

REPORT TO THE FORMAL CABINET
19 February 2013

Cabinet Member: Cllr Siân Gwenllian, Cabinet Member for
Education, Children and Young People

Subject: Post-16 Education and Training Arrangements

Liaison Officer: Iwan T. Jones, Corporate Director

The decision sought / purpose of the report

1. To approve the establishment of the Post-16 Education and Training Consortium and the operational model;
 2. To confirm the Memorandum of Understanding, and also accept the roles and responsibilities which are noted for the Council;
 3. To authorise officials, in consultation with the Cabinet Member for Education and Children and Young People, to make amendments to the Memorandum as necessary and appropriate to the circumstances;
 4. To appoint the Cabinet Member for Education and Children and Young People to represent the Council on the Consortium's Leadership Board;
 5. To confirm the appointments of Iwan T. Jones, Corporate Director and Dewi R. Jones, Head of Education, as the Council's representatives on the Gwynedd and Ynys Môn Learning Partnership;
 6. To approve the intention for the Council to act as the Lead Body for receiving funding and managing the operation of the Partnership's European bid, and to confirm the Council's contribution towards the joint funding as noted in the report.
-

Local member's views

Not a local matter.

1. Introduction

- 1.1 In 2008/09 the policy direction for post-16 learning changed significantly with the publication of the document entitled *Delivering Skills that Work for Wales*. The Welsh Government's policy agenda, and the *Learning and Skills (Wales) Measure 2008*, now emphasise the requirement to transform the arrangements for 16-19 learning, both academic and vocational;
- 1.2 The need for a Local Curriculum has been established, and the choice of courses that institutions are required to offer learners in this age range has

been extended. The need to link the learning to the needs and opportunities within the economy was also introduced.

- 1.3 It is now required for the Local Authorities and learning providers, whether they are schools or colleges, to collaborate on the basis of Learning Areas to establish and jointly introduce a Local Curriculum, rather than to compete for learners.
- 1.4 However, no structure was set for such collaboration, but we have received specific guidance that we should establish a Learning Area to include the whole of Gwynedd and Ynys Môn – as this would allow cross-boundary working to establish a sufficient number of learners for a wider range of courses, and would allow more effective provision by, for example, reducing the unnecessary duplication of courses.
- 1.5 The Gwynedd and Ynys Môn Learning Partnership was established in 2009 with representation from the above-mentioned institutions in order to shape arrangements that would respond to the new requirements. Gwynedd Council leads the Partnership. Chief milestones of the work to date are shown in **APPENDIX 1**.
- 1.6 The Council Board agreed on 31 March 2009 to embark on the work, with agreement that the new arrangements should build on the area's response to the previous *Geographical Pathfinder* consultation, on the option of a Formal Consortium. Financial support was received from the Assembly to undertake the detailed process of identifying, researching into the options for the shape of the Consortium, to evaluate them and then test them against standard criteria.
- 1.7 The Formal Consortium model introduced here is the culmination of this process, and meets the Welsh Government's policy requirements. It sets out a robust strategic framework for the collaboration, centred around the needs of learners.
- 1.8 The Consortium would establish a tertiary system within the area, rather than centralising at one institution. The details of the Planning, Delivery and Monitoring Cycle, which forms the Consortium's operational model, can be seen in **APPENDIX 2**.
- 1.9 The Heads of secondary school Heads and colleges have participated in the development of the model from the outset and at all subsequent stages;
- 1.10 In the autumn, a discussion was held with the governing bodies, and a very positive response to the new direction was received from the schools and colleges. A further report will be given at the Cabinet meeting.
- 1.11 A bid for European funding has been submitted to enable the area to firmly embed the arrangements in the initial period, and to manage change.

