

MEMORANDUM OF UNDERSTANDING BETWEEN THE LEARNING AND SKILLS COUNCIL AND THE LOCAL GOVERNMENT ASSOCIATION

SCOPE

1. This memorandum of understanding concerns the relationship between local government, as represented by the Local Government Association (LGA), and the Learning and Skills Council (LSC). It reflects the development of a mutually agreed relationship between two equal partners. Its initial scope focuses upon the work of local education authorities (LEAs). It sets out underpinning principles, a schedule of roles and responsibilities, and agreed plans for further work. This further work will concern the broader relationship between local government and the LSC, for example in relation to neighbourhood renewal and economic development, as well as more detailed agreements on education functions.

AIM

2. To set out broad areas for partnership between local Learning and Skills Councils (local LSCs) and LEAs in order to:

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- support learners;
- promote participation and achievement in learning opportunities that meet the current and future economic needs of the local area, and the general educational needs of its community;
- develop learning in the community;
- help the "hardest to reach" into learning and work;
- aid the independence and well being of older learners;
- promote retention, achievement and curriculum choice suited to individual learners' needs; and
- achieve the objectives of the respective organisations.

ROLES

The Learning and Skills Council (LSC)

3. The LSC became fully operational on 1 April 2001 and has a leading role in delivering the Government's vision of the learning society, in which 'everyone has the opportunity to go as far as their talents and efforts will take them'¹. The strategic priorities of the LSC are to:

- raise participation and achievement by young people;
- increase demand for learning by adults and equalise opportunities through better access to learning;
- raise skill levels for national competitiveness;
- improve the quality of education and training delivery;
- improve effectiveness and efficiency².

¹ The Learning and Skills Council Remit letter, DfEE, November 2000

4. The LSC comprises a national Council and 47 local Councils. The Council is seeking to establish a culture 'in which there is maximum local freedom and flexibility, with a nationally determined set of standards for quality and outcomes'³. The responsibility of the LSC covers only England. There are separate arrangements for Scotland, Wales and Northern Ireland.

The Local Government Association (LGA)

5. The LGA was established in 1997 as the national voice for local government. Its membership includes every local authority in England. Its vision is of local government that:

- encourages and enables local democratic participation;
- demonstrates local leadership;
- promotes social inclusion and equality of opportunity for all;
- makes a real, positive and sustainable difference to the local quality of life;
- delivers high-quality, cost-effective, citizen focused services;
- works in partnership with others to secure the well-being of the area and people who live or work in or visit it;
- is understood and highly regarded by local people.

6. The Local Government Association and the Office of the Deputy Prime Minister agreed a set of shared priorities for service improvement between central and local government in July 2002. While recognizing the importance of improvement across the board, these focus on education, care for the elderly, the protection of vulnerable children, narrowing health inequalities, crime and disorder, the local environment, local transport and local economic development. The priorities are underpinned by the principles that:

"Central and local government share a strong commitment to improving our local services through investment and reform. Local councils have a key contribution to make as a result of their local democratic accountability and their ability to integrate the work of different agencies and organisations at a local level. By working together to improve delivery, we can ensure:

- we achieve faster progress towards ambitious targets
- services reflect the different needs and aspirations of local communities and contribute to tackling deprivation
- the right technology and support are put in place to underpin successful delivery".

WORKING IN PARTNERSHIP

7. The LSC and LGA, by working together, will promote good relationships between local education authorities (LEAs) and local LSCs. These relationships will be critical to the development of a culture of lifelong learning where people are equipped for the demands placed on them by the workplace and for participation in the life of their communities. There is a particular need for effective collaboration to ensure continuity in structured learning in post-16 education and the promotion of a coherent 14-19 phase.

² Strategic Framework to 2004, Corporate Plan, Learning and Skills Council, August 2001

³ Strategic Framework to 2004, Corporate Plan, Learning and Skills Council, August 2001

8. The LSC and LGA will establish agreed schedules of responsibilities at national level that will help to ensure a consistent approach at local level. This is not intended to reduce local flexibility, but through greater clarity and complementary working to promote best value in use of resources and positive outcomes for an increasing proportion of learners.

9. Partnership working between LEAs and local LSCs will take place in the wider context of local strategic partnerships

RESPONSIBILITIES OF THE LSC AND LEAs

10. These are set out in detail in the attached annexes and are summarised here.

LSC responsibilities

11. The LSC's responsibilities were established in the Learning and Skills Act 2000 and cover the following broad areas:

Duties

- planning and funding post-16 education (other than higher education), training and linked organised leisure-time occupation;
- encouraging post 16 learners to participate in education and training and encouraging employers to participate and contribute to the costs;

Powers

- making grants to Local Education Authorities for the purpose of funding school sixth form provision;
- securing the provision of work experience for 14+ learners and more widespread Education/Business Link work;
- assessing the quality of LSC funded provision and taking these judgements into account in deciding which providers it will continue to fund;
- being involved in the administration and promotion of Individual Learning Accounts;
- appointing additional governors to Further Education Colleges;

Other functions

- carrying out relevant research and disseminating information
- securing the provision of facilities for Information, Advice and Guidance on learning or related matters;
- having proper regard for the needs of persons with learning difficulties and where appropriate making boarding provision for such learners;
- promoting equality of opportunity;
- publishing annual plans and a longer-term strategy that needs to include its proposals for workforce development
- raising standards of provision for post-16 learners.

