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**Executive Member for Children & Young  
People's Services and Advisory Panel**

Thursday 6 November 2008

Report of the Director of Learning, Culture and Children's Services

**14–19 Reforms: Progress Report on Curriculum Reforms and  
Machinery of Government Changes**

**Summary**

1. This report presents an update on further progress within the city in taking forward the 14–19 Curriculum Reforms, since the report presented to the Executive Member and Advisory Panel (EMAP) on the 17 July 2008.
2. It also provides a briefing on the implications of the Machinery of Government changes which provide for the transfer of funding for 16-19 education from the Learning and Skills Council (LSC) to the Local Authority (LA). This funding transfer means that the Local Authority will be responsible for securing sufficient provision in its local area to meet the new learner entitlements whilst raising participation and attainment. The LA will be engaged regionally (Yorkshire & Humber) and sub-regionally, as well as locally in the commissioning of provision.
3. Finally, the report provides information on funding issues, notably the revenue grants provided to support Diploma developments.
4. Members are asked to note the progress made since the last report. They are also asked to note the timelines for taking the Machinery of Government changes forward and the implications for the LA, providers and learners.

**Background**

5. The 14–19 Curriculum Reforms set out a national learner entitlement to be in place for September 2013 comprising four pathways:
  - Academic (GCSE/A Level)
  - Apprenticeships
  - 14–19 Diplomas
  - Foundation Learning Tier

Alongside this is a requirement, for all young people to remain in education or training to age 17 (from 2013) and ultimately age 18 (from 2015). The Department for Children, Schools & Families (DCSF) strategy has 3 elements:

- Raising attainment
  - New qualifications and curriculum models
  - Collaborative models of delivery to learners
6. Since the summer of 2007, the pace of reform has quickened with proposals published for machinery of government changes including the transfer of funding for post-16 education to local authorities. Within the Yorkshire and Humber Region, an Interim Regional Strategic Planning Forum operating at Director of Children's Services level has been established (July 2008) to progress the transfer. The four authorities of York, North Yorkshire, East Riding and Hull have submitted proposals to DCSF outlining why they should form a sub regional grouping.

### **Progress on Curriculum Reforms**

7. Delivery of two of the first five 14-19 Diplomas (Society, Health & Development and Engineering) began across the City of York Partnership at the start of this term. Delivery involves eight of the ten secondary schools and York College, whilst learners are drawn from all ten schools and the College. 117 Key Stage 4 and 75 post 16 learners started these courses across Level 1 (GCSE D-G), Level 2 (GCSE A\* - C) and Level 3 (A-Level). At Key Stage 4 these are all Level 2 learners with the exception of a group of 14 Level 1 learners on the Society, Health & Development Course. Post 16 York College recruited 9 Level 1 and 13 Level 2 Society, Health & Development Learners. The rest are on Level 3 courses. This is an extremely good uptake, exceeding the numbers estimated in July 2008. The additional recruitment was largely for Society, Health and Development at York College. Quality Assurance of this provision will begin in November, in line with a protocol agreed by school Headteachers and college Principals.
8. The Young Apprenticeship Programme at York College, the fifth cohort of which started this term, includes 70 York learners from 7 schools. This represents an increase of 13 over 2007/08, despite the withdrawal of LSC funding. This funding has now been directed to other areas within the region with lower attainment levels and where such programmes have not yet been developed.
9. The Danesgate Skills Centre has, for the first time, been able to provide Level 1 courses in Horticulture, Hair & Beauty and Construction for Year 10 learners beginning at the start of the Autumn term. Schools have agreed one day per week placements for 35 Year 10 learners. 25 of these places are being subsidised by funding from the Schools Engagement Project. This is LSC funding, accessed by an LA bid, to support the introduction of new, work focused provision.

