

Ref:
Name: Mark Homer

Agenda Item No.6 (i)

DERBYSHIRE COUNTY COUNCIL

CABINET

4th September 2012

Report of the Strategic Director for Children & Younger Adults and the Strategic Director of Cultural & Community Services

Creation of a Strategic Commissioning Group for Adult Community Learning – (Education)

1. Purpose of Report

- 1.1 To seek Cabinet agreement for the realignment of the strategic direction of adult community learning in Derbyshire through the creation of a strategic commissioning group.

2. Context

- 2.1 In its publication, '**New Challenges, New Chances: building a world class skills system**', the Government set out its aims and objectives for the £210m per year Community Learning budget in England. These are set out in Appendix 1 and reflect the Government's vision. It is recognised that the details of the learning offer needs to be determined locally and support a balanced range of outcomes, including improved confidence, successful parenting, employability skills, progression to formal courses, better mental/physical health, a stronger sense of citizenship, acquisition of digital skills and improved democratic engagement and social integration.
- 2.2 The Government wants to see local leadership and decision-making behind each area's community learning offer. The offer will be expected to take account of:
- the views of local communities and organisations
 - relevant data and impact evidence
 - local progression routes into formal (i.e. qualification-bearing) learning
 - relevant local services such as IAG, health, family and disability services
 - local non-formal and informal learning funded in other ways, or privately funded.
- 2.3 The Government has indicated that each local offer will be expected to take account of the most effective operating model to deliver this vision, for example (but not limited to):
- mutual/social enterprise;
 - community-led/provider-backed partnership;
 - lead accountable body;
 - managed partnership of two or more directly-funded providers.

- 2.4 The new aims and objectives will apply to all Department of Business, Innovation and Skills (BIS) funded community learning from 2012/13 onwards.

3. Information and Analysis

- 3.1 Derbyshire Adult Community Education Service (DACES) has been providing community based learning since the 1950's and in the last academic year alone it provided learning opportunities to more than 25,000 Derbyshire adults and 2,000 children and young people. At its last inspection the service was rated 'good', confirming Derbyshire's position as one of the best local authority providers of Adult Community Learning in the country. The Service's work on safeguarding and quality assurance has also been independently acknowledged by regional and national peers.

- 3.2 There are two main components to the current allocations from the Skills Funding Agency (SFA) which account for over 90% of the funding for the Adult Community Education Service. These are:

- Adult Skills budget (ASB); covering all accredited provisions including apprenticeships, work ready, literacy, numeracy, ESOL and formal first steps learning.
- Community Learning (CL) (formerly known as Adult Safeguarded Learning) covering informal adult community learning, including all elements of family learning, engagement and targeted provision such as worklessness.

The resultant programmes are intrinsically linked across all funding streams through joint delivery in the classroom, facilitating progression and tracking impacts.

- 3.3 Both funding streams come with a requirement to provide specified learner outcomes and learner numbers (referred to as volumes) which are subject to validated reporting and measurement through a certified use of funds statement. Income from the SFA is performance based and can be reduced if targets are not achieved. The service also generates other external funding via Lottery bids, partnership working with the health service, adult guidance work and also receives significant course fee income from learners.
- 3.4 DACES have received a Community Learning (formerly referred to as Adult Safeguarded Learning) funding allocation of £3,526,330 for academic year 2012/13. This funding currently supports over 1,700 courses in 23 main centres & over 100 outreach venues across the County; delivering over 20,000 enrolments each year.
- 3.5 As with many providers in receipt of significant allocations for Community Learning from the Skills Funding Agency, DACES is currently in the final stages of the planning for the forthcoming academic year. This is due to a combination of: meeting the performance expectation by the Skills Funding Agency; the planning link between non-vocational and vocational activity; and the Council's contractual commitment to its tutors. Consequently, DACES is not in a position to make wholesale changes to the way in which it currently uses its Community Learning allocation for 2012/13.

