

Cabinet Member for Children and Family Services

Agenda

Date:	Thursday, 24th June, 2010
Time:	9.30 am
Venue:	Room B, The Cheshire Suite, Macclesfield Library, Jordangate, Macclesfield, Cheshire, SK10 1EE

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the meeting. Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide three clear working days' notice, in writing, in order for an informed answer to be given.

4. **Formal Consultation Proposal for Macclesfield High School and Tytherington High School (Pages 1 - 12)**

To provide a summary of the detailed informal consultation undertaken on the initial options appraisals for the re-organisation of secondary provision in Macclesfield, and to seek approval to proceed to formal consultation.

Contact:	Paul Mountford, Legal and Democratic Services
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5. **Cledford Primary School - Change of Age Range** (Pages 13 - 16)

To seek approval to commence the statutory process to change the age range from 4-11 to 3-11 years old at Cledford Primary School, Middlewich.

6. **The Future of Adult Learning in Cheshire East 2010-12** (Pages 17 - 22)

To consider a report on the future of adult learning in Cheshire East.

(There are no Part 2 items)

CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting: 24th June 2010
Report of: Lorraine Butcher
Subject/Title: Formal Consultation Proposal for Macclesfield High School and Tytherington High School

1.0 Report Summary

There are four secondary schools in Macclesfield, each providing education aged 11 to 18. These are:

- Macclesfield High (formed in 2007 from the relocation and merger of Henbury High and Ryles Park Schools onto the Macclesfield Learning Zone);
- Fallibroome High
- All Hallows Catholic College
- Tytherington High

- 1.2 The establishment of Macclesfield High on the Learning Zone was a joint venture with Macclesfield College and Park Lane Special schools and was establish with £15,948,507 investment. The Sixth Form provision is a shared provision with Macclesfield College.
- 1.3 Macclesfield High was established with a Planned Admission Number (Pan) of 180. The projected Year 7 numbers show a steady decline from 108 in 2010 with an anticipated further reduction to 62 by 2016.
- 1.4 The number of pupils attending high schools in Macclesfield town continues to fall, 5,000 pupils in 2002 dropping to 4,100 pupils in 2014. Based on these projections Macclesfield High school will have 35% surplus places by 2016.
- 1.5 Macclesfield High School's year 7 intake for September 2010 is 108; projections see this dropping to 62 in 2016. This is an intake of less than five forms which makes it extremely difficult for the school to financially provide a broad balanced curriculum, let alone one which provides a creative and personalised learning experience. This issue is compounded by the Raising of the Participation Age (RPA) which adds significant restraints on Post 16 options and the viability of curriculum options based on class size.
- 1.6 The three year trend in the academic standards at Macclesfield High School, following its creation as a new secondary school in September 2007, has been downward with current 5+ A*- C including English and Maths just above the 30% national baseline.

- 1.7 Against this background, the numbers in the remaining 3 High Schools in Macclesfield have continued to be sustained. It is evident that for the foreseeable future there are insufficient pupil numbers to sustain 4 high schools in the town.
- 1.8 This report seeks to provide a summary of the detailed informal consultation undertaken on the initial options appraisals for the re-organisation of secondary provision in Macclesfield.

2.0 Recommendation

- 2.1 That the Cabinet Member for Children and Family Services
- (1) give approval to commence formal consultation on 5th July 2010 on the closure of Macclesfield High School in August 2011 and the expansion of Tytherington High Schools on a split site basis on the existing Tytherington High site and the Macclesfield High site;
 - (2) approve in principle, subject to the completion and approval of a full capital appraisal, the investment in the Tytherington High school site; and
 - (3) seek the advice of the Cheshire East Admissions Forum on admission arrangements in Macclesfield.

3.0 Reasons for Recommendation

- 3.1 Based upon the evidence available in terms of declining standards and surplus places, the position of the Local Authority is that there is a need to reduce the number of maintained secondary schools in Macclesfield from 4 to 3. This proposal provides the opportunity for a systematic review of the needs of local learners, revised structures and governance of schools and the longer term investment in successful schools which will address the requirements of the recent White Paper relating to 21st Century Schools.
- 3.2 Both the governing bodies of Macclesfield High and Tytherington High unanimously support the proposal to be considered by the Cabinet Member for Children and Family Services.