10. The pilot phase of post-16 provision at Archbishop Holgate's School opened in September 2008. Six learners started the Level 3 Engineering Diploma. This is a lower number than expected. The school suggests that adverse publicity around the Diploma during the summer term and uncertainty around the acceptance of the Diploma by universities contributed to the decisions of learners to access other provision. When firm data on Year 12 starts at other institutions is available, the progression routes of the nine learners who had been expected to stay at Archbishop Holgate's will be analysed.
11. Five learners, who had all attended Archbishop Holgate's School in Year 11, started on their "vulnerable learners" provision strand. The latest information from the school is that they have subsequently been joined by an unemployed 16 year old, a 17 year old who dropped out of other provision last year and another 17 year old who could not get a place on other provision last year. This provision is being supported by the 14-19 Partnership through funding from the Learning and Skills Council Flexible Fighting Fund. This development is further evidence of the LA implementing its priority of targeting potential NEET (Not in Education, Employment or Training) learners and supporting progression through Entry Level, Level 1 and Level 2 provision.
12. Key issues still being discussed with Archbishop Holgate's School are the school's plans to introduce an "International Diploma", Science based provision and other 14-19 Diplomas including Creative & Media, IT and Business, Administration & Finance.
13. From September 2009 the city-wide 14-19 partnership has permission to deliver six more 14-19 Diplomas. Environment & Land Based, Manufacturing & Product Design, IT, Creative & Media, Hair & Beauty and Business, Administration & Finance will be introduced in York. The delivery pattern for 2009/10 is due to be agreed at a Partnership Group meeting (3 November 2008) for post-16 provision, and by 1 December 2008 for Key Stage 4. Development work is being supported by a revenue grant of £30k per line in 2008/09. This is paying for a range of related initiatives, including release of key staff from Schools and Colleges to lead curriculum development, provision of training and development events, additional LA capacity to support and monitor development, the Functional Skills pilot and Information, Advice and Guidance events such as the Diploma Roadshow.
14. At the same time, Diploma development groups have begun work on the authority's submission to "Gateway 3" which will assess our readiness to deliver 14-19 Diplomas in Construction & the Built Environment, Retail Business, Sport & Active Leisure, Travel & Tourism and Public Services from September 2010. The deadline for Gateway 3 submissions is 26 November. Detailed facilities audits are currently being carried out.
15. The latest annual Government Office Progress Check took place on 8 October 2008. The City of York's overall RAG (possible gradings of Green, Amber/Green, Red/Amber and Red) was Amber/Green. Performance on quantitative indicators and our self assessment on qualitative indicators is shown in Annex 1. We would highlight from that report:

- The Red rating for progression to Level 2 at 19 (PI 4a) is due to a fall in the % of learners reaching this level, although the rate is well above national and regional averages. Progression through Entry Level, Level 1 and Level 2 is a key priority for future development of provision.
  - PI 4b (progression of learners on Free School Meals (FSM) at age 15 to Level 2 at age 19) is the focus of a “narrowing the gap” target on inequality which is included in the Local Area Agreement.
  - PI 5a (Achievement of Level 3 at age 19) is Red because of a fall in the % reaching that level. Again, the actual rate is above national and regional averages. The significant increase in learners achieving Level 2 at age 16 in 2007, which was sustained in 2008, has led to an increase in the proportion of learners accessing level 3 courses post-16. Their progression should impact upon this indicator. If these learners progress in line with expectations this indicator ought to become Green in 2 years time.
16. The increasing range of provision available for learners in York highlights the need for high quality Information, Advice and Guidance (IAG). The impartiality of such advice is also important. The newly integrated Young Peoples’s Service is now the lead agency for IAG and is working with the 14–19 Partnership to ensure that learners receive inputs which reflect national Quality Standards. The 14–19 Partnership is supporting IAG development by producing supporting materials and coordinating events such as the DCSF Diploma Roadshow. This event, which is being held at York Racecourse, will be available to over 800 York learners on 5 December. Open sessions, accessible to education professionals, support staff, parents, employers and other interested parties will be held from 1530–1800 on 4 December and 1530–1730 on 5 December.
17. As noted in paragraph 25 of the EMAP report of 17 July, an initial seminar for Headteachers and Principals “visioning” the future shape of facilities and provision in York was held in September. This has led to an ongoing process of engagement with Schools and Colleges around how priorities might be addressed and opportunities for all learners improved. Stimulated debate about a broad range of linked issues around 11–19 education.

### **Machinery of Government Changes**

18. The Machinery of Government (MOG) changes are a result of the break up of the Learning Skills Council. Its functions will be split, with Local Authorities taking responsibility for the commissioning of 16–18 educational provision at local, sub regional and regional level under the oversight and budgetary control of a “slim-line” Young People’s Learning Agency. Other areas of LSC activity will pass to a National Apprenticeship Service and a Skills Funding Agency.
19. The Government envisages that the transfer of 16–18 commissioning and associated funding to LAs will confirm their role as Lead Strategic Partners in delivering the ambitions outlined in the DCSF Children’s Plan and Raising Expectations White Paper. LAs will:

- Enable every young person to access individually appropriate and high quality provision preparing them for success in later life
  - Enable full participation of 16 year olds (Year 12) by 2013 and 17 year olds (Year 13) by 2015
  - Deliver the 14–19 entitlement
  - Enable an integrated, 0–19 approach to delivery of all Children’s Services
  - Integrate education and skills with economic planning at a regional level
20. The DCSF and DIUS (Department of Innovation, Universities and Skills) conducted a national consultation on the proposals for MOG changes during the spring and summer of 2008. They have subsequently published a document “Raising Expectations: Enabling the System to Deliver *Update and Next Steps*” (Annex 2) which sets out their plans, which include a legislative timetable for an Education and Skills Bill (to receive Royal Assent in Autumn 2009).
21. In order for the funding transfer to take place from April 2010 arrangements for commissioning in each of the next two years will change. 2008/09 will be a “tracking year” during which the LA will work increasingly closely with the LSC on the commissioning round for provision for 2009/10. This will enable Officers to gain an understanding of the system and develop appropriate relationships with providers. 2009/10 will be a “transition year” in which the LSC will retain legal responsibility for commissioning provision for 2010/11. The LA, along with sub regional and regional partners, will take the lead on delivering the process in this second year.
22. Within all Government Office Regions, Interim Regional Strategic Planning Forums have already been set up to expedite the transfer. These involve all Directors of Children’s Services, Regional Development Agencies representatives, Learning and Skills Council Regional and Area Directors and Government Office staff.
23. As a first stage, LAs have been required to agree sub regional groupings to secure the entitlement across LA borders. The rationales for these groupings included travel to learn patterns (the cross border flows of learners to access provision outside their home authority) and compatibility with other local and regional priorities.
24. City of York has agreed a proposed sub regional structure in partnership with North Yorkshire County Council, East Riding of Yorkshire Council and Hull City Council. This proposal is included as Annex 3 and was submitted to Government Office for Stage 1 Assessment on 26 September.
25. The outcome of this assessment was successful and we are now moving on to preparation of a Stage 2 submission with partner LAs for 28 February 2009. This assessment requires more detail on the grouping’s governance arrangements, decision making processes, dispute resolution, staffing needs, reporting processes and accountabilities.

26. Officers, including Finance and Human Resource leads, have attended relevant briefings and conferences organised by Government Office and an LSC York and North Yorkshire event (7 October). The 14–19 Partnership Manager and LCCS Director of Finance have met the LSC Partnership Director for York to review the timetable of activity linked to commissioning in the LSC Business cycle for the tracking year.
27. A timeline for the creation of structures to support the commissioning of provision, taken from “Delivering 14-19 Reform: Next Steps” (DCSF, October 2008) is included as Annex 4. An accompanying local transition plan will be developed with LSC colleagues for January 2009, covering the tracking and transition years and the development of new arrangements in York.
28. LSC allocations under existing arrangements give an indication of the amount of funding involved. In 2007/08 £14.1m was allocated to York College, £4.8m in total to the for 11–18 schools and £20.5k to York Training Centre. This makes a total of about £18.9m.

### **Consultation**

29. Not applicable to the specific contents of this report although as indicated the development of 14-19 diplomas in the context of the Machinery of Government changes has been subject to widespread local and national consultation.

### **Options**

30. Not applicable to the specific contents of this report.

### **Analysis**

31. The City of York Partnership continues to be highly regarded both regionally and nationally and is making good progress in implementing the 14–19 reforms. The Diploma programme is the most high profile element of the reforms but provision of academic, apprenticeship and Foundation Learning Tier pathways should not be overlooked.
32. Government Office for Yorkshire and Humber’s Progress Checks (October 2008) indicate that whilst there are still areas for continued local focus we have made good progress over the last 12 months.
33. MOG changes present significant challenges and opportunities for all Local Authorities. A number of factors contribute to this LA being well placed to progress this agenda. These include:
  - Existing close and productive relationships between the Local Authority, the LSC and providers
  - Positive and productive relationships with neighbouring Local Authorities, especially North Yorkshire and East Riding

- Good progress in implementing the 14–19 Curriculum Reforms through strong inclusive partnership arrangements
  - A pattern of provision which already serves the majority of learners well and delivers successful outcomes
  - A clear understanding of key priorities for improvement – NEETS (including Learning Difficulties and Disabilities (LDD)/Special Educational Needs (SEN)), progression through Entry Level/Level 1/Level 2 post 16, increasing breadth and better targeting IAG.
34. Over the next two years the Directorate of Learning Culture and Children's Services (LCCS) will have to develop structures and capacity which will enable it to effectively discharge the new statutory duties envisaged by the forthcoming Education and Skills Bill legislation. In particular this will mean managing a much larger budget which will be distributed through commissioning methodology focusing on quality, learner choice and economic alignment rather than through a simplistic formula.

### **Corporate Priorities**

35. The 14–19 Strategy is central to success of the Children and Young People's Plan and the Council's strategies around economic development, and in particular to Corporate Priorities 7 (Skills and Knowledge) and 9 (Narrowing the Gap).