2. Reasons for recommending the decision

2.1 *The Difference Achieved*

- (a) **Coordinated planning regime** – for the first time the area will have an arrangement for planning the learning provision based on information and evidence, and consistent arrangements for gathering the information in order to identify the area's learning needs, to be used as a basis for planning the learning provision;
- (b) **Joint working and planning** – joint planning and provision of the curriculum will enable the area to make better use of resources;
- (c) **Bringing the worlds of education and work together** – for the first time the area's curriculum will reflect the needs and the priorities of the local economy;
- (ch) **Access for young people** – young people will have better access to education and training, and to a wider choice of academic and vocational courses;
- (d) **Formal and organised joint relationship** – between the Local Authorities, the schools and colleges, to ensure clear progression pathways for young people.
- (dd) **The Consortium model presented here will also:**
- **Establish a regime around the learner's needs** – the voice of the learner will be core to the new arrangements, and for the first time a consistent procedure will be established to ensure that their opinions influence the area's provision and learning experiences. **APPENDIX 3** includes a Case Study of the views of the young people from one school and their experience of following collaborative courses;
 - **Meet the Welsh Government's Requirements** – it provides a robust foundation and framework for the collaboration across the learning institutions; it links the local curriculum with the needs of learners, employers and the local economy; and sets definite objectives and measures to achieve the change. The objectives and measures are included in **APPENDIX 4**;
 - **Focuses on the quality of learning** – the Consortium's principle aim is to establish Gwynedd and Ynys Môn as an area of excellence for post-16 learning by setting an ambition for higher achievement. The learning provision will be based on evidence and information that will include quality factors. Monitoring will be an essential feature of the model, and it is intended to collaborate closely with the new Regional Schools Efficiency and Improvement Service (RSEIS);

- **Give a clear lead to the Area's learning providers (schools and colleges)** – clear and consistent steps will be set out for the collaboration process, including robust strategic leadership on the area's needs. It is intended to collaborate with the Wales Data Observatory, and with the data departments and officials within the individual institutions to identify those needs.
- **Close the gaps in data and information** - a lack of current data and information regarding strategic attainments in a number of subject areas has been identified, and the Consortium will therefore commission studies and will develop new information systems to fill the gaps;
- **Establish appropriate arrangements for the area** – bearing in mind the dispersed geographic nature of the area, the collaboration will usually be based on clusters of providers, both schools and colleges, that will keep the learning as local as possible. Multimedia learning models will also be used, including digital learning where appropriate e.g. to reduce travelling, as well as face-to-face. The arrangement will also be appropriate for the area's linguistic nature, with specific aims and measures to expand and strengthen Welsh-medium learning and increasing the numbers that will take advantage of this. The model is considered as a pilot for other rural areas;
- **Retain the presence of 6th form within schools** – while there will be changes to the courses offered and their location, the Consortium arrangements will be based on the existing pattern of schools (with 6th forms) and colleges. All courses will not be taught at all schools (or all colleges), but learners in all the 6th forms and colleges will receive provision through the new arrangements. The providers will jointly arrange the various locations to offer the choice of courses, that will then be available to the learners. The Memorandum of Understanding includes a specific clause to protect a situation where there is a danger that the viability of a school or 6th form could be undermined;
- **Establish arrangements that will achieve more with the funding that comes to the area for 16-19 learning** – hand-in-hand with the development of the model, funding was received from the Assembly to support the area's learning providers to trial collaboration with nearby institutions, and to identify the opportunities and practical problems. This collaboration has intensified over the period in Arfon, and has led to a reduction in the duplication of those courses with low numbers, by bringing the learners together. From an assessment made on behalf of the Learning Partnership by an external financial consultant, each joint course established would release an average of £9k in the first year and £18k in the following years; funding that could then be re-invested in the learning provision. In considering the number of possible joint courses, the potential financial benefits from improving efficiency across the whole area are quite substantial;

- **Offering value for money in implementing the new arrangements** – while other areas have based the change on capital schemes with cost implications of many millions, the use of the existing institutions means that the change to Consortium arrangements can establish tertiary system at comparatively low-cost;
- **Establish the means for the area to respond strategically to future changes and challenges** – when new demands requires changes in future years, and the ensuing possible challenges, e.g., policy direction, funding or quality, the establishment of a consortium gives the area a method of response which is coordinated and strategic rather than being ad-hoc and on the basis of individual institutions.

3. Relevant considerations

3.1 National Requirement

As in all other areas of Wales, it is mandatory to transform the arrangements for the 16-19 age group; the status quo is not an option. The arrangement proposed here is a model shaped locally to meet that necessity. If there is no agreement on these arrangements, another solution must be adopted, with the likelihood that this solution will not be shaped here.

3.2 The Council's Main Priorities

Developing the model for post-16 education and training has been designated as a specific project within the Council's Strategic Plan.

3.3. The Position with Current Arrangements

From the research and collation of data conducted in 2011 as part of the work of developing the model, it became evident from information on the number of courses with low learner numbers, the duplication of courses, and the forecasted numbers of post-16 pupils in future years, that this posed a threat to the sustainability of schools, especially if the funding available to Local Authorities was further reduced. A summary of the data can be seen in **APPENDIX 5.**

3.4 Identifying the appropriate Model for the area

(i) The Model's Foundation

- The Council Board, at its meeting on 31 March 2009 in agreeing to commence the process of developing a new model for the area, also decided that the model should build on the outcome of the previous consultation by the Assembly in Arfon and Ynys Môn on the options of the *Geographic Pathfinder* plan. The area and the Council chose the Formal Consortium option rather than the other options of a 6th form college, the establishment of one tertiary college with Coleg Menai, or no change.