4.0 Wards Affected

- 4.1 All Macclesfield Wards:
- Bollington & Disley Ward
 - Broken Cross Ward
 - Macclesfield Forest Ward
 - Macclesfield Town Ward
 - Macclesfield West Ward
 - Prestbury & Tytherington Ward

5.0 Local Ward Members

5.1 All Members for the above-mentioned Wards.

**6.0 Policy Implications including - Climate change
- Health**

6.1 This proposal plays a crucial part in further improving the educational outcomes and well being for the children and young people of this part of Macclesfield town. The proposal aims to further improve the quality of learning by providing a wide range of relevant learning opportunities, new skills and raising aspirations.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

7.1 None

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 The authority is currently undertaking a review of the Local Management of Schools (LMS) funding formula; the impact of this review on the expanded schools is, as yet, unclear.

8.2 Capital investment will be required over a 3 year period to improve the Tytherington site. A full capital appraisal will need to be completed to allow the full costs of this project to be both established and approved, the funding will be achieved in part through the Department for Education Local Authority Capital Allowance for the Council and through additional external applications for capital investment to the Department of Education.

8.3 Additional resources are currently being provided to both schools to provide management capacity and leadership while the school is subject to National Challenge and to support it out of the formal OFSTED category of 'notice to improve'. If the proposal to expand Tytherington High is approved, then additional resources will be required to fund project management to oversee the combining of the schools and also transition to the new arrangements over a 2 year period, funded from the Council's element of the Dedicated Schools Grant.

8.4 The rural nature of Macclesfield and travel patterns means that the proposed changes will not significantly impact on transport; learners will continue to be supported according to current mainstream transport policy.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 Local Authorities are under a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area, promote diversity and increase parental choice.
- 9.2 If a Local Authority needs to close a maintained mainstream school as a result of it being surplus to requirements statutory proposals will be required (S15 of the Education and Inspections Act 2006).
- 9.3 Under section 16 of the Education and Inspections Act 2006 a local authority considering bringing forward statutory proposals to close a school must consult interested parties, and in doing so it must have regard to the Secretary Of State's guidance.
- 9.4 Under The School Organisation (Prescribed Alternations to Maintained Schools) (England) Regulations 2007 (as amended) , statutory proposals are required for the proposed enlargement of the premises of a school which would increase the capacity of the school by both:
- a. more than 30 pupils; and
 - b. by 25% or 200 pupils (whichever is the lesser).
- 9.5 On the information available it is almost certain that the proposals in respect of Tytherington High School fall within the criteria above.
- 9.6 The guidance requires those bringing forward proposals to consult all interested parties (a list of interested parties is given). In doing so they should:
- Allow adequate time
 - Provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted:
 - Make clear how their views can be made known; and
 - Be able to demonstrate how they have taken in to account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals
- 9.7 The guidance as set out above, encompasses the Sedley requirements which are the standards of proper consultation expected by the Courts (*R v Barnet LBC, ex p B* [1994] ELR 357, 372G, referring to *R v Brent LBC, ex p Gunning* (1985) 84 LGR 168). It is imperative that this part of the guidance is followed to avoid challenge at a later date.
- 9.8 How statutory consultation is carried out is not prescribed in regulation and it is for the Local Authority to decide the appropriate method. The duration of the consultation is also not prescribed, however, guidance

suggests that it should be for at least 6 weeks in respect of a school closure and 4 weeks in respect of an enlargement to school premises. The Local Authority should avoid consulting during school holidays.

- 9.9 Where proposals are linked, as in this case, guidance is that all proposals should be consulted on at the same time. Notices for related proposals should be published at the same time and specified as “related” so that they are decided together.
- 9.10 If Macclesfield High School were to close, there will be employment issues. Formal notices of closure will have to be issued having formally consulted. There are Human Resource implications for all staff at the closing school as they may be subject to the Transfer of Undertakings Protection of Employment Rights Regulations 2006 (TUPE) or may be at risk of redundancy depending upon which option is adopted. If it is a Redundancy situation then the Employer has a duty to seek to find suitable alternative employment for those staff affected. Given that the authority has no legal right to redeploy staff to schools, this is achieved by working collaboratively with schools and through the use of a staffing protocol which schools would be asked to agree. Schools would agree to consider staff for any vacancies in advance of advertising more widely. Until new staffing structures are fully developed it is difficult to predict severance and redundancy and TUPE implications accurately at this stage.