### **Implications**

#### **Financial**

36. The MOG changes are expected to be achieved within the context of no overall budget growth beyond existing LA and LSC budgets. This may be possible when the new structures have been fully implemented. However, in the short term there are capacity issues around the tracking and transition years. As government has not made additional funding available to LAs for this transition period, a one-off growth bid will be submitted in to the council's 2009/10 budget process to cover backfill and other costs up until the point of the transfer.
37. In the longer term, growth (ie the introduction of new provision to meet the needs of the raising of the participation age) has to be funded by savings resulting from smaller cohorts (demographic decline). The LA, in its commissioning role, will have to work within this constraint.
38. At the present time, no information regarding capital support for 16–18 education following the funding transfer has been provided. This means that there is currently no scope to plan for coherent development of facilities to support the introduction of relevant provision, although some limited investments (see report of 17 July) have been planned from a targeted grant.

## **Human Resources**

39. When the LSC ceases to exist in 2010 its various functions will be carried out by a range of different organisations including LAs. The staff currently employed by the LSC are therefore highly likely to be covered by the TUPE (Transfer of Undertakings (Protection of Employment)) regulations and at this stage it is anticipated that the LA will be expected to be the recipient of some transferees from the LSC. However this is not yet certain and there is very little information available on this area from the LSC.
40. This exercise is likely to be much more complex than the recent Connexions transfer (April 2008) and this is demonstrated by the need to maintain the capacity of the LSC whilst simultaneously developing the capacity of LAs and other agencies.
41. HR advice at present centres on preparing a clear understanding within the authority of what York's staffing establishment requirements are likely to be in order to carry out the new functions of commissioning. This staffing structure will be considered and designed over the next two years as the authority engages in tracking the current work of the LSC, and agreement of this structure will be sought in due course.
42. As there are likely to be TUPE transferees to consider there is the possibility of a mismatch arising between the LA's requirements and the skills of LSC staff who will be available for transfer. It is intended therefore that HR will continue to work closely with the 14 to19 Partnership Manager on this issue.

## **Others**

43. There are no legal, equalities, crime & disorder, ITT or property implications.

## **Risk Management**

### **14–19 Curriculum Reforms**

44. DCSF emphasises the role of the LA as Lead Strategic Partner in 14–19 developments. It also highlights the involvement of stakeholders through a 14–19 Partnership. In common with all such partnerships, Learning City York has no legal status and relies on City of York Council for support in a range of key areas such as HR and procurement.
45. During the transition to 2013, Diploma Support Grant funding, and the sustainability of provision, depends on the numbers of learners choosing to follow these courses. The new provision is central to efforts to raise participation and achievement, improve progression, reduce NEETs and support economic development in York. Nonetheless it remains vulnerable in the early stages to unpredictable national press publicity and political influences.



## Machinery of Government Changes

46. Key LA staff will be required to devote significant time and energy to progressing the changes and managing the tracking and transition years. National organisations linked to the agenda (Association of Directors of Children's Services, Local Government Association) are lobbying hard for the provision of extra funding to provide the capacity to support this exercise and to maintain the effective delivery of existing functions. At this stage none has been forthcoming but DCSF has outlined an extensive programme of support and training.
47. The Local Authority will need to recruit appropriate additional staff to support commissioning from 2010 onwards. The pool of likely recruits is largely within the current LSC structure. This, and other LAs, must maintain a balance between supporting the maintenance of the integrity and stability of this structure and ensuring that high calibre staff are ultimately recruited.

## Recommendations

48. That the Advisory Panel advise the Executive Member to note the continuing good progress on developments linked to the 14–19 Curriculum Reforms.
49. That the Advisory Panel also advise the Executive Member to note the opportunities and challenges presented by the Machinery of Government changes, the sound initial position of the Local Authority, LSC and sub regional partners and the progress already made.

Reason: to ensure that the city is well placed to provide the range of new curriculum opportunities which contribute to a wider learner entitlement, and to ensure the LA is well prepared to assume new responsibilities acquired from the LSC in 2010.

## Contact Details

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Report Approved  Date 23/10/08

### Specialist Implications Officer(s)

**Financial** – Richard Hartle, Finance Manager, LCCS

**Human Resources** – Jo Sheen, Senior HR Business Partner

**Wards Affected:** *List wards or tick box to indicate all*

All

**For further information please contact the author of the report**

**Background Papers:** As per the annexes listed below.

**Annexes:** Annex 1 – GOYH York – Progress Check Score Sheet 2008;  
Annex 2 – DCSF/DIUS – Raising Expectations: Enabling the System to Deliver – Update and Next Steps;  
Annex 3 – 16-18 Transfer – Stage One Assessment: September 2008 – City of York Council;  
Annex 4 – Timeline creating the right local delivery system with regional and national support.