

PROTOCOL BETWEEN Local Government Association (LGA), Association of Colleges (AoC) and The Association of Directors of Children's Services (ADCS)

A long history

Local government has a long history in further education. Local democracy and local education developed hand in hand. Local councils directly managed colleges for more than a century. Incorporation in 1993 removed colleges from direct council control but both parties have many shared objectives.

A shared future

Local councils have a key role as the organisations responsible for the well-being of all the children and young people in their area. Local councils no longer manage institutions. Their role, instead, is to manage the environment in which young people learn and prepare for adult life. Recent legislation places clear responsibilities for children's services on councils. Over the next 8 years they will take on responsibility for ensuring:

- information, advice and guidance is available to every young person (2008);
- the funding of education for young people up to the age of 18 (2010).
- every young person can access an appropriate Diploma course (2013);
- every person participates in education or training up to the age of 18 (2015);
- assessments for those with SEN/LLDD at 16 or up to 25

The 364 further education and sixth form Colleges in England have transformed themselves in the fifteen years since incorporation. Colleges have made strong progress in developing their courses and services for young people to a point where the college sector contains: ie:

- the main education institutions for those aged 16 to 18;
- the places offering the widest choice for young people and their parents;
- the organisations prepared to expand to offer the Diploma, to support apprenticeships and to meet the 100% participation target.

A strong relationship

Local government has wide, strategic responsibilities. There are local councils with billion pound budgets and tens of thousands of staff. Colleges are small and focused by comparison. Despite all the differences in size and accountability, councils and colleges should prepare now for the formal transfer which is expected to take place in 2010.

To this end, the protocol makes ten suggestions for building a new and improved relationship between local government and colleges. The suggestions follow in the next two pages and are an expression of the shared commitment between the LGA, AoC and ADCS to working together nationally to promote young people's outcomes.

Signatures

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Steps to a new and improved relationship between councils and colleges

1. **Partnership:**

Councils and colleges already work together in a number of partnerships, including diploma consortia and area-wide arrangements. Local authorities will want this work to contribute to the work of their Local Strategic Partnerships (LSPs) and children's trusts. Colleges should be taking an active role in partnerships to help deliver local objectives. Now is a good time for councils and Colleges to consider their involvement in local plans. Do College governors or principals participate in the local school forum? Has the scrutiny committee for children and young people engaged the College? If a College is high performing, can it make a contribution to local plans to develop academies or establish trust schools?

2. **Liaison and communications:**

Councils and Colleges need to establish liaison arrangements which are effective but not onerous. There should be regular one-to-one meetings at an appropriately senior level. The two organisations need to communicate the right information at the right level and at the right time. Plans, important changes, staffing moves etc should be shared. Communicating at the right level of an organisation is courteous and gets the job done by passing issues to those with the authority to resolve them. Communication needs to make clear who is responsible for actions and who is being copied in. Prompt communication minimises rumours.

3. **Consultation:**

Councils are required by statute and regulation to consult on a vast range of issues. A better relationship with local Colleges implies going beyond this – consulting early and often. Colleges have more freedom to act without consultation. Again their responsibility is to consult and inform even where not formally obliged to do so.

4. **Governance:**

Most Colleges have local authority representation on their governing bodies – either councillors or senior officers. Recent changes to the instruments and articles for Colleges give their governing bodies more flexibility over membership, but it is viewed as good practice to include a local authority representative. Now is a good time for Colleges to review their membership. Where the Council has a place on the governing body and a new candidate is required, the College and local authority should consult closely over the best candidate for the post. Governors should not be imposed on Colleges.

5. **Funding and commissioning:**

Local Government will provide as much as 50% of College income after 2010; more for many Sixth Form Colleges. National rules and targets may influence budgets but it will be important to have an open and honest dialogue about the way in which public funds can be used to deliver shared objectives. At the same time, Councils should take care to be thoroughly objective in the commissioning process with all providers and to

ensure that Colleges have fair access to development funds. Local authorities' primary duty must be on the needs and outcomes of children and young people, irrespective of where they learn. All partners and providers need to be clear on protocols for commissioning, re-commissioning and de-commissioning, allowing sufficient time in planning cycles for institutions to adjust to decisions taken by the local authority and the full 14-19 area-wide or consortium commissioning forum.

6. Accountability for outcomes:

Local councils are accountable to Government for delivery of national targets set the Department of Children Schools and Families (DCSF) and set out in their Local Area Agreements (LAA). Local councils will be held responsible for outcomes in areas where they do not have direct responsibility for delivery. Partnership working implies that Colleges take full responsibility for their own contribution to these targets.

7. Joint projects:

Relationships build through action. Councils and Colleges should consider ways in which they can work together to deliver their shared objectives, for example participation by those who are currently outside education or training, or in exploring input to joint governance arrangements with schools via federations, trusts etc. In this way joint projects and relationships can have a direct and tangible benefit in improving the learning system for young people.

8. Quality of provision:

Local councils and colleges have each worked hard to improve the quality of their services. They share the aim of ensuring that courses and placements are fit for purpose in delivering what young people, parents, carers and employers demand. They share the desire to see young people fulfil their potential and secure the outcomes they aspire to. Considerable effort has been put into devising a *Framework for Excellence* for the further education sector. Colleges and authorities need to work together to make this effective.

9. Economic development and community access:

Many Councils and Colleges already co-operate on economic development, whether through the provision of training for disadvantaged young people or through major capital investment. Colleges and Councils should continue to explore how combined work could improve local economic development and co-ordinate and maximise the work each does with employers. Colleges often own and manage significant assets and buildings. Governing bodies and principals need to consider whether and how they can make their facilities more accessible to their local communities.

10. Sustainability and transport:

Travel to and from College has a significant environmental impact. Colleges can contribute to local strategies to improve sustainability and should work together with councils to develop greener and safer journeys for young people. Post 16 transport partnerships are a key means of ensuring effective logistics and access to the curriculum entitlement across an area. It is important local authorities, colleges and other providers work closely in planning transport access together as well as the curriculum offer.