10.0 Risk Management

- 10.1 Disruption to pupils, staff and the communities must be kept a minimum during the consultation period and standards must not only be maintained but continue to improve in both schools.

11.0 Background and Options

- 11.1 Based on projected secondary pupil numbers there will be a significant increase in surplus school places in the Macclesfield area, with most being at Macclesfield High School. As result of the increase in surplus places, it is recognised that there is a need to consider the reduction in the number of maintained secondary schools in Macclesfield Town from 4 to 3.
- 11.2 The three year trend in the academic standards at Macclesfield High School, following its creation as a new secondary school in September 2007, has been downward with current 5+ A*- C including English and Maths just above the 30% national baseline. The Local Authority, with governor support, decided to include the school within the National Challenge programme in September 2009 in response to the deterioration in standards and a clear need to establish robust monitoring arrangements. The inclusion of any school within the National Challenge programme requires the LA to seriously consider ‘structural solutions’ where there is the possibility of standards not

improving. Macclesfield High was inspected in February 2010, which resulted in a Notice to Improve because the school was judged to need significant improvement in attainment, the progress made by students, the quality of learning and attendance.

- 11.3** It is clear that previous decisions regarding school organisation have not fully addressed the full range of issues facing secondary education in Macclesfield. School leaders, the LA and members now have a further opportunity to carry out a robust and transparent evaluation of a range of options and in order to agree a positive way forward.

11.4 Options considered

The following summary presents the list of options which have been considered during informal consultation with Macclesfield High Governors and Tytherington Governors and Macclesfield High and Bollington EIP Heads.

11.5 Option A :

No Change: Macclesfield High School continues in its present format.

Macclesfield High School was built as 6 Form of Entry (FE), age range 11-18 with capacity for 900 and currently has 190 surplus places. The number of surplus places is set to increase rapidly to nearly 650 across the town by 2015. Macclesfield HS will have the largest number due to parental preference being for the other schools in the town. The projected secondary pupil numbers at 2015 of 3900 can be accommodated within the other 3 schools in the town.

Underachievement at Macclesfield HS and lack of confidence in the school by the local community is a deep rooted problem and would require many years of sustained improvements to attract sufficient numbers to the school.

This option was considered to be unsustainable as the numbers drop below 5 forms of entry the ability to run the school as viable concern are significantly reduced. The declining budget would not be able to sustain a high quality curriculum and sixth form offer would become significantly reduced.

11.6 Option B :

To establish a Macclesfield Academy involving Macclesfield HS combining with another local high school.

This option would address the overall need to reduce from 4 to 3 schools. This option has the potential to provide a new approach to education utilising the academy ethos to learning. This would maintain secondary provision on the Learning Zone site and has the potential to attract Academy capital investment

This option would require a local school to close and the existing Macclesfield HS to generate a new single Academy. The option would also require the

agreement from the Office of the Schools Commissioner (OSC) and the Academies Trust.

11.7 Option C:

Establishment of a single Trust working across the schools in Macclesfield (with closure of Macclesfield HS)

This option would require all schools to agree to be part of a single trust which provides collective responsibility for all secondary provision in Macclesfield town but retains independence for each of the three schools. This proposal would mean that the Governance arrangements of the trust would be better placed to take a “whole town view” of the provision and pattern of secondary education. The proposal would need new admissions arrangements to cater for the closure of Macclesfield High School. The existing site would provide educational opportunities for the benefit of all schools in Macclesfield

Significant concerns were expressed about the loss of individual schools autonomy. Real concerns were expressed about whether each school retained its Governing Body, or formed one new trust wide Governing Body- i.e. a “hard federation”.

Whilst there was interest in the concept of a town wide approach, those schools in Macclesfield who had evaluated the potential of achieving Trust status did not see the long term benefits of this organisational structure.