- 3.6 The Service has, however, anticipated the objectives now being articulated through the key strategic documents, 'New Challenges, New Chances' and Community Learning Pilots Prospectus, by:
- focusing its planning steer for 2012/13 on outcomes for learners, employers and communities;
 - looking to develop sub-contracting arrangements with specialist providers; and,
 - allocating growth within the Community Learning allocation to provide some flexibility in delivering non-vocational learning differently within specific locations.
- 3.7 The Cultural and Community Services Department also offers learning opportunities of many kinds through its network of forty-six libraries, the Buxton Museum and Art Gallery, the Derbyshire Record Office and the Arts Service. There is a particular emphasis on older learners, those who are new to learning and those who wish to gain new skills (e.g. people who wish to become more proficient in the use of computers). An important element of this provision is through extensive electronic resources which are accessible twenty-four hours per day.
- 3.8 The Library Service and the Arts Service, through *Creative Derbyshire*, deliver well-established programmes in partnership with health services, aimed at improving health and wellbeing. The department also offers a gateway into the wider network of cultural providers through Culture Derbyshire. This network includes the Derwent Valley Mills World Heritage Site, Creswell Crags and the county's leading tourism and heritage destinations, including Chatsworth and the various National Trust properties.
- 3.9 DACES is currently positioned within the Children and Younger Adults (CAYA) Department, and there is natural affinity between CAYA and the Cultural and Community Services (CCS) Department for community learning. Experience gained through the 'Liberace' project, which attracted 2,600 new learners in 2009, the final year, demonstrates the potential for reaching out to new audiences and enabling efficiency through pooling of resources, and strengthening skills for work in Derbyshire communities
- 3.10 There are a number of other providers of informal community learning delivering non-vocational opportunities within Derbyshire. A selection of these, including Derbyshire Learning and Training Consortium and the Workers Educational Association, also receive funding from the SFA. There are other providers, such as the University of the Third Age, that provide similar educational opportunities who are not funded by the SFA and are therefore outside of the regulatory framework. The County Council will also provide informal learning opportunities through its civic activity, community safety, children centres and countryside services. In these times of financial austerity, it is essential that these providers work more closely together to ensure complementary programmes of activity and effective progression opportunities.
- 3.11 A new approach to community learning, led by a strategic commissioning group, is being proposed to consider, develop and provide a policy steer in relation to the range, scope and reach of Community Learning for 2013/14 onwards. It is proposed that the group will be chaired by the Strategic Director of Cultural and Community Services and include a cross-section of representatives from the sector as a whole. In the light of developing Government policy the group could pave the way for the establishment of a Community Learning Trust in Derbyshire. It is also

proposed that this group takes responsibility for the commissioning of provision up to the value of £250,000 from the growth in the SFA Community Learning allocations for Derbyshire County Council in 2012/13 and 2013/14. This provision will be in addition to that already directly delivered by DACES.

3.12 A key role for the strategic commissioning group will be to focus on the synergy with and delivery against the Government's priorities outlined in Appendix 1. This will also ensure alignment with other local priorities and opportunities:

- literacy and family learning (including parenting skills);
- rural isolation through virtual and blended learning opportunities;
- enhancing informal adult learning for older people has longer-term benefits that can help increase people's quality of life and reduce health and social care costs;
- development of an integrated offer with education providers within the voluntary sector (e.g. *Derwent Valley Mills World Heritage Site*);
- development of an integrated offer with other SFA funded education providers (e.g. *Worker's Educational Association*);
- new markets from existing areas of the Council's work in learning and development;
- optimising the synergies between community development, health, culture, economic development and adult learning;
- increasing numbers of people benefiting from participating in informal learning opportunities (e.g. reading groups) in libraries, day centres and other community spaces.

Proposed membership of the group is shown at Appendix 2

3.13 In addition to the above, research has linked participation in adult learning, in particular leisure courses, to reduction in alcohol consumption and smoking, increased physical activity, and a positive impact on the mental health of participants. This helps to increase life satisfaction, as a proxy for well-being, by at least a third and has the potential to make significant long term savings on health and social care costs. These are all key priorities identified within the *Joint Strategic Needs Assessment for Derbyshire* which is currently the responsibility of the Derbyshire Health and Well-being Board. The learning interventions promoted through this paper will enhance and complement the current informal opportunities available within this area of work.

