

Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Children & Young People Scrutiny Committee
Cabinet

18th March 2010
29th March 2010

14-19 Plan and Machinery of Government Changes

Report of the Divisional Director, Learning Services

1. Purpose of Report

- 1.1. To advise of developments in respect of the provision of 14-19 education and training, the 14-19 Plan, and the transition of responsibility for commissioning 16-19 provision for all learners, and 16-25 for learners with learning difficulties or disabilities (LLDD), from the Learning and Skills Council to the local authority from April 2010.
- 1.2. To ask Cabinet to consider recommendations in relation to 14-19 priorities for the City; the establishment of the Leicester, Leicestershire sub regional group; and the annual commissioning statement for post 16 provision.

2. RECOMMENDATIONS

- 2.1 The Children & Young People Scrutiny Committee is asked to note the contents of the report and make any recommendations to Cabinet.
- 2.2 Cabinet is asked to:
- i) Note developments in national policy for 14-19 education and the transfer of responsibility for 16-19 commissioning from the LSC to local authorities from April 2010;
 - ii) Agree the principal priorities and objectives of the 14-19 plan;
 - iii) Approve the establishment of the Leicester and Leicestershire Learning Organisation as the recognized sub-regional group and note its linkage to the Leicester and Leicestershire Leadership Board;
 - iv) Give delegated authority to the Strategic Director, Children, [in consultation with the Cabinet Lead for Children and Young People], to form the Leicester and Leicestershire Learning Organisation, by negotiating and concluding a Joint Working Agreement with Leicestershire County Council;

- v) Agree the recommendation that the Authority's annual 16-19 commissioning statement should be considered by both Cabinet and Scrutiny Committee; and
- vi) Note the legal and financial implications of the Authority's new role in commissioning 16-19 provision.

3. SUMMARY

- 3.1 In line with DCSF recommendations, Leicester has an established 13-19 Partnership which brings together relevant stakeholders to plan and deliver 14-19 education and training. The Partnership works within the wider Children's Trust and agrees the vision for delivering the 14-19 entitlement. As such it plays a key role in developing the Council's plan to deliver 14-19 curriculum reforms.
- 3.2 The 13-19 Partnership has developed and agreed a 14-19 plan which is framed within the context of One Leicester, the Children and Young People's Plan, the local and multi-area agreements and Strategy for Change. The Plan clearly supports the One Leicester commitment to Investing in Our Children, but it is also key to achieving our objective of investing in skills and enterprise. It will help to shape the quality and range of education and training provision to raise skill levels in the city, and will support us in building effective partnerships with employers and ensure that young people develop the skills they need to find suitable employment.
- 3.3 The specific objectives of the plan are set out in paragraph 4.3 below but its principal priorities are to:
 - (i) raise participation so that by 2013 all 17 year olds are in some form of education or training, and all 18 year olds by 2015;
 - (ii) raise achievement at age 16 and age 19;
 - (iii) further improve the quality of provision;
 - (iv) provide good support to providers of 14-19 education and training.
- 3.4 The Plan will guide the development of 14-19 provision across the city for the next three years. It will also provide the framework against which the local authority will commission 16-19 education and training (and 16-25 for LLDD) from 2011/12. Responsibility for commissioning this provision will transfer to the local authority in April 2010, allowing for the commissioning cycle to begin sufficiently in advance of the academic year 2011/12
- 3.5 Following an earlier report to Cabinet (16th February 2009) elected members agreed to the establishment of a sub-regional partnership between Leicester City and Leicestershire to support the delivery of new 16-19 commissioning responsibilities. In preparation for April 2010 a shadow partnership, known as the Leicester and Leicestershire Learning Organisation (LLLO) has been set up.
- 3.6 The LLLO will support the local authorities in developing a commissioning statement setting out local priorities, based on the 14-19 Plan, and local needs and performance. The commissioning statement will underpin commissioning plans to be developed by the local authority with Post 16 providers. It is recommended that Cabinet and Scrutiny

Committee, alongside the Children's Trust which holds overall responsibility, receive and comment annually on the draft commissioning statement.