11.8 Option D :

Creation of a 3-19 school which integrates a local primary school on the Macclesfield HS site.

This option would address surplus places issue with the integration of a primary school within a new single institution. This option has the potential to add value to the concept of the Learning Zone.

However, this option does not address the issue of reducing the number of secondary schools in the town. This option would also require an identified primary school within a new site and lose its identity as a single school. The option does not resolve the immediate standards issue within Macclesfield High School

Whilst there were some merits in considering an alternative cross phase education approach, this option did not realistically resolve the problem of underperformance of the existing Macclesfield HS and its status within the local community.

11.9 Option E :

Re-launch of Macclesfield HS as a specialist Vocational / 'Technical' School

This would see the establishment of Specialist excellence for the benefit of Macclesfield town. It would involve the establishment of new leadership team and renewed image for Macclesfield High School to take the school forward promote it within the local community. The option has the potential to offer additional vocational options and attract additional sponsors to the Learning Zone.

Such specialist provision could potentially restrict options for some learners. There is little evidence that there are sufficient learners who want this type of provision. There is also the potential of 'labelling' the school as non-academic

Consultation with heads and governors felt that this option needed integrating into a wider 14-19 option for the whole town which included vocational provision on the Learning Zone site.

11.10 Option F :

Closure of Macclesfield HS and redistribution of pupils across the remaining secondary schools.

This initially solves the issue of surplus places in the town. There would need to be revised admissions process across the town leading to a more equitable distribution of pupils across the remaining high schools. This option allows for detailed consideration of alternative uses of the Macclesfield High School site for a variety of educational uses.

The lack of clear ownership of revised provision on Macclesfield High School site has the potential to impact on quality provision across Learning Zone. The redistribution of pupils across the remaining high schools creates accommodation issue which would demand significant capital investment to rectify. This option was considered less viable and would have a negative impact on the partnership between Park Lane School and the Macclesfield College.

11.11 Option G :

Use of Macclesfield HS site for Post 16 provision for the whole town.

This option would see the creation of a Key Stage 4 and Post 16 collaboration or federation across all town schools which would provide a real opportunity to consider new qualifications for all learners. It would require the development and location of specialist Key Stage 4 and Post 16 resources on a single site.

Such a development would require greater collaboration between Macclesfield schools at Key Stage 4 and Post 16 it would however address the relating to Raising the Participation Age.

This option would result in all Macclesfield schools losing their independence for post 16 provision. The budgetary implications of sustain such a provision would have an impact on all the schools. There would need clarity needed around management and governance arrangements.

Initial discussions felt that this option was unsustainable due to the impact on individual schools 6th Forms and budgets.

11.12 Option H :

Current Macclesfield Schools each lose one form entry to Macclesfield HS.

This option would require the establishment of new admissions arrangements established across the town. Arrangements would have to be referred Cheshire East admissions forum however there is no guarantee that increasing numbers at Macclesfield High School addresses the fundamental issue of underperformance and the impressions of the local community have of the school. Furthermore Macclesfield will still retain four secondary schools and the issue of surplus places will not be addressed. Changing the admissions arrangements would give rise to parental concerns around school preference.

11.13 All the options have been discussed with head teachers and chairs of governors of Macclesfield town High schools. The consensus has been that the most viable option is to close Macclesfield High school and expanded Tytherington High school to accommodate the pupils from Macclesfield High. This would result in the Tytherington High School becoming the lower school site and Macclesfield site becoming the upper school (14-19) site.

11.14 The concept of a split site offers the ability to create increased flexibility at KS3. Providing an effective transition from Primary education is crucial as is the development of personal learning & thinking skills as a stepping stone to lifelong learning.

11.15 14-19 provision at Macclesfield Site provides a unique and new high quality resource for the expanded Tytherington HS. It offers genuine opportunities to really push the boundaries in terms of KS4 and Post 16 curriculum entitlement.

11.16 Further detailed discussions have been held between officers of the LA and Tytherington Senior Staff and the Governing body and there are number of outstanding issue that need resolution.