3.14 The following principles will guide the strategic commissioning group:

- it will have elected member and officer buy-in at the highest level and will actively seek cross-council participation;
- it will be inclusive to any organisation with an interest or stake in informal learning, not only those with an 'education' remit;
- it will be a partnership of equals from different sectors;
- it will take a holistic approach to the use of resources, to ensure we get the best value for money and meet or exceed the targets as identified by the Skills Funding Agency;
- it will ensure provision strives for excellence against the Ofsted Common Inspection Framework 2012 and the sector standards provided by the Institute for Learning or successor bodies (see Appendix 3);

- will be driven by a strategy which clearly identifies outcomes for local communities and the obligations on each partner.

Draft Terms of Reference for the group is shown at Appendix 4

- 3.15 ASB funded provision will continue to be under the direction of the Strategic Director, Children and Younger Adults, while the new group will ensure that optimum use is made of County Council resources in supporting informal learning of all kinds.
- 3.16 As set out in the Skills Funding Agency Conditions of Funding (Grant), any decision made by the Council to enter into sub-contracting arrangements with a third part provider will be subject to approval Chief Executive of the Skills Funding Agency (clause 4.2).
- 3.17 Should Cabinet support the creation of Strategic Commissioning Group for the delivery of Community Learning in Derbyshire, this would require DACES to develop a Commissioning Prospectus to outline protocols and procedures; priorities in curriculum, quality assurance, equality & diversity, safeguarding learners and health and safety; and management arrangements (including data requirements). The service will also need to develop an outline Service Level Agreement for working with a third-party provider. This work will require input from the Council's Legal and Procurement Services Departments. This documentation will need to be agreed with the SFA as a condition of Derbyshire County Council's Contract for Funding.

4. Financial Considerations

The funding of the strategic commissioning group arrangements will be met from within existing CAYA and CCS budgets and would incur no additional cost to the Authority.

5. Human Resources Considerations

There will be a requirement for staff from different departments to work jointly under the guidance of the strategic commissioning group. DACES will remain within the CAYA Department.

6. Equality of Opportunity Considerations

An Equalities Impact Analysis of the proposals for DACES has been undertaken and is attached as Appendix 5.

7. Other Considerations:

In preparing this report the relevance of the following factors has been considered – equality of opportunity, health, environmental, transport, property and prevention of crime and disorder considerations.

8. Key Decision: No

9. Call-in. Is it required that call-in be waived in respect of the decisions proposed in the report? No

10. Background Papers

Funding Rules for 2012/13, *Skills Funding Agency*, May 2012
Community Learning Pilots Prospectus, *Department for Business, innovation and Skills*, April 2012
New Challenges, New Chances, *Department for Business, Innovation and Skills*, December 2011
The Social Value of Adult Learning for Adult Social Care, *NIACE*, 2011
Restructure of Adult Community Education Service, *Children and Younger Adults Department*, January 2011
Joint Strategic Needs Assessment for Derbyshire, *Derbyshire Partnership Forum*, 2008
The Contribution of Adult Learning to Health and Social Capital, *Centre for Research on the Wider Benefits of Learning*, March 2003.

11. Strategic Directors' Recommendations

That Cabinet approves:

- 11.1 the creation of a Strategic Commissioning Group for the delivery of Community Learning in Derbyshire;
- 11.2 the development of a draft Derbyshire County Council's Adult Community Learning Commissioning Strategy for consideration at a future Cabinet meeting;
- 11.3 an application to the Chief Executive of the Skills Funding Agency for his approval to enter into sub-contracting arrangements with a third party provider or providers;
- 11.4 the commissioning of a pilot programme by the Adult Community Learning Commissioning Group of up to the value of £250,000 from the SFA Community Learning allocation for Derbyshire County Council in 2012/13 and 2013/14.

Ian Thomas, Strategic Director for Children & Younger Adults
Martin Molloy, Strategic Director of Cultural & Community Services

Appendix 1:

Community Learning: aims and objectives

Purpose of Government Supported Community Learning:

- Maximise access to community learning for adults, bringing new opportunities and improving lives, whatever people's circumstances.
- Promote social renewal by bringing local communities together to experience the joy of learning and the pride that comes with achievement.
- Maximise the impact of community learning on the social and economic well-being of individuals, families and communities.