4. BACKGROUND

- 4.1 Considerable attention is currently being focused at national level on 14-19 and 16-19 education and training. The principal policy objective is to raise the participation age so that by 2013 all 17 year olds, and by 2015 all 18 year olds are in some form of education or training. The economic imperative for this is to raise Britain's skill levels so that it is better able to compete in the global economy. The social imperative is that young people who leave education or training at 16 are disproportionately from poor families and there is a strong correlation between becoming NEET (not in education, training or employment) and engaging in risky behaviours, having poor health and low income.
- 4.2 To support this objective the Department for Children Schools and Families (DCSF) is encouraging the development of three 'suites of learning' to sit alongside GCSEs and A/AS levels. These three suites are the new vocational diplomas, apprenticeships (the target is that by 2020 one in five young people participate in this route) and Foundation Learning. This last route is for the significant cohort of young people 14-19 at Entry/Level One (GCSE grade D-G and below). Alongside these four curriculum routes the DCSF is encouraging further improvements to information, advice, guidance and support for young people.
- 4.3 Leicester's 13-19 Partnership provides strategic leadership for 14-19 planning. Its membership includes secondary heads, college principals, and representatives from Connexions, the universities, the Leicester/Shire Education Business Company, work-based learning providers, the Education Improvement Partnership and the Tertiary Federation. The Strategic Director, Children, chairs the Partnership. The DCSF recommends that Partnerships carry out a robust evaluation of their area's context, performance, characteristics and the needs of its young people and, through a 14-19 Plan, set out the priorities for development that meet local and national imperatives. Leicester's Plan has been framed within the context of One Leicester, the Children and Young People's Plan, the local and multi-area agreements and Strategy for Change.
- 4.4 The 14-19 Plan sets out the following draft objectives:
- (i) secure 100% participation in education and training by 17 year olds by 2013, and 18 year olds by 2015. In so doing, the focus will be particularly on groups such as young people with learning difficulties and/or disabilities, looked after children, teenage parents and young offenders who currently have relatively low participation rates compared to their peers;
 - (ii) extend the suite of qualifications available at Key Stage Four and 16-19 to include the Diplomas, Foundation Learning and Apprenticeships;
 - (iii) improve and develop Information, Advice and Guidance and support for young people;
 - (iv) further raise achievement of five A*-C GCSEs + English and mathematics at age 16;

- (v) raise levels of achievement at age 19 so that by 2010/2011 79% of young people reach Level Two (currently 71%) and 53% of young people achieve Level Three (currently 47%);
- (vi) reduce the current gaps in achievement at 16 and 19 involving looked after children, boys, and particular ethnic groups;
- (vii) continue to improve the already good (probably outstanding) progression rates to higher education, particularly from disadvantaged groups;
- (viii) continue the explicit focus on improving Every Child Matters outcomes;
- (ix) further improve levels of literacy, numeracy and language;
- (x) ensure that all 14-19 provision in the city is good or better;
- (xi) establish an effective infrastructure to plan, commission, support and assure the quality of 14-19 provision across the city.

4.5 As part of the Machinery of Government changes local authorities were required to submit their plans to the Government Office for the East Midlands [GOEM] for structures to support 16-19 commissioning when the Learning and Skills Councils become defunct in April 2010 and local authorities assume their commissioning duties. In common with a number of other areas where a unitary authority sat inside a shire authority, Leicester and Leicestershire, with the agreement of elected members, proposed a sub regional partnership based on the two local authorities. The rationale for this was:

- (i) In Leicester City three Sixth Form Colleges and the large general FE college provide approximately 90% of places for City post 16 students as well as large numbers from the County. Some City students will take up places in County post 16 institutions. Therefore planning can be more efficient and be expedited by the two local authorities working together.
- (ii) The Strategic partnership that supports the Multi Area Agreement, (a joint agreement between Leicester and Leicestershire strategic partnerships specifically designed to improve skills and increase employment)had already set up a sub regional structure where post 16 planning can appropriately fit and where there can be effective linkage between economic regeneration and 16-19 Education.
- (iii) The LSC staff that are being transferred from the LSC to both local authorities under TUPE have collectively got the skill and knowledge to assist this work, and both city and county benefit from this team continuing to work jointly, rather than the 6 staff allocated to the City Council working in isolation across all the areas of expertise required.

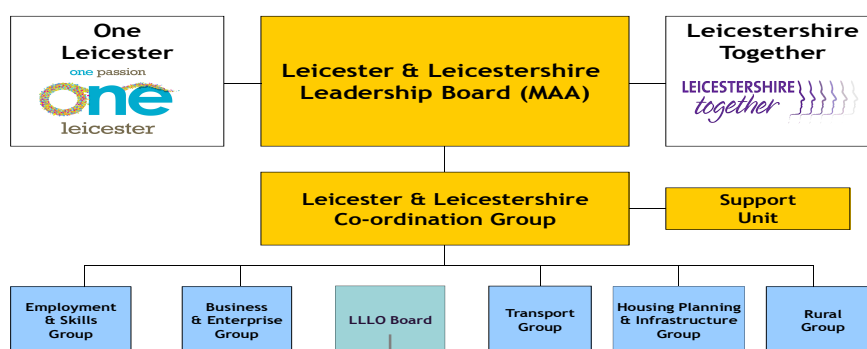
This sub-regional partnership is to be called the Leicester and Leicestershire Learning Organisation (LLLO)

4.6 The medium term aims and objectives of the LLLO are:

- (i) Take a lead role on behalf of the Councils in commissioning of 16-19 education in schools, colleges and other training providers. The LLLO role will be to implement at operational level, the agreed commissioning plan. The Councils will retain all statutory responsibilities and powers

- (ii) Develop the Leicester and Leicestershire learning organisation as an effective partnership.
- (iii) Take a lead role on behalf of the Councils on a range of initiatives where there is clear benefit in channelling effort into an inter-authority approach.
- (iv) Making 14-19 education a full part of the economic development and regeneration strategy of both LAs.
- (v) The operation of the LLLO within the strategic framework requires an identical understanding from both LAs involved if it is to work well.

The LLLO will sit alongside the other strategy and performance groups that feed up into the sub-regional Leadership Board as shown below



- 4.7 In November the DCSF published a consultation paper on the National Commissioning Framework (NCF). This sets out the proposed arrangements for commissioning 16-19 provision and the roles of the various parties involved. The financial and legal implications are set out in paragraphs 5.1 and 5.2 below. A number of matters remain unclear but are expected to be resolved when the final NCF is published in April. A particular issue is whether 16-19 provision in colleges will need to be put out to tender. This is a significant change from current LSC practice and would cause very serious logistical issues and grave uncertainties for the colleges.
- 4.8 The commissioning of provision for 2011/12 (the first full cycle under the local authority) begins in July of 2010 with a review of the authority's 13-19 Plan. In October 2010 the DCSF and the Young Peoples Learning Agency (YPLA) respectively will set out an annual grant letter stating the national funds that are available and the national commissioning environment in which local authorities will operate. The latter will specify the funds available nationally for the different types of post-16 institution, overall planned learner numbers and those for particular curriculum routes (eg apprenticeships and diplomas), and required improvements in success rates.
- 4.9 Following discussions at regional and sub-regional level, local authorities will then, by November, be required to produce a Commissioning Statement for the forthcoming

academic year. This will set out the local priorities for development in the light of local needs and performance reflecting the Investing In our Children commissioning statement, skills and enterprise priorities and imperatives in the 14-19 Plan. The Commissioning Statement will also need to take account of national and regional priorities and the funding available. Subsequently officers of the LLLO will work with individual providers to develop Commissioning Plans to identify how current learning provision will change and develop and where new provision may be required to realise the priorities identified in the local Commissioning Statement. This in turn will lead to the financial allocations to each provider. In this context it is recommended that Cabinet and Scrutiny Committee, alongside the Children's Trust which holds overall responsibility, receive and comment annually on the draft Commissioning Statement