11.17 Admissions; the closure of Macclesfield HS will require the establishment by the admissions authority of new arrangements for Tytherington for September 2012 The governors are seeking a

commitment from the LA to put forward a case for change as maintaining the status quo will not produce improved outcomes for learners across the town. The analysis of the most deprived areas highlights that the expanded Tytherington will have the highest numbers of learners from these areas. The Local Authority will commit to reviewing the admission arrangements across the Macclesfield locality take advice from the Cheshire East Admission Forum and if appropriate will refer an objection to the Schools Adjudicator.

- 11.18** Capital Investment; The Governors are seeking a real commitment from the LA to ensure that there is appropriate capital investment into this proposal to ensure that there are resources to deliver a 21st Century learning experience, particularly on the Tytherington site. The potential sources of funding will only become evident as the national picture becomes clearer in the coming months – potential sources over time include: existing LA capital funds, Building Schools for the Future, Academy status.
- 11.19** The Learning Zone; The governors of Tytherington High School would wish to form a new partnership between Tytherintgon, Macclesfield College and Park Lane Special School to maximise the benefits of the Learning Zone Campus for KS4/5 learners.
- 11.20** The proposed consultation timescales:

Consultation begins	Thursday 1 July 2010
Consultation ends	Wednesday 13 October 2010
Report to Portfolio Holder to consider consultation outcomes and decide whether to proceed to the next stage and publish a public notice	October 2010
If approved public notices published for the closure of Macclesfield High School and the expansion of Tytherington High School	November 2010
End of Notice period	Mid December 2010
Report to Cheshire East Cabinet School Organisation Sub committee to decide whether to close Macclesfield High School and agree the expansion of Tytherington High School	January 2010

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting: 24th June 2010
Report of: Lorraine Butcher, Head of Service for Children & Families
Subject/Title: Cledford Primary School – Change of Age Range

1.0 Report Summary

- 1.1 To seek approval from the Cabinet Member for Children and Family Services for officers to commence the statutory process to change the age range from 4-11 to 3-11 years old at Cledford Primary School, Long Lane South, Middlewich, Cheshire, CW10 0DB.

2.0 Recommendation

- 2.1 That the officers be given approval to consult on and publish a statutory notice in respect of proposals to change the age range from 4-11 to 3-11 years old at Cledford Primary School, Long Lane South, Middlewich, Cheshire.

3.0 Reasons for Recommendations

- 3.1 To enable continued provision of the Free Early Education Entitlement by the school to meet the Local Authority duties laid out in the Childcare Act 2006 and improve outcomes for children.

4.0 Wards Affected

- 4.1 Middlewich

5.0 Local Ward Members

- 5.1 Councillor Paul Edwards
Councillor Simon McGrory
Councillor Michael Parsons

6.0 Policy Implications including - Climate change - Health

- 6.1 A change in age range would enable the school to continue to provide the Free Early Education Entitlement to children aged 3 and 4 years.
- 6.2 Maintaining the current age range would prevent the school from providing the Free Early Education Entitlement to children aged 3 and 4 years and result in closure of the nursery.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

N/A

8.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)

- 8.1 The school received approximately £97,000 within their overall 2010-11 budget based on calculations using the Early Years Single Funding Formula (EYSFF). These calculations are based on the projected total number of hours of nursery provision during the financial year (as estimated by the school) multiplied by an hourly rate that is determined by reference to a range of factors including, but not limited to, the professional qualifications of the nursery staff, the flexibility of the provision, Ofsted rating and a deprivation factor.
- 8.2 It is estimated that the range of possible financial impacts to the Local Authority of seeking alternative early years provision for the current nursery children would be a 7% saving or increased cost. Which of these is the case will depend on the assessment of the hourly rate factors of a new provider.
- 8.3 There is more than adequate provision within the Dedicated Schools Grant to cover any such increase.
- 8.4 There is unlikely to be any financial impact to the Local Authority of maintaining the funding status quo by increasing the age range of the school.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 The Childcare Act 2006 has imposed two key duties on local authorities regarding childcare:
- A duty to secure sufficient childcare to meet the needs of working parents and those training for work (Section 6 Childcare Act 2006).
 - A duty to secure free early years provision for all three and four year old children (Section 7 Childcare Act 2006).
- 9.2 The Local Authority therefore has a duty to ensure that, so far as is reasonably practicable, all eligible children can access a free place, (the Free Education Entitlement). Changing the age range at Cledford to admit children from age 3 will enable parents to continue to access their free entitlement at this school.
- 9.3 Changing the age range at a maintained mainstream school is a statutory process requiring the publication of statutory proposals and it is for the individual cabinet member for children & families to make the decision to commence that statutory process.