Objectives:

- Focus public funding on people who are disadvantaged and least likely to participate, including in rural areas and people on low incomes with low skills
- Collect fee income from people who can afford to pay and use where possible to extend provision to those who cannot.
- Widen participation and transform people's destinies by supporting progression relevant to personal circumstances, for example:
 - improved confidence and willingness to engage in learning;
 - acquisition of skills preparing people for training, employment or self-employment;
 - improved digital, financial literacy and/or communication skills;
 - parents/carers better equipped to support and encourage their children's learning;
 - improved/maintained health and/or social well-being.
- Develop stronger communities, with more self-sufficient, connected and pro-active citizens, leading to:
 - increased volunteering, civic engagement and social integration;
 - reduced costs on welfare, health and anti-social behaviour;
 - increased online learning and self-organised learning;
 - the lives of our most troubled families being turned around.
- Commission, deliver and support learning in ways that contribute directly to these objectives, including:
 - bringing together people from all backgrounds, cultures and income groups, including people who can/cannot afford to pay;
 - using effective local partnerships to bring together key providers and relevant local agencies and services;
 - devolving planning and accountability to neighbourhood/parish level, with local people involved in decisions about the learning offer;
 - involving volunteers and Voluntary and Community Sector groups, shifting long term, 'blocked' classes into learning clubs, growing self-organised learning groups, and encouraging employers to support informal learning in the workplace;
 - supporting the wide use of online information and learning resources;
 - minimising overheads, bureaucracy & administration.

Appendix 2

Proposed Membership of the Adult Community Learning Strategic Commissioning Group

- Strategic Director, Cultural and Community Services, Derbyshire County Council (Chair);
- Chief Executive Officer, Derbyshire Learning and Training Consortium;
- Head of Service, Derbyshire Adult Community Education Service;
- Senior Management Team Representative, Children and Younger Adults, Derbyshire County Council;
- Derbyshire Learner Representative;
- Nominated Member of Culture Derbyshire, Derbyshire Partnership Forum;
- Nominated Member of Derbyshire Economic Partnership, Derbyshire Partnership Forum;
- Nominated Member of the Health and Well-Being Board, Derbyshire Partnership Forum;
- Nominated Member of the Safer Communities Board, Derbyshire Partnership Forum;

Secretariat support provided through the Adult Community Education Officer with lead responsibility for Community Learning within Derbyshire Adult Community Education Service.

Appendix 3

Ofsted's Principles of inspection and regulation

The principles of inspection and regulation reflect Ofsted's values and ensure that we carry out our statutory duties efficiently and effectively. The principles focus on the interests of service users – children, young people, parents, adult learners and employers. They promote improvement in the services we inspect or regulate, and value for money. They also take full account of our policies on equality and diversity.

All inspections carried out by us or on our behalf must:

- support and promote improvement
- be proportionate
- focus on the needs of users
- focus on the needs of providers
- be transparent and consistent
- be accountable
- demonstrate value for money.

Provision inspected under the Common Inspection Framework

The Common Inspection Framework applies to the inspection of provision either wholly or partly funded by the Skills Funding Agency (SFA) or Education Funding Agency (EFA) in:

- further education colleges, sixth form colleges and independent specialist colleges
- independent learning providers: companies
- community learning and skills providers: local authorities, special designated
- institutions and not-for-profit organisations
- employers
- higher education institutions providing further education
- providers of learning in the judicial services.

The different types of provision inspected under the Common Inspection Framework for learners aged 16–18 and 19+, and learners aged 14–16 in colleges only, are:

- apprenticeships, access to apprenticeships and national vocational qualifications offered in the workplace
- community learning
- National Careers Service – careers advice and guidance
- learning programmes leading to a qualification
- learning provision in the judicial services
- employability programmes
- foundation learning.

Draft Terms of Reference for Adult Community Learning Commissioning Group (ACLCG)

Purpose of Group

The overall purpose of the **Adult Community Learning Commissioning Group (ACLCG)** is to be Derbyshire County Council's decision-making body for commissioning its Adult Community Learning, responsible for its Adult Community Learning strategy for commissioning of safe, effective, high quality provision that maximises access, provides new opportunities and improves lives, promotes social renewal, and maximises the impact on the social and economic well-being of individuals, families and communities to reduce inequalities.