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1. Financial Implications

- 5.1.1. Significant financial implications for local authorities will arise from this major change to statutory responsibilities.
- 5.1.2. Leicester City Council will become responsible for commissioning 16-19 education (including LLDD up to 25 years) valued at over £40m per year from Leicester College, the three Sixth Form Colleges (Wyggeston and QEI, Regent and Gateway), DeMontfort University, the sixth form provision in four of the City's secondary schools and independent providers. The Council will also commission related services such as the Education Business Partnership and Young Apprentices, which it has commissioned (in place of the LSC) since the start of the current academic year in anticipation of the new responsibilities.
- 5.1.3. The Council will employ the staff associated with the six posts transferring under TUPE arrangements from the LSC, which will become part of the LLLO referred to in this report. The proposed financial arrangements for the LLLO are set out in the draft agreement, with costs to be shared between the City and County Councils. A Special Purposes Grant to fund the staff/posts will be received as part of the Area Based Grant. However, It is unlikely that the grant will be sufficient to meet the costs of running the LLLO and associated finance, commissioning, legal support, etc. Set-up costs are currently being incurred for which there is no funding from the Government.
- 5.1.4. The draft National Commissioning Framework (NCF) issued by DCSF in November 2009 for consultation and documents issued by the YPLA give some indication of the financial and assurance aspects of the new environment. However, much important detail is yet to be published or confirmed.
- 5.1.5. The Council will become responsible for paying the aforementioned providers from April 2010. The amounts payable until the end of the 2010/11 academic year are being determined by the LSC in accordance with the national funding formula and negotiations with each provider. The Council expects to receive grant funding from the DCSF/YPLA to enable these payments to be made. The report notes that the Government should announce the allocations for the 2011/12 academic year in October 2010. It is possible that following the General Election this will not be

achieved, and a delay will add further pressure into the commissioning arrangements for 2011/12.

- 5.1.6. The Council will become responsible for monitoring the three Sixth Form Colleges, and will become directly involved should educational or financial difficulties develop. Notwithstanding the colleges' good record, the potential for difficulties is inevitably of concern as public spending restrictions take effect, given the efficiencies that the colleges have delivered for a number of years, the expected increase in student numbers, and fixed costs such as loan repayments and pension fund contributions. It is not yet confirmed how any actual or potential financial deficit would be funded and the role that the Young People's Learning Agency (YPLA) would play in such a scenario, although it is understood that the YPLA would have a fund for such an eventuality.
- 5.1.7. Leicester College will also be affected by national changes to the funding for Adult Education and Skills. Whilst the College will be regulated by the Skills Funding Agency (which is responsible for Adult Learning), the Council will clearly have a key interest in the College's overall position insofar as it affects the delivery of 16-19 education and LLDD up to 25 years.
- 5.1.8. It is not clear whether circumstances could arise in which the Council would be required to spend more than the funding made available by DCSF, or if funding could be clawed back, and if so how this would be funded.
- 5.1.9. The detail of the arrangements for capital funding remain to be clarified but will be different for FE and Sixth Form Colleges:
 - i) The Skills Funding Agency will be responsible for funding capital schemes at FE Colleges, although how this will be driven by 16-19 requirements is unclear.
 - ii) The framework for Sixth Form colleges will be set by the YPLA and it is expected that The YPLA will allocate national capital funding. However, the Council will be responsible for approving any proposals from colleges to borrow money to fund capital projects locally. The key consideration will be whether the repayment costs will be affordable from the expected future revenue funding to be paid to the College
- 5.1.10. This uncertainty and the level of investment required locally and nationally compared to the funding likely to be available, are causes for concern. Although there has been significant capital investment locally in recent years (e.g. the relocation of Gateway College), other key local priorities have not been funded and there will be pressure into the future to identify funding and to avoid additional revenue operating costs that could arise from a lack of capital investment in new or refurbished facilities.