10.0 Risk Management

- 10.1 If the future of early years education at Cledford is not secured through the continuation of existing provision, there is a risk that the Local Authority may not meet its statutory duty to secure sufficient childcare.
- 10.2 Funding for the free entitlement from April 2010 under the Single Funding Formula is linked to occupancy. Anticipated occupancy should be sufficient to secure sustainable quality provision with higher than minimum staffing ratios.
- 10.3 If the age range is not extended, the nursery will close on 31 December 2010 and the Local Authority will be required to secure alternative provision.

11.0 Background and Options

- 11.1 Cledford infant and junior schools amalgamated in January 2009 to create Cledford Primary School. The amalgamation included a capital programme to create a new school on the former junior school site, incorporating nursery provision.
- 11.2 The age range of the new Cledford Primary School is 4 to 11 years old. Due to LGR and changes in project leads, officers are unclear why this is the case when the new school includes a nursery. It is possible that private nursery provision may have been considered for the new school due to uncertainty about the future levels of funding available to maintained nurseries. Anticipated occupancy should be sufficient to secure sustainable quality provision with higher than minimum staffing ratios.
- 11.3 At present, the nursery is operating under the Governors' powers to temporarily extend the age range of the school for a period of up to 2 years. This will expire on 31 December 2010.
- 11.4 The proposal to change the age range at Cledford Primary School from 4-11 to 3-11 years old is a prescribed alteration under the Education and Inspections Act 2006 and therefore the prescribed statutory process set out in regulations must be followed.
- 11.5 Should the Cabinet Member for Children & Families allow the consultation and publishing of statutory notices, the formal consultation period on the change of age range would commence as soon as possible after the x June for approximately 6 weeks.
- 11.6 The formal statutory change in age range process will be carried out in 5 stages; Stage 1 Consultation (6 weeks period), Stage 2 Publication of a Statutory Notice, Stage 3 Representation Period (12 week period to receive objections and representations), Stage 4 Decision – The Local Authority as the decision maker aim for a decision in time for Stage 5,

implementation on 1st November 2010. This final decision to obtain approval for implementation (assuming there are no objections) will be taken by the Individual Cabinet Member. If there are objections, it is proposed to convene a meeting of the Cabinet School Organisation Sub-Committee in to make the final decision.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting: 25/06/10
Report of: John Weeks, Strategic Director People
Subject/Title: The Future of Adult Learning in Cheshire East 2010-12

1.0 Report Summary

- 1.1 The Department of Business, Innovation and Skills (BIS) has set out a mandate to encourage all Local Authorities to become Lead Accountable Bodies (LAB) from August 1st 2011, to take responsibility for implementing the Learning Revolution white paper published in February 2009.

This describes the changes to the adult learning landscape by encouraging a more informal approach to delivering adult learning. Since then The Department for Business, Innovation and Skills (BIS) has been working with Local Government Association, the Local Education Authorities Forum for the Education of Adults (LEAFA), the Association of Colleges (ALC), Ofsted, NIACE and others to develop a Lead Accountable Body (LAB) model which would effectively enable local authorities to discharge this pivotal leadership role.

From August 2011 the Skills Funding Agency (formerly the LSC) plans to channel *the entire* available Informal Adult Learning [IAL] budget to support informal adult learning in a local area through identified LABs. This is in addition to the existing LSC / SFA funding which enables the Lifelong Learning team within Children and Families, to deliver programmes to over 5,000 learners.

