

ADCS-LSC JOINT WORKING

This joint statement describes how Directors of Children's Services/Children's Services Authorities and the LSC will work together at national, regional and local level in order to maintain the focus and momentum on continuous improvement in the implementation of 14-19 reforms, and achieve as much impact within the spirit of the Machinery of Government transfer as can be effected in advance of formal legislation. It is not intended to pre-empt or prejudice any recommendation or decision regarding the final nature of the specific changes which will be brought about by the transfer of funding for 16-19 year olds from the LSC to local authorities (as described in the Machinery of Government paper) subsequent to the creation of DCSF and DIUS. It should, however, provide some helpful experience and advice on the effectiveness of working at national, local and regional/sub-regional levels.

As joint strategic commissioners currently of provision for 14-16 year olds and 16-19 year olds (25 for learners with learning difficulties and/or disabilities or who are care leavers) local authorities and the LSC currently share the responsibility for ensuring that proper provision is available and/or accessible for young people in every local authority area. The discharging of this responsibility is articulated in the statutory Children and Young People's Plan; often in a 14-19 education plan¹ produced with providers and other partners in a 14-19 Partnership. The current statutory framework makes it clear that LAs and DCSs have a clear accountability for the outcomes for 14-19 education, learning and skills which also extends to 25 for specific groups of young people and young adults.

These plans focus on the three key components of the 14-19 Education and Skills Implementation Plan:

- Raising attainment now
- Designing new curriculum and qualifications
- Delivering on the ground

Continued success and improvement in these areas and effective preparation for the raising of the participation age and full 14-19 entitlement in 2013 is dependent on the strong collaborative working of those who provide and support learning delivery. The role of LAs and LSC in commissioning and de-commissioning provision locally, operating within a national framework, is becoming critical to securing high quality, relevant, cost effective provision.

¹ ADCS-LSC, *Guidance for the development of local 14-19 Education Plans*

As Directors of Children's Services and the LSC we believe there are areas where we could work together immediately to more effectively secure the entitlement for all young people:

- At local level, we believe that there should be strengthened joint discussion of 14-19 plans for each area – with each LA or across LAs where they prefer to work together effectively – so the LA has strategic influence over LSC planning for the whole cohort.

There are a number of areas where we believe joint working would be better discharged initially through a regional collective approach. In the long term these functions could be best discharged within the context of a regional framework.

- Capital developments
- Commissioning of provision for learners with difficulties and/or disabilities
- Funding of Diplomas
- Data coordination

At this stage the infrastructure and governance issues are still to be fully discussed and determined, but when established they will need to ensure delivery of functions specified in the regional framework.

Post-16 providers, particularly the college and independent training sectors, meet the needs of learners from a greater number of local authority areas than is usual in the compulsory phase of the school sector. Travel to learn patterns, the mobility of learners and the importance of regional/sub-regional specialisms (including LLDD specialist provision) lead us to believe that it is more appropriate to consider these issues in a regional or sub regional, rather than local, context.

We propose, therefore, to establish a joint strategic forum in each of the nine regions of England for the purposes described above – taking forward discussions on how best to implement the regional elements, and discussing the best framework and pattern for local/supra-local arrangements. The forum would consist of all of the DCSs in a region, the regional director of the LSC, Government Office Director of Children and Learners, LSC Area Directors and the LSC Learning, Planning & Performance Director. Maximum flexibility would be extended to each region's joint strategic forum to determine its own meeting/chairing/secretariat arrangements. Similarly, they could agree to operate at sub-regional level if this was more appropriate for geography and local circumstances. The statutory responsibilities, accountabilities and processes of individual Children's Services Authorities/DCS and the LSC are not compromised or threatened in any way by this arrangement. This arrangement should be reviewed within the context of the emerging legislative framework.

The joint strategic forum would exist primarily

- to share intelligence and data;
- to increase the opportunity for consultation and debate across local authority boundaries;
- to provide the opportunity for joint commissioning;

- to coherently and cost effectively secure provision for LLDD;
- to support the development of Multi Area Agreements (MAAs);
- To develop an approach to a regional capital strategy
- To develop a framework and the best pattern for local/supra-local dialogue
- and to provide a mechanism for dialogue/communication with national government (particularly DCSF and DIUS).

Capital Developments

At local authority level, LAs and the LSC currently aim to align investment from the *Building Schools for the Future* programme and the LSC's 16-19 Capital Fund. The investment in the post-16 infrastructure by the LSC from its general Capital Fund is primarily, but not exclusively, into the FE college sector where, recognising the cross-boundary travel patterns of post-16 learners, it takes a sub-regional/regional view.

We believe there is merit in the LSC and LAs jointly considering capital developments which

- impact on more than one local authority area, or
- impact on post-16 providers in circumstances where they currently have no opportunity for influence, or
- where there may be significant impact between pre and post-19 arrangements.

This does not mean that the current processes for capital plans or proposals are subject to the approval of the joint strategic forum, but it does provide a mechanism for greater debate and consultation. The forum might also consider how best to engage other sources of capital – eg RDAs, HEFCE

Commissioning of provision for learners with learning difficulties and/or disabilities

In *Care Matters: Transforming the Lives of Children and Young People in Care*, October 2006, the government laid out its proposals for securing better value for money and giving more placement choice for children by piloting regional commissioning units with interested local authorities². The initial focus of the pilot areas was for children in care but all pilot sites are working to ensure the needs of children with special educational needs and/or disabilities are also addressed.

Commissioning in this way for pre and post-16 learners (SEN and LLDD) via regional commissioning units could secure better outcomes for learners and

² The 6 current pilot areas are London, North East, North West, South West peninsula, West Midlands and one led by Eastern Region covering Eastern region, East Midlands, South East and part of South West region)

efficiency savings for local authorities and the LSC. The advantages of such an approach include:

- better value for money by joint planning and commissioning of high cost, low incidence services
- shared costs for commissioning functions
- more effective management of providers
- sharing of good practice within a region

In some regions there are already regional commissioning arrangements in place between local authorities, LSC and other partner agencies and it is proposed that we should build on this good practice to develop a consistent approach across the country.

Funding of Diplomas

September 2008 sees the piloting of new Diplomas in five curriculum areas, with five more coming on stream in September 2009 followed by four in 2010, prior to the introduction of the full curriculum entitlement for all young people in 2013. Approved Diploma delivery consortia usually consist of schools, colleges, independent training providers, education business partnerships and Connexions services. Consortia are approved to deliver at all three levels and at pre and post-16. For the introduction of Diplomas in September 2008 there will be two funding mechanisms; one via local authorities for pre-16 learners and one via LSC for post-16 learners.

A regional joint strategic forum of DCS and LSC would provide a useful vehicle for dialogue with DCSF as to how these two funding streams could be brought together, so that local 14-19 Partnerships could secure coherent, cost effective arrangements for programme delivery and support, transport, access to specialist facilities, provision of learning materials, costs associated with work placement etc.

LSC transitional organisation

The LSC would organise itself locally and regionally in order to discharge the above functions effectively over the next three years. At a regional level work must commence between the LSC and Local Authorities on managing the transition and on establishing appropriate infrastructure and governance arrangements. This will require a clear Transition Plan.

At national level, a clearly identified team would work directly with DCSF both to drive the MoG transition, and enable and drive effective and seamless top to bottom delivery of the 14-19 policies and programmes for which the LSC currently has responsibility.

John Freeman
Joint President – ADCS

Rob Wye
LSC Director of Strategy and
Communications and Learning