- In reaching the decision on that option, the Council consulted with the heads, the governing bodies and the teaching unions, and the work was scrutinised by the Skills Improvement Task Group and the Development Scrutiny Committee.
- However, it was agreed that the Formal Consortium option was broad, and that further work was required to identify its scope, and to then shape a structural model and robust arrangements for the Consortium's operation. It was agreed to establish the Gwynedd and Ynys Môn Learning Partnership to lead and direct this work.

(ii) Identifying the Model's Structure and Operational Options

- The development of the model following the Welsh Government's prescribed process. This entailed researching and identifying options, evaluation and distillation, and their subsequent testing against standard criteria, following the *5 Case Treasury Model*. This proved to be a lengthy and detailed process, supported by the Assembly and the Welsh Government by funding or appointing external consultants.
- **APPENDIX 6** contains a summary of the Long List Options, the Short List Options, and the operational options for delivering the favoured option.
- The Skills Improvement Task Group contributed towards the creation of the Brief in 2009, and also scrutinised the development of the work on the main stages between 2010 and 2012. Following its final meeting on 15 March 2012, the Improvement Task Group's recommendations were incorporated into the further development of the model. Reports were submitted to the Development Scrutiny Committee on 21 June 2011 and 20 March 2012.

(iii) Establishing Support for the Model

- An inclusive approach was adopted in the development of the model, and regular discussions were held at all stages with the heads of the secondary schools in both counties (with 6th forms) and the colleges. With financial assistance from the Assembly, the Learning Partnership supported collaboration trialling work with schools and colleges, to identify practical lessons. The model was adapted to consider these lessons learnt and professional views, while also retaining the strategic structure element that will provide the learning providers with a robust framework as they undertake their professional responsibilities of forming the Local Curriculum.
- The model was considered by the joint Gwynedd and Ynys Môn Local Services Board on 23 February 2012, and received support for the proposals, and for the submission of a business case to WEFO as part of the bid for European Funding.
- A discussion was held on 24 October 2012 with the governing bodies on the establishment of the Consortium, the Planning, Delivery and Monitoring Cycle, and the agreement document, and there was a period for the

submission of further observations and questions. A number of questions were received, some following the end of the period, but all received a response before Christmas. Following this, a very positive response was received from the schools and colleges, and this will be reported further in the meeting.

- An initial discussion was held with the teaching unions in a positive atmosphere and, subject to the Cabinet's approval, these discussions will continue.

3.5 Memorandum of Understanding

The Memorandum of Understanding can be seen in **APPENDIX 7**.

(i) Formal Contract

- The Memorandum is a formal contractual document which commits all the partners to the 16-19 learning provision – namely the secondary schools (with a 6th form) of both counties, the Grwp Llandrillo-Menai sites within the area and both Local Authorities.
- In joining the Consortium the Council would be exercising its powers under Section 2 – Local Government Act 2000, Sections 13A and 15A Education Act 1996, Section 82 Further and Higher Education Act 1992, Sections 33K, 33L and 116A Learning and Skills Act 2000 and the related Regulations and Guidance.
- In signing the Memorandum, all the Partners (including the Council) are committing to planning the learning provision and delivering it solely through the Consortium. The Council would be committing to allocating the necessary funding to schools for the post-16 provision as currently happens; Grwp Llandrillo-Menai would commit to providing the necessary funding for the 16-19 provision in its sites within the area; and the schools and colleges would commit individually and jointly to use the funding to deliver the provision as agreed through the Consortium and by the Minister.
- This contract will not negate the Council's other powers and rights under the legislation.
- The Consortium's operation will be reviewed in autumn 2015.

(ii) The Consortium's Operational Structures and their Functions

- The consortium will be steered by the **Gwynedd & Ynys Môn Learning Partnership**, that will drive and support the Aims and the Planning Cycle, the Delivery and Monitoring. The partnership will e.g. identify the area's learning needs; commission and collate the information and evidence base; and will provide the strategic guidance as a foundation for establishing the education and training provision for the area. It will also act as the body which removes barriers and resolves disputes. The full functions are noted in Clause 10 of the Memorandum.

