commissioner for a number of providers. You will have to communicate with them clearly and openly about the commissioning process, understand what they can offer learners and the sub-region, and let them know what the SRG will commission from them and how decisions are reached.

Beyond the lead commissioner role it is good practice to involve providers in understanding the needs of the area and in planning provision. Everyone should understand what the priorities are and the basis for making decisions. Equally everyone should have an opportunity to help shape provision. Your council will already have mechanisms to find out young people’s views.

You will need to use these plus any channels that providers have to understand young people’s wishes.

Supporting the economy

Getting people into employment and ensuring they have the right skills to get jobs has been given a sharp focus by the economic recession. Many councils are taking an ambitious and far sighted view of the potential to link 16-19 learning with the skills needs of individuals, with the needs of employers and with their best understanding of future economic trends. Young people – as well as adults – need to be ready for work or higher education. The opportunities available to them must genuinely be those that the economy needs and they must receive high quality advice about the career paths that are open to them.

You have an important role to play in providing strategic leadership and challenge to the council and the SRG. Commissioning must be robust and fair, based on good evidence and impartial. Relationships with providers need to be open and trusting. Meeting the needs of the most vulnerable young people will be a very good test of whether the system works.

Speak up for the needs of those with special educational needs, young offenders, and any young person those who needs non-standard provision. Challenge the council and the SRG to think big.

What you need to be doing now (early autumn 2009)

- This is a big agenda – to add to many other big agendas. Consider sharing the lead for this work with other colleagues, in the interests both of sharing the work and sharing understanding.
- Tell other councillors about the changes – particularly those with an interest in skills, employment and economic regeneration. This change will impact on the whole council.
- Talk to your leader. He/she needs to know that there are big internal changes coming for the council. But, more importantly, getting the best outcomes will need strategic leadership. Both the leader and you need to understand how these changes can help you achieve your Local Area Agreement (LAA) targets and to make sure your local partners are up to date and involved where they need to be.
- Talk to your opposite numbers in the other councils which form the SRG and discuss how you can work together to ensure a robust commissioning process.
- You may be in a single authority SRG. If it is not already happening, consider getting some peer challenge to your arrangements from another council.
- Think about how to build provision and support for 16-19 year olds into the children's trust, the children and young people's plan, the 14-19 area partnership.
- Think about how you can bring together provision for children and young people with a disability, aged up to 25.
- Check that communications are in place with all the providers in your area. Some will already be represented on the 14-19 partnership or on the children's trust. If they are not, do they feel they have enough access to the right people in the council?
- Ensure that the council builds relationships with employers which link to the contacts the council already has. Remember that employers will not care that there are different systems for pre and post 19.
- Understand what IAG is given to young people. Is it good enough to help them make good choices? Is the Connexions service you commission prepared for the changes? How are you ensuring that they provide what is needed by young people in your area?

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