Duties and Powers

- **Strategy and Planning**

- To agree commissioning strategy which addresses the priorities set out in New Challenges, New Chances, Skills Funding Agency Conditions of Funding, and Derbyshire County Council's Corporate Plan, to ensure safe, effective, high quality adult community learning provision;
- In respect of the pilot allocation of £250,000:
- To be the decision-making body in awarding contracts for the delivery of all, or part of, the pilot allocation of up to £250,000 of the Derbyshire County Council's Adult Community Learning provision;
- To ensure that commissioning is undertaken within the framework for World Class Commissioning;
- To ensure that commissioning intentions are reflected within provider contracts.

- **Finance, performance and delivery**

- To ensure that commissioning is done within the delegated resources and meets the terms specified by the most current Funding Rules of the Skills Funding Agency;
- To be assured that commissioning strategy is being delivered, to include performance management of progress against agreed provider commissioning plans and performance management of commissioning key performance indicators (KPIs).

- **Quality and safety**

- To deliver assurance to Derbyshire County Council, Ofsted and the Skills Funding Agency on the quality of teaching and learning, progression and outcomes for learners within sub-contracting arrangements;
- To deliver assurance to Derbyshire County Council, Ofsted and the Skills Funding Agency on the safeguarding arrangements for those learners participating in sub-contacted provision.

- **Public Engagement**

- To ensure that key stakeholders, including learners, are engaged in forming the commissioning strategy and that learners feedback on their experiences of community learning;
- To fulfil equalities duties.

Reporting Arrangements

The **ACLCG** will ensure that:

- any sub-contracting providers contribute to the performance returns required by the Skills Funding Agency;
- any sub-contracting arrangements contribute to the Council's annual self-assessment (SAR) and quality improvement plan (QIP); and,
- a joint report to the Cabinet Member for Education, Cabinet Member for Culture and the Children and Younger Adults Senior Management Team to highlight progress is submitted as on a termly basis.

Support

Administrative support will be provided from within Derbyshire Adult Education Service. Agendas and supporting papers will be sent to members not less than five working days prior to the meeting and agreed between the Chair of the Committee and the Head of Derbyshire Adult Community Education Service.

Chairing and Quoracy

The **ACLCG** shall be chaired by the Strategic Director for Cultural and Community Services. The group membership will nominate one of the members as Vice Chair. No business shall be transacted unless at least the Chair or Vice Chair is present with at least two other members, one of which is external to the County Council

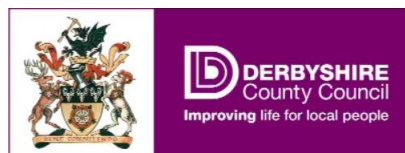
Frequency of meetings

The **ACLCG** shall meet on a minimum of four occasions a year. In addition, time will be built in to develop the capacity and capability of the **ACLCG**.

Review of terms of reference

The **ACLCG** shall review its Terms of Reference, its effectiveness against these, at least annually.

Derbyshire County Council Equality Impact Assessment



Department	Children and Younger Adults (CAYA)
Service Area Responsible	Derbyshire Adult Community Education Service (DACES)
Chair of Assessment Group	To be agreed
Title of Policy/ Service/ Function	Creation of a Strategic Commissioning Group for Adult Community Learning

Stage 1. Prioritising what to impact assess

1.1 Why has this policy, service or function been chosen?

Derbyshire County Council is seeking to create a Strategic Commissioning Group for the delivery of Community Learning in Derbyshire. This will lead to a change in the way that part of services provided by DACES are delivered and as such an EIA is required.

1.2 Why does the policy, service or function exist/ what is its purpose? Who should benefit?

The service provides a programme of adult and family learning across Derbyshire. The change in approach for delivering part of its programme will enable the Service to consider the Department for Business, Skills and Innovation's aspirations to make the delivery of Community Learning, or non-vocational courses, more responsive to the needs and aspirations of local communities and the voluntary sector. The Service also provides a number of courses to target specific, priority communities that lead to the achievement of a qualification or qualifications. It is not intended to include this part of the provision within these proposed changes.