More information on the strategy can be found at:

<http://lsc.gov.uk/whatwedo/adultlearner/learningrevolution>

A letter requesting an initial sign up to this position as Lead Accountable Body has been received by Chief Executives at all LAs on March 25th 2010. This will require a response by April 30th 2010. Following this 'in principle' signing LAB status will be confirmed and Local Authorities will be required to lead on planning adult learning in their areas. In addition, this paper seeks a decision to accept Adult Learning funds from the Skills Funding Agency for 2010-11. (see 8.1).

2.0 Recommendations

That the Cabinet Member for Children and Family Services approve

- (1) the acceptance of funds to deliver under Adult Safeguarded Learning and Employer Responsive funding streams from the Skills Funding Agency for 2010-11 (academic year cycle);
- (2) that Cheshire East Council agree to sign to accept the invitation to become the Lead Accountable Body for Skills Funding Agency;
- (3) that Cheshire East Lifelong Learning [placed within Children and Families Integrated Workforce Development team] take the lead on this agenda for the Local Authority;
- (4) that the reformed Learning Communities Partnership support the development of a delivery plan across the area, to include an executive Member and / or a Director / Head of service to drive this agenda forward;
- (5) that Cheshire East Lifelong Learning consult with other Cheshire East services such as Libraries, extended services, leisure and green spaces, health and well being, safer communities etc – they are cited in the Learning Revolution as having a very influential part to play as learning moves closer to those informal settings;
- (6) that the Council's infrastructure, including Management of Information and quality systems, be developed in line with changes which will be needed in order to have a light touch regarding measuring impact of informal learning; and
- (7) that a communications strategy be developed which brands this learning culture to promote the ASPIRE values of the Council and promote the service to all employees.

3.0 Reasons for Recommendations

3.1 Local Authorities are in a key position to be advocates for and facilitators of a local strategic vision for this non-skills learning and build more effectively into our local priorities. The wider benefits of learning are well documented: the new agenda provides an opportunity to look at informal adult learning and link it to well-being for all. This includes:

- developing a culture of learning in families
- responding to demographic changes in the community such as helping older people to keep mentally and physically active
- tackling worklessness
- supporting communities through the after-effects of the recession
- targeting activities to engage people in local democratic processes
- engaging people in new digital technologies
- learning for a green future.

3.2 Informal Adult Learning can often be a stepping stone to gaining new skills and qualifications and complements vocational learning. It has a direct correlation with the Skills Agenda as it forms part of the broader learning and skills continuum towards Skills Agenda priorities.

3.3 Cheshire East Lifelong Learning offers the Council a very strong platform from which to deliver these services as a value for money commissioning model has been in operation for over 7 years and the infrastructure to manage this transition exists.

4.0 Wards Affected

4.1 All Wards

5.0 Local Ward Members

5.1 All Members

6.0 Policy Implications including - Climate change - Health

6.1 Lifelong Learning plays a crucial part in improving the health and well being of our residents and their communities. Funding targets people with learning difficulties and disabilities, older people and those with mental health problems to improve their quality of life by providing relevant learning opportunities, new skills and raising aspirations. Family Learning is proven to have an impact on children's attainment and better parenting.

6.2 The Lifelong Learning team have a sustainability representative on their team who provide creative ideas to encourage the team and the network to reduce, re-use and recycle.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

7.1 There are no such financial implications.

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

8.1 Funds available to deliver Adult Learning across Cheshire East Council area are summarised as follows:

Whole Year 2010-11		
	Funding	Learner Numbers
Adult Safeguarded Learning	£815,467	5,337

The above funding supports a small staffing team and approximately 30 local providers of Adult Learning including colleges and other local providers. Under

and overspends against this grant funding are carried forward into later years to facilitate commitments previously arranged for learning provision.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 In March 2009 a white paper, the Learning Revolution was published. This provides a new vision for informal adult learning and local authorities are being asked to take the lead in implementing this vision in their areas by becoming a Lead Accountable Body (LAB).
- 9.2 There is a clear expectation on Local Authorities that they will accept the invitation to become a LAB. The role of the LAB is to pull together all the partners in the area and develop a local plan for all types of informal adult learning. The LAB will manage all of the funds for informal adult learning coming into the area.
- 9.3 The white paper does not give any more detail as to the specific accountability of a Local Accountable Body or whether (and how) a local authority could withdraw from this arrangement.

