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| <b>Meeting:</b>      | Executive  |
| <b>Meeting date:</b> | 18/07/2024   |
| <b>Report of:</b>    | Pauline Stuchfield, Director Customer & Communities                              |
| <b>Portfolio of:</b> | Councillor Jo Coles Executive Member for Health, Wellbeing and Adult Social Care |

## **Decision Report: York Learning Accountability Statement 2024-25**

### **Subject of Report**

1. The purpose of this report is to gain approval to submit the accountability statement, relating to the Adult Skills Fund (ASF) grant received by York Learning on an annual basis. All providers in receipt of £1m or more of funding for post-16 provision have a statutory responsibility to produce and publish an annual accountability statement that reflects the needs of the local environment as determined by the Local Skills Improvement Plan (LSIP) in particular but should also detail how funding is most effectively used in a local context.
2. This document will form part 2 of the funding agreement provided by the Education Skills Funding Agency and failure to agree this document by June 30<sup>th</sup> 2024 may impact on York Learning's ability to draw down grant funding in a timely manner.

### **Benefits and Challenges**

3. The final accountability statement must be published on the York Learning website, as such it provides a key public facing document. The production of this public facing document allows us to clearly demonstrate how:
  - a) we aim to align the service with the key aspirations of the council through reflection of the council plan.
  - b) we aim to support residents to live healthier and more economical impactful lives.

- c) we can support our local businesses to develop a pipeline of talent and to upskill and reskill their existing workforce in line with the aims of the LSIP.
  - d) we are shaping our curriculum to also meet the aims, needs and aspirations of the Mayoral Combined Authority (MCA) economic framework, skills strategy and plans for Adult Skills Fund (ASF) devolution, (previously known as Adult Education Budget AEB).
4. The key challenges we face as a service are driven by decreasing participation rates in adult learning and increasing challenges on core council budgets. The accountability statement seeks to detail how we will align our curriculum to this preventative approach and to maximise the added social value of learning. We believe this to be in line with the plans of the MCA and will hope to be able to utilise the actions seen here to demonstrate the value provided by funding the local authority through the ASF.

## **Policy Basis for Decision**

5. York Learning is part of the Customer and Communities Directorate of City of York Council. We define our purpose as providing the gateway to opportunity for the city's adults, (and young people with Special Educational Needs and Disabilities) enabling them to reach their full potential. Whether that be greater integration into society or to move into more-fulfilling employment roles we are keen to support individuals to thrive, improving their physical and emotional health and recognising the opportunities available to them.
6. York Learning as part of City of York Council provides largely Education and Skills Funding Agency (ESFA) funded adult and community learning provision, with additional income from dedicated project work, apprenticeships and the support for those learners aged 19-25 with Education Health and Care Plans (EHCP).
7. Our service, and its partnership with North Yorkshire's Adult Learning and Skills Service (ALSS), has a major role in enabling residents across the region to achieve the best they possibly can and benefit from our thriving economy.
8. Our passion for adult learning continues to drive us to deliver effective programmes of learning to a range of adults with a

particular focus on those from disadvantaged and marginalised communities. We want to offer inclusive services with high quality learning provision and support, which works well across the spectrum of need, whilst meeting the needs of our local economy fully in line with 'One City, for all' we aim to deliver in a way that sets strong ambitions to increase opportunities for everyone living in York to live healthy and fulfilling lives.

9. The plan for the city sets four aligned core commitments as Equalities, Affordability, Climate Change and Health. These align to the city's 10-year plans and are reflected in the city's 10-year skills strategy.
10. We are ambitious within York Learning to be able to stress the significant impact that adult learning can have to meet these commitments. Using creativity, innovation and our community roots we can utilise our Adult Skills funding to:
  - Increase opportunities for people to manage through the cost of living crisis – through understanding waste, energy bills, practical hints and tips with embedded core numeracy, literacy and digital skills.
  - Increase the levels of independence in adults with disabilities to take personal responsibility for health and wellbeing.
  - Encourage families to work, learn and play together – delivering green ambitions, use of the city and cementing the connection with arts and heritage.
  - Support the training of the Voluntary and Community Sectors and for community champions to want to do more, equipping them with the skills to do so.
  - Support combined pride in and understanding of our wide and welcoming common heritage.
  - Work in spaces in communities to help them be more useful and vibrant.

But through all of this we will demonstrate clear pathways that:

- Improve essential skills.
- support people to overcome digital poverty.
- allow people to take up better jobs that are better suited to their skills, ambitions and aspirations and progress into the wider economic infrastructure.

