

**Decision Session - Executive Member for
Culture, Leisure and Communities**

23 September 2019

Report of the Assistant Director (Communities and Culture)

York Learning: Future Direction

Summary

1. This report proposes a direction of travel for the future management arrangements of York Learning.

Recommendations

2. The Executive Member is asked to approve the direction of travel for York Learning, set out in paragraph 10, through collaboration with North Yorkshire County Council.

Reason: To enhance the service's ability to achieve its mission of ensuring that all learners have the skills and motivation to maximise their life chances and to maximise the level of resource directed to front-line services.

Background

3. York Learning is a Council service which focuses primarily on:
 - Helping those furthest from the job market to improve their confidence, self-esteem and employability skills.
 - Delivering community based learning, co-produced with local people, close to where they live and work, and designed to take account of community needs.
 - Working with the most disadvantaged to improve their English, maths and ICT.
 - Delivering provision to 90+ High Needs Support students who might otherwise require "out of area" placements.
 - Delivering apprenticeships both for the council and for small businesses locally.
4. Over the past few years, the service has investigated various operating models for future delivery. The key driver for this has been that, despite growth in some of its funding streams, the service remains

relatively small. As a result, it has insufficient ability to fund the level of management and delivery capacity that would be desirable in some key areas of its operation. It also remains vulnerable to future national funding changes. Action is now needed to develop a delivery model that:

- Is operationally robust and reasonably future proof.
 - Can operate without Council subsidy and with an acceptable level of financial risk for the Council.
 - Creates an organisation of sufficient scale that is:
 - able to fund essential functions, IT systems and quality processes,
 - influential within the city,
 - attractive to work for,
 - able to maintain the high standards of delivery set by York Learning.
5. In 2017, the York, North Yorkshire and East Riding Local Enterprise Partnership Skills Manager, was asked by the local authorities to carry out a piece of work focussing on local skills delivery across the sub-region, with particular emphasis on locally based community learning. This work, which was commissioned primarily in response to the challenge that devolution might bring, found scope for:
- Services to share back office functions, particularly in regard to the complex data returns demanded by contracting requirements,
 - Services to collaborate to produce efficiencies of service delivery and effectiveness of approach,
 - Sharing of good practice from each authority to expand and develop the offer to local communities.
6. Also in late 2017 the Council entered into a temporary arrangement with North Yorkshire County Council (NYCC) to second our Head of Service, Alistair Gourlay, to NYCC on a part-time basis. This followed difficulty that NYCC had experienced in recruiting satisfactorily to their vacant head of service post. The primary purpose of the secondment was for the Head of Service to secure an assessment of “Good” under the Ofsted framework and this has now been achieved. (York is also assessed as “Good”).
7. Following the retirement of Alistair Gourlay the Council and NYCC have agreed to recruit a joint Head of Service who will manage both services. This job, which NYCC will host, is currently out to advertisement. It will be shared equally between the two authorities and will be responsible for a combined budget of close to £8m.

Proposal

8. York Learning's Strategic Service Plan, approved by the Executive Member in July, included the objective to *Consolidate partnership working with North Yorkshire County Council and agree a strategy for future collaborative working*. This reflects the view of both services that the two services would be stronger, more capable of taking a strategic approach, and better able to respond to change and deliver service improvement if there were in place formal arrangements for wider collaboration in the management of the two services. It is therefore proposed that the new, joint Head of Services is asked to investigate the potential for further sharing of management functions. It should be stressed that there is no proposal at this stage to join the two services per se: they will remain separate, continue to be accountable separately to their respective authorities and retain separate Skills Funding Agency contracts. However, there may well be potential to share further posts at the next tier of management.
9. The two services are already quite closely aligned in the way they are managed and structured and deliver their services. This is demonstrated in the following where both services now share a common structure and processes:
 - A senior leadership team consisting of a Head of Service and strategic managers who oversee a number of functions,
 - A curriculum based structure to manage teaching and learning, with specialist managers for each area of the curriculum,
 - A self-assessment process with shared quality improvement format. Both services also have similar observation of teaching and learning processes,
 - MIS systems from the same supplier – with potential to share a single system,
 - Area based delivery model with locally based administrative staff,
 - Similar contractual arrangements for teaching staff,
 - Very similar arrangements for the delivery of provision for SEND EHCP students, with identical commissioning arrangements,
10. Areas where a joint management approach could be beneficial include:
 - SEND / High Needs 19+ programmes, to include directly delivery and sub-contracting arrangements: These are procured and supported in a similar manner across the two authorities and a single strategic manager looking after this provision with a budget of just over £3m could work well.