10.0 Risk Management

- 10.1 The change to the LAB status brings a change in the risk faced by the Council. In many respects the risks are lessened by the Council being able to directly influence and control the direction of Adult Learning and the way it is funded and resourced, compared with another third party taking on the LAB responsibilities.
- 10.2 With direct LAB status the Council will be able to exert additional control on its providers to ensure that grant conditions are met helping to minimise any risks to the compliance with grant conditions. In addition providers are only paid in a phased way with only small amounts of up front funding, with later phases of funding being paid after results have been demonstrated, again helping to mitigate any additional risks that flow from having LAB status.
- 10.3 Being able to direct the grant funding will also allow the Council to operate the arrangements with more flexibility over the full range of training provision.

11.0 Background and Options

- 11.1 At present the Lifelong Learning service is funded by the LSC with a stream of funding called Adult Safeguarded Learning which is part of the current Government's £210m safeguarded allocation. Within this stream there are specific strands:
 - Personal Community Development Learning (PCDL) – this is what the new thinking is around Informal Adult Learning. It is just about a shift in term not what the provision is. There will be an expectation to still provide value for money so we will still be expected to collect fees from those who can most afford to pay.

- Neighbourhood Learning in Deprived Communities – this is used for targeted provision that is commissioned through local voluntary and community organisations. It is used to fund learners who are experiencing difficulties, those in areas of deprivation, lone parents, unemployed, those on long-term benefits, or, to build capacity within organisations to better support their clients and communities.
 - Wider Family Learning and Family Language Literacy and Numeracy. Both these strands are targeted at engaging parents/carers in their children's education and development as well as enabling parents/carers to gain valuable qualifications equivalent in skill level to GCSE in Maths and English.
 - Family Learning Impact Funding. This funding which is aimed at a number of different themes, namely Early Years Foundation, Family Numeracy, Financial Capability, Schools Information for Parents, Wider Family Learning. It aims to evidence the impact on the individual following interventions in this stream.
 - Adult Safeguarded Learning providers are also able to access First Step funding. Although not part of the safeguard it will be available to us for 2010-11 and possibly in the future. This funding stream is aimed at an initial point of entry into learning followed by progression to more formal learning.
- 11.2 Informal Adult Learning can often be a stepping stone to gaining new skills and qualifications and complements vocational learning. It has a direct correlation with the Skills Agenda as it forms part of the broader learning and skills continuum towards Skills Agenda priorities.
- 11.3 The Cheshire East Lifelong Learning Team, based within Children and Families Integrated Workforce Development Team at Emperor Court currently deliver informal, non formal and formal learning to people who live, work and train throughout the Borough. Becoming a LAB would ensure that further monies which at present go directly to FE Colleges are added to our existing funds giving us greater ability to influence and deliver more adult learning where it's needed.
- 11.4 The Lifelong Learning team have a well respected delivery model based on inclusivity, breadth of choice and value for money. This existing model which the Lifelong Learning team have operated under Cheshire County Council and now as Cheshire East Borough Council, over a number of years offers us the opportunity to deliver more learning to our residents. We are well prepared:
- We have adopted the term 'Lifelong Learning' to promote the image of learning as a way of life

- We deliver learning by commissioning delivery through our vast network of external partners, as well as delivering Skills for Life and most Family learning in-house, across all the funding streams named in 11.1, consistently meeting ambitious targets of learner numbers
- We already work closely with our partnership manager at the SFA to ensure a broad and balanced curriculum of formal and non formal learning meets the needs of our population both in terms of learning for pleasure, learning to develop skills, and learning to increase skills for work.
- We are already reframing a Cheshire East Learning Partnership, which will support the delivery of the funding plan for adult learning. Working with a range of stakeholders, providers and other council services across all directorates we already ensure that people within the Borough have universal access to broad and balanced range of learning and that the needs of the most vulnerable can be met in the most appropriate and effective way
- Cheshire East Lifelong Learning is able to deliver on behalf of Cheshire East Borough Council the responsibilities sought as a Lead Accountable Body. The provider base is strong, inclusive and well lead to deliver high quality learning.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writers:

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