## Financial Strategy Implications

11. The accountability statement shapes the high level ways that we will utilise our funding. This document basically details how we will aim to spend the funds that we are provided (as a grant) by the Education Skills Funding Agency. These funds being around £970k received directly for Adults and a proportion of the £1.3m the council receives for learners aged 16+ who we deliver through our Routes programme and through High Needs subcontracting.
12. The service operates within the funding received from the ESFA and supplements income through fees paid for accessing a large proportion of our provision.
13. Whilst no savings or significant surplus can be generated from our grant funding, greater use of the opportunities offered by engagement in learning by our residents (including our staff) can improve health outcomes, can overcome barriers that are preventing individuals meeting their potential and can support families (and in turn their children) to be able to cope and become resilient to challenges such as the cost of living crisis. This in turn then potential reduces the number of individuals who seek support from the wider statutory services of the council.

## Recommendation and Reasons

14. Executive Members are asked to approve the Accountability Statement at the Annex to this report ahead of publication at the end of June 2024.

Reason: For the service to receive funding to deliver against this statement we must gain agreement on contents. This agreement provides a framework for accountability whilst enabling us to receive the necessary funds to deliver the service. The document will also serve as the basis for wider internal conversations that will maximise the potential of learning for our residents.

## Background

15. *Skills for jobs: lifelong learning for opportunity and growth* published in January 2021 laid out key reforms to post-16 technical education and training that aims to support people to develop the

skills needed to get good jobs and improve national productivity. This paper and its subsequent legislation stipulated a clear plan to place employers at the heart of the skills system through the production of an LSIP.

16. The LSIP was written and published in July 2023 by an approved Employer Representative Body (ERB), for York and North Yorkshire; the West and North Yorkshire Chamber of Commerce being the designated ERB.
17. The York and North Yorkshire LSIP report is a strategic document identifying clear priorities for skills in the local area. It includes the necessary key changes needed (or indeed what should be retained) to make post-16 technical education and training more responsive to the skills needs of employers in the area. The LSIP covers a fixed period of 3 years.
18. *The Skills for Jobs* whitepaper detailed how providers would need to publish an annual accountability statement, that would form part of their annual funding agreement, that would indicate how funding received is to be used in line with local and national skills priorities as detailed by the LSIP.
19. The Department for Education (DfE) describe the Accountability Agreements, introduced for the first time in the 2023 to 2024 academic year, as setting the overall expectations of providers (including local authorities delivering more than £1 million of post - 16 provision) in return for funding. The agreement focusses on what colleges, designated institutions and local authorities deliver in the year ahead and how they intend to support local, regional, and national needs. These annual Statements should in all cases be informed by providers' longer term strategic plans and ambitions. The DfE stipulate that documents produced by local authority providers must have Executive approval.

## **Consultation Analysis**

20. The Shared Head for Adult Learning and Skills (York and North Yorkshire) set out and consulted on a clear strategic vision for the adult learning provision provided by North Yorkshire and City of York Councils in December 2021. This strategy and direction identified the need to support adults to access the training and

support that can be provided by engagement in education. This common strategy is important to support the wider economic requirements of the region and aims to enable strong lobbying support for the services once the adult education budget is devolved under a combined mayoral authority which is expected in the 2025/2026 academic year.

21. This strategic document was consulted on in July 2022 and published in September 2022, and was produced utilising the extensively consulted research base of the York and North Yorkshire Local Enterprise Partnership (YNYLEP) . This is one of many documents that were used to formulate the York and North Yorkshire LSIP which additionally cites a strong research and policy base. The Shared Head has worked closely with the combined authority team to shape the MCA skills and ASF strategies and these opportunities have been integral to the creation of a strong collaborative platform for the creation of this plan.

## **Options Analysis and Evidential Basis**

22. Whilst the paper presented is a key step in receiving funding it does not hold us directly to account on how this funding is utilised. This is set out in the Adult Skills Fund (ASF) funding guidance and in turn in the York Learning Fees Policy document for 2024-25. These rules are the boundaries on what we can and cannot use funding received through ASF for. This document details the key strategic approaches that we wish to take and are the mechanism by which this funding is received.
23. As such it is hoped the approach meets the aims of council and demonstrates an effective way of utilising this ring-fenced funding to assist in achievement of the council plan.
24. Agreement to approve does not prevent further discussion on how we may utilise our 2024-25 budget but failure to do so may impact the receipt of vital funds. There are therefore no other options recommended for approval in this report.