- A **Leadership Board** will be established with the specific responsibilities of setting the high-level strategic direction for planning the learning provision, and for approving the provision on the basis of the area's learning needs in order to satisfy the Aims of the Consortium. The Leadership Board will also have a specific responsibility to operate as a high-level body to remove barriers and resolve disputes.
- The arrangements for the membership of the Learning Partnership and the Leadership Board are noted in Clause 13.2 of the Memorandum.
- It should be noted that, subject to the Cabinet's approval, that an invitation would be extended to ensure representation from Higher Education, careers and jobs centre groups and local business as is noted in the membership list.

(iii) The Council's Role within the Consortium

- The Council's role (noted in Clause 2.1) would include:
 - Serving on the Gwynedd and Ynys Môn Learning Partnership
 - Serving on the Consortium Leadership Board
 - Undertaking the responsibilities of the **Lead Body**, particularly in relation to managing the funding and delivery of the project through the European bid.

(iv) The Council's Representation

- It is recommended that the Cabinet Member for Education and Children and Young People should represent the Council on the Consortium's **Leadership Board**;
- It is recommended that Iwan T. Jones, Corporate Director, and Dewi R. Jones, Head of Education, represent the Council on the **Gwynedd and Ynys Môn Learning Partnership**.

3.6 Funding the Consortium

Funding requirements

- A bid and Business Case for £1.1m of European funding was submitted in order to establish the new arrangements within the area, arrangements that are considered to be transformational in relation to the post-16 education and training provision. From the total noted above, £650k would come from the European programmes and the other £450k contributed by the partners.
- The partners would be: the two Local Authorities, Grwp Llandrillo-Menai and secondary schools of both counties jointly, namely a total of four partners with each partner, including the Council, contributing £112,500 each.

The Council Board has already earmarked the financial provision for the Post-16 Transforming Education and Training project as an allocation from the three Year Plan on 3 May 2011.

Jobs

- This funding will enable the appointment of a small team of 2.5 officials that will jointly drive this transformation with the individual schools and colleges, provider clusters, local forums and the Welsh Government's learning quality arrangements
- A full-time Project Manager will be appointed, a part-time Researcher and Data Analyst and a full-time Administrator (high level) with a detailed understanding of ESF requirements.

Activities

- In relation to the transformation work, the team will focus on:
 - Driving collaboration across the institutions, establishing an area curriculum and reducing unnecessary duplication;
 - Establishing slick and common joint systems across institutions in order to capture and analyse the main information, evidence and data, the needs of local employers, professional views within the post-16 sector, and the voice of the learner – a Virtual team of specialist officials within the institutions will be established to support the work as required;
 - Supporting institutions and stakeholder groups to adapt to change, by identifying and addressing potential barriers to new ways of working, and to support locations which could be negatively affected by planning resolutions to their situation, and by using the allocated funding within the budget for implementing solutions.
- Apart from the above and the project management function, the team will also:
 - Commission studies, evaluations and raise awareness of the innovative work and make arrangements to share the lessons learnt;
 - Ensure that all the commissioning is in accordance with WEFO's guidance;
 - Ensure that all the performance data information, the outcomes and results are collected, retained and reported in accordance with WEFO's requirements

Joint Funding and the Council's Contribution

- Grwp Llandrillo-Menai and Anglesey County Council have agreed to the joint funding, and the secondary schools in both counties are also in agreement.

3.7 Management Arrangements

- The Council would be the Lead Body, responsible for the managerial and monitoring aspects of the scheme on behalf of the Learning Partnership, with a Project Manager appointed through the European bid. The Manager

will be supported in the monitoring work by the Administrator post (high level), again financed by the European funding. The Council would be the employer on behalf of the Learning Partnership.

- The management structure and accountability can be seen in **APPENDIX 8**.

3.8 Risks

- The risk analysis is included in **APPENDIX 9**.
- The Appendix notes 10 initial risks along with mitigating actions. Below are the 3 high level risks and the relevant mitigating actions.

Area of Risk	Mitigation
Disagreement between Partners concerning the Consortium's strategic and operational proposals as the project proceeds	<p>An MoU contractual document has been developed with full partner involvement in order to remove this risk of operational failure. The document includes a resolution procedure should disputes occur. Partners will therefore sign up at the start of the project to the activities, results and proposals, their roles and to the stated principles of collaboration.</p> <p>Inter-establishment financial protocols have also been established and agreed jointly in order to enable the learner to pursue course choices wherever they may be available.</p>
Development of the <i>Virtual Team</i>	<p>An MoU contractual document has been developed with full partner involvement in order to remove this risk of operational failure, and partners have already agreed that their expertise via appropriate staff will be made available to the project on request.</p>
Value not apparent for the wider community	<p>Educational changes have elicited a strong community response in recent times and in all parts of Wales, mainly because of proposed school closures. This project is not about school closures - it will establish a tertiary system rather than a tertiary institution. It will be made clear to the wider community that the new system will use the expertise of current providers in a way that will not of itself undermine the viability of 11-16 age provision, nor remove school sixth forms. At the same time funding has been earmarked within this bid in order to address issues perceived as barriers to change and mitigate the risk.</p>

- It is confirmed that the mitigating actions noted have been included as activities to be funded within the European bid.

