

CHILDREN AND YOUNG PEOPLE OVERVIEW & SCRUTINY COMMITTEE

Agenda Item 6

Brighton & Hove City Council

Subject:	New Council responsibilities for 16 – 19 education and training		
Date of Meeting:	16 June 2010		
Report of:	Director of Children’s Services		
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Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 From 1 April 2010, the Apprenticeship, Skills, Children and Learning Act 2009 transferred to local authorities responsibility for planning, commissioning and funding 16 – 19 education in their area, as well as for young people up to the age of 25 where a learning difficulty assessment is in place, and for young offenders in youth custody. These new responsibilities are reflected in the Children and Young People’s Plan. The purpose of this report is to assist Members in considering how they may wish to maintain oversight of these responsibilities, especially during the early commissioning cycles.

2. RECOMMENDATIONS:

- 2.1 That the Children and Young People’s Overview and Scrutiny Committee consider the information contained in this report and comment on the new responsibilities for the City Council.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 As a result of the ASCL Act 2009, the Council now has a duty to secure sufficient suitable education and training provision to meet the reasonable needs of 16 – 19 year olds in its area, and of learners with learning difficulties and/or disabilities up to the age of 25, taking into account provision made in other authority areas. This includes provision made in school sixth forms, sixth form colleges, Further Education (FE) colleges, and by private and voluntary training providers. The Council is also the ‘lead commissioner’ of 16 – 19 education and training for all providers in the city, except Academies and apprenticeship providers.
- 3.2 This development is consistent with the development of Children and Young People’s Trusts. The City Council must now plan to secure the best provision for the young people of Brighton & Hove from pre-school right through to entry into the work place or higher education, in line with local priorities, and taking into account the planned raising of the participation age to 18 by 2015.

- 3.3 Appendix 1 describes the Council's new responsibilities, and the relevant relationships with the national Young People's Learning Agency (YPLA) and with East and West Sussex County Councils. Some key issues for the Council are identified.
- 3.4 Appendix 2 is the National Commissioning Framework issued by the YPLA as statutory guidance to local authorities on how they should fulfil their planning and commissioning role.
- 3.5 Appendix 3 is the Memorandum of Understanding agreed with East and West Sussex, through which the three Councils will work together and plan for their common 'travel to learn' area.
- 3.6 The coalition government has indicated that it will wish to review the roles and structure of the YPLA and of the Skills Funding Agency, which plans and funds 19+ education and training. It has also indicated that it will wish to investigate how colleges might operate under a single funding body. It is not yet clear how these changes, once developed further, may impact upon the local authority's role in relation to 16 – 19 education and training.

4. CONSULTATION

- 4.1 Local providers have been consulted throughout in the development of the Brighton & Hove approach to these new responsibilities, in particular through the 14 -1 9 Partnership Board. The Board has adopted a protocol called 'Partnership for Success', which includes a set of principles for how the authority and providers will continue to work together in the planning and commissioning process.
- 4.2 The approach has also been developed in consultation with East and West Sussex County Councils, with whom Brighton & Hove must continue to work closely on travel to learn area issues.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The council has received a special purpose grant of £396k in 2010/11 to cover the cost of the 7 staff that has transferred in from the LSC. The other funding for schools and 16-19 providers in the city will come in directly from the YPLA and be paid over in accordance with their guidance and criteria.
- 5.2 There is a potential financial risk to the Council relating to the funding of learners with learning difficulties and/or disabilities aged 19 – 25 placed with an Independent Specialist Provider (ISP). The budget for the SE region is managed by the YPLA on behalf of the SE local authorities, but it is possible that any overspend against this budget would fall to be met by the authorities. This is the subject of ongoing discussion between YPLA and the authorities.

Finance Officer Consulted: Andy Moore

Date: 6 May 2010

Legal Implications:

- 5.2 Responsibility for planning, commissioning and funding 16 – 19 education in their area, as well as for young people up to the age of 25 where a learning difficulty assessment is in place, and for young offenders in youth custody, has been transferred to the local authority by the Apprenticeship Skills Children and Learning Act 2009. The new statutory framework and guidance for 16-19 provision is set out in Appendix 1 of the report. Appropriate provision will need to be reflected in the CYPP plan, overseen by the Children’s Trust Board.

Lawyer Consulted: Natasha Watson

Date: 17 May 2010

Equalities Implications:

- 5.3 By bringing all education and training from 0 – 19 within the responsibility of the Council, there is an opportunity to ensure that all children and young people are offered high quality learning, which is responsive to their various needs and accessible.

Sustainability Implications:

- 5.4 The planning and commissioning of 16 – 19 education and training should be integrated with the implementation of the City Employment and Skills Plan, and thereby contribute to sustainable economic development for the city and help to address issues of poverty through skills development for residents.

Crime & Disorder Implications:

- 5.5 Overall, improved and suitable 16 – 19 education and training, and the expectation that all young people will remain in some form of education or training up to the age of 18 (if this policy is retained by the new government), are likely to have a positive impact on reducing the level of crime and disorder. More specifically, the Council’s new responsibilities include ensuring that there is suitable education and training provision for young offenders, whether in custody or in the community, and that there are appropriate plans for ongoing support to these young people.

Risk and Opportunity Management Implications:

- 5.6 None

Corporate / Citywide Implications:

- 5.7 The responsibility for planning, commissioning and funding 16 – 19 education and training is particularly relevant to Council Priorities 1 (Protect the environment while growing the economy) and 3 (Reduce inequality by increasing opportunity). There is a strong relationship with the City Employment and Skills Plan, and the Apprenticeship Strategy.

SUPPORTING DOCUMENTATION

Appendices:

1. Overview of new Council responsibilities for 16 – 19 education and training
2. National Commissioning Framework: summary
3. Memorandum of Understanding with East and West Sussex County Councils

Documents In Members' Rooms

None

Background Documents

1. National Commissioning Framework (YPLA)
2. Children and Young People's Plan 2009 – 2012
3. City Employment and Skills Plan
4. Brighton & Hove Apprenticeship Strategy