Colin Sharpe, Head of Finance and Efficiency, CYPS, ext. 29-7750

5.2 Legal Implications

- 5.2.1. The Joint Working Agreement will set out the manner in which the Authorities intend to work together to meet their responsibilities to 16–19 Learners under the Education Act 1996 (as amended by the Apprenticeships, Skills, Children and Learning Act 2009,

which anticipates that the Secretary of State will make an Order under s. 269(4) to dissolve the LSC under s. 123). No such Order has been made yet.

5.2.2. Under this Agreement:

- (i) a decision made by the LLLO's Joint Governance Board will only be binding on the Council where that decision has been agreed by the Council's own officer nominated for that Board (Strategic Director, Children's);
- (ii) the Council will contribute 40% of the costs of the premises, administrative and equipment costs of the LLLO;
- (iii) Staffing costs will be pooled with the City paying 40%, and the County 60% of the total costs
- (iv) where services contracts need to be entered to deliver educational services, the Council will continue to comply with procurement legislation and its CPRs; and
- (v) the Agreement will incorporate the Appendix to this Report.

5.2.3 This paragraph 5.2.3 has been written in the light of legal opinion provided to Leicestershire County Council by David Donaldson QC ("Leading Counsel"). In summary, local authorities await clear guidance from DCSF, through its final form National Commissioning Framework ("NCF"). It is recommended that the Council considers its commissioning strategy when this is received and before a strategy for the 2011/12 academic year is settled.

- (i) Those activities in this Report that represent procurement activities (rather than funding) are above the EU Public Procurement threshold and so must comply with the Contract Procedure Rules and the Public Contracts Regulations 2006 (the "Regulations"). The Regulations are applied with a "lighter touch" in the case of "Part B" services, such as those that are envisaged. Nevertheless, if a procurement may potentially be of interest to economic operators in other Member States of the EU, the European Commission's Interpretative Communication (2006/C 179/02) (the "Interpretative Communication") confirms that the basic standards of the European Court of Justice apply and the Council must ensure: non-discrimination, equal treatment and transparency, i.e. ensuring, for the benefit of any potential tenderer, a degree of advertising sufficient to enable the services market to be opened up to competition and the impartiality of the procedures to be reviewed.
- (ii) To determine whether the activities envisaged represent procurement, the Council must determine whether it is to enter a contract that either provides services or has this as its object. This can be answered by considering the aims of each proposed transaction and procuring officers have been advised to identify the range of courses the Council must offer, at what level and in which locations, in order to complete this process.
- (iii) In Leading Counsel's view, the LSC Funding Guidance 2008/09 (Principle, Rules and Regulations) indicates that, in the case of FE colleges (but not voluntary

organisations or independent businesses), the LSC funds FE colleges through grant-in-aid under a financial memorandum, which does not appear to create any obligations as to either the provisions of any services by the college or the payment of monies by LSC capable of being analysed as a contract for services. The draft NCF does not state whether local authorities will be required or expected to proceed in a similar fashion and so it is not yet possible to determine whether, and in what situations, the “commissioning” by local authorities will be subject to the Regulations as a contract for services.