- Quality Assurance and Improvement: This could be managed through a single role and could include provision for sharing Observations of Teaching and Learning, Self- Assessment, Prevent and Safeguarding functions.
- Functional skills English and maths including Family Learning: There is good strategic management and understanding of this provision in York and making this a joint role could work well.
- Apprenticeships: a single operational manager could look after workplace learning and learners loans.
- Data and Management Information Systems: these are a significant component in adult learning provision and an obvious area for collaboration. Sharing of staff expertise across the two local authorities would mitigate some of the “single point of failure” issues that both services face.
- Community Learning provision, including engagement and first steps provision
- Full cost programmes and the development of new full cost provision.

Options and Analysis

11. The Executive Member is invited to comment on the direction of travel proposed for the future management of York Learning.

Next Steps

12. The new head of service will be expected to develop proposals for a revised structure of posts at the next tier of management. It is anticipated that this will involve further posts being shared at that tier in order for them to take responsibility for provision across both services. There are a number of options about how this might be achieved which could include further shared posts but which might also include the “trading” of management services between the two authorities. Any legal agreements required to underpin such arrangements will be drawn up by the respective legal services teams of the two authorities.
13. It is likely that initiatives will be tested over time. The starting point may, therefore, be a limited set of proposals which develop in sophistication over time as confidence is established in collaboration between the two authorities.
14. Further reports will be brought back to the Executive Member at appropriate intervals should any further decisions be required. The issue will also continue to be covered in the York Learning Strategic Service Plan as well as within routine reporting to the Children, Education and Communities Scrutiny Committee.

Implications

15. **Financial:** York Learning is funded almost exclusively from external contract funding and fee income. For the academic year 2019/20 gross expenditure will be in the region of £3.3m, with approximately £80k funded from the Local Authority's base budget. The purpose of shared management arrangements is not, therefore, to save money but rather to create more robust arrangements as well as to create more efficient arrangements that maximise the level of resource directed to front-line service provision.
16. **Human Resources:** Consultation will be required with the staff affected by any potential joint management arrangements at the next tier level and consideration will need to be given as to how the posts would be set up and any impact on individuals. Detailed arrangements will be subject to the respective local authority consultation and approvals processes including consultation with the staff affected and the appropriate trades unions.
17. The report has no additional Equalities, Legal, Information Technology, Property or other implications beyond those highlighted in the report.

Council Plan

18. The proposals in this paper further the Council Plan themes of *Well-paid Jobs and an Inclusive Economy* and *An Open and Effective Council*.

Risk Management

19. In compliance with the Council's risk management strategy the main risks that have been identified associated with the proposals contained in this report are those which could lead to the inability to meet business objectives and to deliver services, leading to damage to the Council's reputation and failure to meet stakeholders' expectations. The level of risk is assessed as "Low". This is acceptable but means that regular monitoring is required of the operation of the new arrangements.

Contact Details

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Report
Approved



Date:
11/09/19

Specialist Implications Officer(s):

Lisa Pannitt HR Advisor

Wards Affected:

All



For further information please contact the author of the report

Abbreviations

EHCP - Education, health and care plan

NYCC - North Yorkshire County Council

SEND - Special educational needs and disability