Stage 2. Pulling an assessment team together

Name	Area of expertise/ role
Louissa Adams	Adult Community Education Officer, DACES, Commissioning Lead
Lisa Vernon	Chief Executive, Derbyshire Learning and Training Consortium, Voluntary Sector Training Provider
Robert Gent	Deputy Strategic Director, Cultural and Community Services
Kaye Rushbrook	Learning Manager, Lincolnshire County Council, Commissioning Lead
Sue Green	Community Learning Team Leader, Nottinghamshire County Council, Commissioning Lead

Stage 3. Scoping of the assessment / identifying likely issues

It was anticipated that the formation of new structures and services may raise the following issues from an equalities perspective:

3.1 Accessibility

The current proposals aim to make the Skills Funding Agency more flexible in being able to respond to local need. The curriculum strategy will be developed in consultation with partners and learners to ensure that value for money and quality services are available in settings that are convenient to priority learners at prices that are affordable through the use of the Council's fee remission. There were no anticipated issues regarding disadvantage to any other groups on the basis of gender, race, age or other potential discriminating factors.

3.2 Targeting Service provision

Skills Funding Agency Guidance will lead to a higher proportion of provision focussed towards targeted learners or communities. This may lead to increased volumes of provision or activities aimed at those learners seeking to improve their employability or existing skills. These courses will be offered for free or at low cost. This may lead to some subject areas being less well served or offered at a higher fee.

3.3 Customer Service and Responsiveness to Local Need

Due to the size and diversity of Derbyshire as a County it is possible that there may be differentiated practice and service approaches in different areas which may see provision offered for free or at low cost. The use of a commissioning model means that the SFA funding can be used more flexibly to meet emerging need and priorities. Different communities have different needs and a single model or approach across the County may not be appropriate and not fairly meet the requirements of diverse localities.

Stage 4. Pulling together all the information

Name of source	Reason for using
Management Information relating to performance against key financial indicators	To enable the analysis of provision and fees in different areas to be identified e.g. deprivation indicators/rurality.
Enrolment data	Comparative analysis area by area and by curriculum to enable a clear understanding of need, costs and activity volumes
Qualitative data from customer feedback, and consultation with staff and partners from across the County	To ensure services are responsive and customer focused and planned according to local knowledge from partners and learners.

Stage 5. Assessing the impact or effects

- 5.1 What does customer feedback, complaints, and discussions with stakeholder groups tell you about your service, policy and function, including which aspects are seen as negative, inaccessible, unhelpful, difficult to use etc.?

Learner evaluation demonstrates high levels of satisfaction from users; covering accommodations and the learning experience. The coverage of provision raises high levels of customer feedback as does the migration of DACES provision away from outreach venues into its centres. The diversity of the activities and learning opportunities offered also generates significant customer feedback. Course fees are an area that generates some complaints, although there are a range of measures to support learners on low income or in receipt of benefits. There is no proposal to change the current policy on fee remission.

- 5.2 What does your information tell you about the effects of the policy, service or function on the lives of different groups or communities? Is any of this negative or unwanted?

Groups	Effects identified from data/ information
Disadvantaged communities	Levels of need, deprivation and population vary substantially across the County, and the service needs to be planned appropriately according to needs as well as population, including a flexible approach to delivery, partnership and fees.
People with a negative experience of services	Some groups are harder to reach without particular targeting, including a flexible approach to delivery, partnership and fees.
Rural communities	Areas of rurality experience particular challenge in accessing services. Currently good use of community venues and a flexible approach to fees puts provision within reach. Enhancing the Service's partnership working into commissioning others to deliver learning may also have a positive impact on the places and circumstance people are able to engage with learning.

Stage 6. Ways of reducing or removing unwanted effects

What small steps could be taken to achieve improvements? Please outline the main things that need to be altered to reduce any illegal, negative and unwanted impact.

Performance management data is used to monitor equality and diversity impacts. Service managers are engaged in the DACES Equality and Diversity working group to ensure issues are addressed through the service, with staff, service partners and users. The Commissioning Strategy in support of this proposal in 2012/13 will take account of indices of multiple deprivation measures, with particular reference to ward indicators in targeted wards.

Stage 7. Finding out whether your assessment has identified what people think needs changing.

As stipulated by the Funding Rules of the Skills Funding Agency, DACES is required

to undertake a learner survey (as part of the Data Service's Framework for Excellence) each year to assess the impact of its activities. And to help develop and further improve them. An evaluation of the impact of this additional approach to delivery will be included as part of this survey. In addition, all activities funded through the SFA Community Learning grant is subject to an end of programme evaluation to assess impact and outcomes.