- (iv) Leading Counsel concludes that at least for the first academic year of the new regime (i.e. until August 2011), Local Authorities “should proceed by negotiation with individual colleges rather than by open and competitive tender.” This opinion is in line with the draft NCF and is helpful to the Council’s preferred approach as regards FE and sixth form colleges.
- (v) To the extent that this negotiation leads to the Council entering contracts of potential interest to economic operators in other Member States, which provide services or have this as their object, the requirements of non-discrimination and transparency, clarified in the Interpretative Communication, will not be satisfied. However, it is understood that the LSC (rather than the Council) has already negotiated provision for the first academic year of this new regime with individual colleges, and so these procurement concerns will not be of practical significance for the Council until it arranges the strategy for the 2011/12 academic year for either procured services or grant funding. It is recommended that, at such time, this strategy be reviewed in the light of procurement legislation, further analysis of the transactions envisaged, the final form NCF, developments nationally and local considerations, and brought to Cabinet for approval.

Greg Surtees, Senior Solicitor, Legal Services ext, 29 6453

6. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities Policy	yes	See background paper 1	
Sustainable and Environmental Crime and Disorder			
Human Rights Act			
Elderly/People on Low Income			

7. RISK ASSESSMENT MATRIX

Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/appropriate)
Failure to commission 16-19 education from	L		The newly acquired responsibilities of the LA under the ASCL Act need to be progressed chased within the

April 2010			LA.
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Failure to maintain a joint agreement with Leicestershire LA	L		The LA would need a fall back position in the event of agreement breaking down and be prepared to undertake 16-19 commissioning independently.
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8. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

8.1 The governance and role of the LLLO – Appendix 1

8 CONSULTATIONS

Greg Surtees, Senior Solicitor, Legal Services, ext. 29 6453.

9 REPORT AUTHOR.

Adam Suddaby Strategic Lead 13-19
 Margaret Libreri, Divisional Director, Learning Services.
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Key Decision	Yes
Reason	Is significant in terms of its effect on communities living or working in an area comprising more than one ward
Appeared in Forward Plan	Yes
Executive or Council Decision	Executive (Cabinet)

The Governance and Role of the LLLO

Governance Arrangements

1. Membership of the Joint Governance Board

1.1 The Joint Governance Board shall be comprised of the following (for the avoidance of doubt, the numbers in brackets following each sub-clause indicates the total number):

1.1.1 Joint Governance Board Members (the “Members”):

- the strategic directors of CYPS from the City and County (2);
- the 16-19 lead officers from the City and County (2); and
- the LLLO Manager (1).

1.2 Members of the Joint Governance Board may send to a meeting of the Joint Governance Board a suitably senior representative.

1.3 Chairing duties shall fall to the County in the first year of the Agreement and thereafter alternate between the Authorities on an annual basis.

2. Membership of the Joint Governance Advisory Panel

2.1 The Joint Governance Advisory Panel shall be comprised of the following (for the avoidance of doubt, the numbers in brackets following each sub-clause indicates the total number):

2.1.1 Joint Governance Advisory Panel Members:

- a Connexions representative (1);
- one City and one County employer representative (2);
- one City and one County college representative (2); and
- one City and one County school representative (2).

2.2 Employer, college and school representatives shall be nominated by the relevant partnership groups with such nominations being reviewed by the relevant partnership groups at least once every two years.

2.3 Members of the LLLO Joint Governance Advisory Panel shall report back to peers and act at all times in a representative capacity.

2.4 The Authorities accept that the employer, college and school representatives and partnership groups are not formally parties to the Agreement but agree between themselves to work towards ensuring that those representatives and groups comply fully with the requirements of clauses 2.2 and 2.3.

3. Decision Making

3.1 Decisions by the Joint Governance Board shall be by unanimous agreement only.

3.2 The areas set out in paragraph 7 of this Appendix A shall be reserved to each Council.

4. Administrative Support

4.1 Administrative support to the Joint Governance Board shall be provided by the secretary to the Joint Governance Board. Such administrative support shall include:

- (i) maintaining a record of membership of the Joint Governance Board and Joint Governance Advisory Panel;
- (ii) arranging meetings of the Joint Governance Board as set out in paragraph 5 of this Appendix A;
- (iii) preparing and sending out the agenda for meetings of the Joint Governance Board in consultation with each Authority's 16-19 lead officer;
- (iv) keeping a record of the proceedings of the Joint Governance Board;
- (v) taking such administrative action as may be necessary to give effect to decisions made by the Joint Governance Board; and
- (vi) such other functions as may be determined by the Joint Governance Board from time to time.