## Organisational Impact and Implications

25. **Financial** – The Chief Finance officer has stated that there are no financial implications to this report.
26. **Human Resources (HR)** - The office of the Head of HR report no HR implications contained within this report should approval to submit the accountability statement be given and funding secured
27. **Legal** – The office of the Head of Legal Services states that York Learning's strategy reflects a comprehensive approach to identifying priorities and outcomes, engaging with key stakeholders and collaborating with local providers to meet community needs and align with local skills and economic strategies. It is in compliance with Section 52B of the Further and Higher Education Act 1992, as amended by the Skills and Post 16 Education Act 2022. The service also aligns with the Public Sector Equality Duty under Section 149 of the Equality Act 2010 by promoting inclusivity, advancing equality and fostering good relations. By targeting disadvantaged communities and providing tailored learning opportunities, the initiatives meet the legal obligations of the Equality Act.
28. **Procurement** - The Chief Finance officer has stated that there are there are no direct procurement implications arising from this report.
29. **Health and Wellbeing** – Learning and skills development make a positive contribution to health and wellbeing both directly, through improving aspects of physical and mental health, and indirectly, for example by improving better job opportunities and financial stability. In addition, the learning funded through this agreement prioritises groups whose health and wellbeing outcomes often fall short of those enjoyed by others in the city. Public Health approve the accountability statement.
30. **Environment and Climate action** – The Director of Transport, Environment and Planning does not feel there are any environmental or carbon implications linked to the accountability statement.



31. **Affordability**, The skills and learning driven and funded through this agreement directly contribute to improving life chances and job skills. Where there are low cost and free courses such as those for digital skills the impact on those struggling during the cost-of-living crisis is likely to be positive where online support and services become accessible as a result.
32. **Equalities and Human Rights** The first Accountability Statement produced last July 2023 was assessed and it has not changed since that time. This will be revisited each year. The assessment can be found as Annex 2 with a continued positive impact on those protected by the Equalities and Human Rights Acts.
33. **Data Protection and Privacy**  
Data protection impact assessments (DPIAs) are an essential part of our accountability obligations and is a legal requirement for any type of processing under UK data protection and privacy legislation. Failure to carry out a DPIA when required may leave the council open to enforcement action, including monetary penalties or fines.
- DPIAs helps us to assess and demonstrate how we comply with all our data protection obligations. It does not have to eradicate all risks but should help to minimise and determine whether the level of risk is acceptable in the circumstances, considering the benefits of what the council wants to achieve.
- The DPIA screening questions were completed for this report and as there is no personal, special categories or criminal offence data being processed for the options set out in this report, there is no requirement to complete a DPIA at this time. However, this will be reviewed where required, on the approved options from this report.
34. **Communications** - The Head of Communications states that there are no specific comms impacts/interventions required from this report.
35. **Economy**-The Head of City Development states that as set out in the report, the work of York Learning contributes to positive economic outcomes & benefits and supports the delivery of the York Economic Strategy.



## Risks and Mitigations

36. There are no known risks associated with the agreement of this document, but significant risk should we not gain agreement as funding for the service would be removed.
37. Future risks exist should we not be able to demonstrate full use of the grant, (although a 97% tolerance is applied) as performance can be directly monitored by the MCA..

## Wards Impacted

38. The decision will impact all wards.

## Contact details

For further information please contact the authors of this Decision Report.

### Author

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|-------------------------|---|
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| <b>Service Area:</b>    | Customer & Communities  |
| <b>Telephone:</b>       | Please insert   |
| <b>Report approved:</b> | Yes   |
| <b>Date:</b>            | 14/05/2024  |

## Background papers

Approval of York Learning Accountability Statement 2023/24: Decision Session - Executive Member for Health, Wellbeing and Adult Social Care - Tuesday, 18 July 2023 – Item 4

<https://modgov.york.gov.uk/ieListDocuments.aspx?CId=1059&MIId=14309&Ver=4>

[\*Skills for jobs: lifelong learning for opportunity and growth\*](#)

[\*York and North Yorkshire Local Skills Improvement Plan\*](#)

[Meeting skills needs: Guidance on annual Accountability Agreements 2024/25 and the Local Needs Duty](#)

[York and North Yorkshire Adult Learning and Skills Engagement Strategy 2021-2025](#)

[Skills for Employment York's 10-year Strategy](#)

## **Annexes**

**Annex: 1** City of York Council -- Draft York Learning Accountability Statement 2024/25

Annex 2 Equality Impact Assessment completed June 2023

## **Abbreviations:**

ASF – Adult Skills Fund

LSIP – Local Skills Improvement Plan

AEB – Adult Education Budget

MCA – Mayoral Combined Authority

CA – Combined Authority

ESFA – Education Skills Funding Agency

EHCP – Education, Health and Care Plan

ALSS – North Yorkshire Adult Learning and Skills Service

ERB – Employer Responsive Body

DfE – Department for Education

YNLEP – York and North Yorkshire Local Enterprise Partnership

EIA – Equalities Impact Assessment