3.9 Sustainability

- The current situation is not sustainable, and the recommended model will place Gwynedd and Ynys Môn's learning provision on a firmer footing for the future, thereby achieving more for the learner within the available resources.
- European funding will allow the delivery of Phase 1, which is to establish the Consortium and its arrangements for Planning, Delivery and Monitoring for the introduction of the coordinated area curriculum in September 2014, for the 16-19 age range.
- At the end of Phase 1 a review will be held, to be completed during autumn 2015, with the intention of working with the Welsh Government to submit a Phase 2 bid at that point in order to continue with the activities and the benefits. It is anticipated that Phase 2 will probably include a model for a wider geographic scale, to include a number of nearby local authority areas, with a view also to expanding the audience to include Work-based Learning and Community Education for Adults.
- It is foreseen that by the subsequent period the strategic collaboration arrangements will be firmly embedded across the sub-region, the learning providers and the learners themselves, thereby enabling the model to be transferred to the mainstream and the partners' joint funding arrangements at the end of Phase 2.

3.10 Equal Opportunities

- As the Lead Body, with an equal opportunities policy which is appropriate for the public sector, the Council will ensure that the Consortium implements this policy in relation to the entire range of the Consortium's work e.g. the planning of the learning provision, appointments, delivery arrangements, meetings, correspondence and marketing.

4. Next steps and timetable

- Subject to the Cabinet's approval, officers will:
 - Complete WEFO's final requirements and establish a timetable for receiving formal approval and the offer letter (March 2013);
 - Invite representation from Higher Education, careers and job centre groups and local business to join the Partnership;
 - Continue the discussion with teaching unions;
 - Make any minor amendments to the Memorandum that are considered necessary at this point (by the end of February 2013);
 - Flag-up the secondment opportunities to staff within the education institutions and the Local Authorities (March 2013 onwards);
 - Arrange an event for signing of the Memorandum (around the end of March 2013);
 - Invite the Minister to the launch (date to be confirmed)
 - Commence operation (end of March 2013)

- It should be noted that the above timetable is dependent upon WEFO's timetable and the agreed start date in the formal offer letter.

Views of the Statutory Officers

Chief Executive:

"The recommendations presented attempt to present a regime that is sustainable for the future. It's obvious that the current provision will not be sustainable in future, and thus the discussion and collaboration between the partners, including those that traditionally have been competitors, is to be very much welcomed as together we try to reach for the best solution in the circumstances. Obviously there is still some way to go as the arrangement becomes operational but the recommendations do offer an important basis for that operation."

Monitoring Officer:

The report touches on all the factors that are relevant for the Council to consider in coming to a decision on this matter and no other issues of propriety arise.

Head of Finance Department:

Conditional on the success of the bid for £650,000 European grant towards the scheme's full cost of £1.1m, I confirm that provision is already in place for the Council's contribution of £112,500. As the third bullet point under part 3.6 of the report (which outlines the budgetary implications of the proposed arrangement), the 3 May 2013 Council Board earmarked the resource from the Three Year Plan budget (by now the Strategic Plan) in order to achieve the aim.

Should the Cabinet approve the intention for Gwynedd Council to act as the Lead Body for the sub-regional Partnership's European grant bid, the Finance Department will work frugally with project managers in receiving funding, managing operations and retaining evidence and appropriate financial records in order to safeguard the Council's interests.

In the Cabinet meeting doubtless that members will want an update by the Cabinet Member for Education on progress in ensuring a formal commitment from our partners, including Isle of Anglesey County Council, Gwynedd and Anglesey 6th Form Schools, and Grŵp Llandrillo-Menai colleges, as regards their financial contribution towards establishing the proposed regime.

Appendices

- 1. Chief Milestones in the development of the Consortium and the operational model**
- 2. The Operational Model – Planning, Delivery and Monitoring Cycle**
- 3. Case Study - The Experience of Learners of Collaborative Post-16 Courses**
- 4. The Consortium's Aims and Measures of Achievement**
- 5. The Position with Current Arrangements**
- 6. The Options Considered**
- 7. Memorandum of Understanding**
- 8. Management Structure**
- 9. Risk Analysis**