5. Convening of Meetings of the Joint Governance Board

5.1 Meetings of the Joint Governance Board shall be held at such times, dates and places as may be notified to the members of the Joint Governance Board by the Secretary to the Joint Governance Board, being such time, place and location as

- (i) the Joint Governance Board shall from time to time resolve;
- (ii) a member of the Joint Governance Board requests, such request setting out an urgent item of business within the scope of the Joint Governance Board's activities.

5.2 The secretary to the Joint Governance Board shall send out an agenda to members of the Joint Governance Board and Joint Governance Advisory Panel fourteen (14) days in advance of an agreed meeting date.

5.3 The LLLO Joint Governance Advisory Panel shall meet at the same time as the Joint Governance Board but shall withdraw when the Joint Governance Board is making a decision and at such other times as the Chair of the Joint Governance Board may require.

6. Terms of Reference of the Joint Governance Board

6.1 The Joint Governance Board's duties shall include (but not be limited to):

- (i) providing a forum for the Authorities to work and plan together to build a picture of demand. This will include analysing data to understand travel to learn patterns and cross border flows, how well the current curriculum is delivering for young people and what the future curriculum entitlement will mean for learner demand;
- (ii) agreeing who will lead the commissioning dialogue with each provider in the sub-region on behalf of the whole group, ensuring that providers have a single commissioning conversation, and to agree who represents the sub-region at the regional level;
- (iii) reviewing individual Authority's 16-19 commissioning plans to ensure they cohere, taking in to consideration learner numbers, available budgets and other factors such as learners with learning difficulties and/or disabilities and specialist provision (as appropriate) and to ensure this information is ready for review by the Regional Planning Group;
- (iv) considering how to deploy commissioning resources in the most cost effective and efficient manner.

6.2 For the avoidance of doubt, the Joint Governance Board will not have any delegated powers itself. Any decisions emanating from the Joint Governance Board shall derive by way of mutual agreement between the Authorities through the delegated authority of individual Authority officers.

7. Reserved Matters

7.1 The following matters shall be specifically reserved to the Authorities and shall not fall within the scope of the Joint Governance Board's remit:

- (i) all non-executive functions of either of the appointing Authorities;
- (ii) any decision which is contrary to or not wholly in accordance with the budget approved by each Authority, or is contrary to an approved policy or strategy of either of the Authorities; and
- (iii) approval of the Authorities' annual 16-19 Plans.

8. LLLO Role and Services

8.1 The role of the LLLO shall include the functions set out in paragraph 6.1 above.

8.2 The LLLO will need to work towards an entitlement for all young people which will offer:

- (i) High quality, comprehensive and impartial information, advice and guidance about learning opportunities and career pathways at a time and in a format that

enables the learner to make key decisions. This should link with the online prospectus and seek to raise achievement, increase participation and retain learners in education and training.

- (ii) Clear recruitment and admission processes post 16 including exploiting collaborative opportunities to broaden post-16 provision Providers should highlight and promote clear progression routes to school, college, training providers and work.
- (iii) Flexible provision which combines academic and work related learning with a choice of learning options (including e learning) that challenge, motivate and stimulate learning at all levels from pre entry to level 3. This should include entitlements to all Diplomas and to apprenticeship places by 2013.
- (iv) High quality teaching and learning which raises aspirations, challenges individuals to achieve their best, raises expectations and encourages them to progress to further learning or employment.
- (v) Recognition of a wide range of learner achievements and opportunities so that the learner develops a wide set of skills, including citizenship, functional skills, enterprise and wider employability skills. Combined with this, a recognition that the curriculum offer should enrich learners' lives, preparing them for continued learning and for work.
- (vi) The learner is given the opportunity to participate in the review, evaluation and shaping of their own learning in the knowledge that they will receive appropriate support and learn at a pace which is suited to their needs and is inclusive.
- (vii) A first class learning environment equipped to the highest standards with robust processes to assure the quality of provision in the area.
- (viii) A commitment on the part of all learning providers to promote equality of opportunity, to respond to the voice of the learner and to address barriers to learning.

8.3 NCF Provisions:

8.3.1 The role of local authorities

- (i) Local authorities are at the heart of the new network. They are best placed to secure services as they are close to the community, have experience of strategic local leadership and are democratically accountable to local people.
- (ii) They will also need to collaborate in groupings at sub-regional and regional level, to ensure that strategic planning and effective commissioning decision making across local areas is aligned and comprehensive.

8.3.2 Local authorities' role as Strategic Planners will include:

- (i) Planning to meet local resident learning needs.

- (ii) Planning to meet collective learning needs reflecting travel to learn patterns (this includes acting as advocates for young people who travel across boundaries to learn in order to drive up quality, retention and achievement).
- (iii) Planning to take account of multi-stakeholder requirements – parents and carers, employer, communities and partner agencies.
- (iv) Convening and supporting collaborative working through the Local Area Agreements, Children’s Trusts and 14 - 19 Partnerships.
- (v) Their role as Lead Commissioners within sub-regional groupings and/or Regional Planning Groups (SRGs and/or RPGs) will include:
- (vi) Meeting the needs of all who learn in local authority areas (this includes learners with specific needs – e.g. Learners with Learning Difficulties and/or Disabilities (LLDD), young offenders and other vulnerable young people).
- (vii) Working sub-regionally and regionally to agree the mix and balance of learning to reflect travel to learn patterns.
- (viii) For those in jobs without training, ensuring that the needs of both employers and the young people in employment are met.
- (ix) Working with schools, academies, colleges, independent and third sector providers as strategic planning partners in order to agree high quality provision.

8.4 Local authorities will work collaboratively at regional level through Regional Planning Groups (RPGs) with key partners to address the regional strategic education and skills needs.

8.4.1 In addition to the above, local authorities will have a crucial role in raising aspirations through:

- (i) Delivering on the commitment to raise the participation age, improving attainment targets for Level 2 and 3, and reducing the Not in Education, Employment or Training (NEET) cohort.
- (ii) Effectively delivering Every Child Matters outcomes for all young people by joining up services and integrating their strategic commissioning role within Children’s Trusts.
- (iii) Supporting transition throughout a learner’s journey, including the availability of flexible provision with dates and times of attendance tailored to learner needs and circumstances.
- (iv) Managing the market and ensuring provider quality is maintained and raised for 16 - 19 learning provision.

- 8.5 Local authorities will, with some exceptions, also be responsible for contracting with providers, and for assuring the payments that they make. Exceptions include Apprenticeships, any direct YPLA contracting, and any instances where local authorities agree to contract at the level of SRGs or RPGs.
- 8.6 The transfer to local authorities of responsibility for commissioning learning provision for 16 - 19 year olds, those up to 25 for those with a learning disability assessment and young offenders adds to their existing children's services commissioning role. Via Children's Trusts, local authorities plan and commission all services for young people, including childcare, health, schools, Connexions, social care, youth support, youth offending and support for young people aged up to 19 with a special educational needs statement.
- 8.7 To enable local authorities to take on their new duties for 16 - 19 learning, the intention is to transfer staff from the LSC with the appropriate expertise, knowledge and skills to deliver the new commissioning requirements.
- 8.8 This transfer will take place formally in April 2010, with the staff affected working in shadow mode with local authorities from October 2009. We will also ensure that local authorities are supported through the developing role of the YPLA.