12. Many of these responsibilities are implemented through the 47 local Learning and Skills Councils.

LEAs' responsibilities

13. LEAs are responsible for the provision of education in primary, secondary and special schools; for early years education; the youth service; adult education; and for a number of services related to this provision or for children of school age living within their area.

14. The tasks performed by LEAs include:

- **Strategic management:** providing effective leadership for the education service; creating effective partnerships with and outside the local authority to support the promotion of high standards in schools and other settings; ensuring that schools and other educational establishments receive the information, support and training they need to do their job effectively; allocating spending to schools locally, and helping schools to manage their finances.
- **Access and school transport:** making sure there are enough school and pre-school places; coordinating admissions policies; enforcing school attendance; managing major spending on school buildings, including those for pupils over 16; arranging suitable transport for children who need it; preparing and implementing an action plan for raising the attainment of minority ethnic pupils; administering arrangements for student grants and loans.
- **Special Educational Needs:** ensuring that individual children's needs are quickly and accurately identified and arranging appropriate provision; running high quality educational psychology and support teaching services; developing close inter-agency partnerships with health and social services.
- **School Improvement:** monitoring the performance of all schools, (including those with sixth forms) and ensuring that they have the necessary information to set and meet demanding targets for all groups of children; focusing school improvement services on schools which need challenge and further support to secure improvement (including those with sixth forms) ; drawing together LEA and school targets and the authority's contribution to meeting them in an Education Development Plan.
- **Educating excluded pupils and pupil welfare:** ensuring that suitable education is provided for excluded pupils; providing education otherwise than at school for children who are unable to attend; ensuring that those children, and excluded pupils, return to school when ready; ensuring suitable provision for all vulnerable pupils and producing a behaviour support plan.
- **Adult Education:** producing an adult learning plan and implementing this directly or through other providers; contributing to the development of lifelong learning in partnership with other agencies, including the LSC.

15. Local authorities strive to ensure that all the services which have a bearing on young people (e.g. education, social services, housing, health, police) are working together in effective partnerships to achieve the best possible educational outcome - particularly for those at greatest risk of under-achieving.

UNDERPINNING PRINCIPLES

16. The relationship between the LSC and LGA will be underpinned by the following principles:

- **Openness and Transparency** – both parties agree to conduct joint discussions, negotiations and all related dealings in an open and transparent manner and to assume positive intent.
- **Representation** – the LSC is a single organisation and its representatives therefore represent the LSC as a whole, including all 47 local arms. The LGA will represent all LEAs in England for the purposes of this memorandum.
- **Sharing information** – Subject to the requirements of data protection legislation LEAs and the LSC will share the optimum amount of data and work together to develop shared information sources and standards. They will also work with the Connexions service to further develop common sources of information in order to reduce the requests for information made to providers.
- **Regular and effective communication** – both parties agree to keep each other apprised of any policy and practice developments in areas of common interest. A range of communication arrangements will be put in place to ensure an effective and meaningful dialogue between the LSC and LGA. The main formal arrangements will be regular four-monthly meetings between staff from the LSC and staff from LGA. Both the LSC and LGA will nominate lead contacts who will ensure that regular communication takes place.
- **Joint planning** – both parties agree to consult with the other on a “no surprises” basis at an early stage in planning for issues in which there are shared interests, such as reviews or re-organisations of provision.
- **Reduce bureaucracy** – both parties aim to work together, and in partnership with the DfES, to reduce bureaucracy whilst maintaining accountability.

17. These principles should also be reflected in relationships between LEAs and local LSCs.

SCHEDULE OF ROLES AND RESPONSIBILITIES

18. The first proposed checklist of complementary roles and responsibilities is included at Appendix 1. Local variation will mean that not all sections of the checklist are equally appropriate to all areas. For example, some LEAs will not have any schools with 16-18 provision. However, LEAs and local LSCs are expected to use this as a basis for individual agreements made at local level which will be set in the context of local aims.

FURTHER WORK

19. Both parties are committed to further detailed work on roles and responsibilities and arrangements for co-operation. In the first instance this will relate to:

- Sixth form provision - in particular monitoring and improving quality
- 14-16 provision
- Economic regeneration and community regeneration
- Area reviews
- Adult and community learning.

REVIEW

20. This agreement will be reviewed annually by both parties to ensure that it remains appropriate.

**Signed on behalf of the
Learning and Skills Council:**

**Signed on behalf of the
Local Government Association:**

John Harwood (Chief Executive)

Sir Brian Briscoe (Chief Executive)

Date of Agreement: 3 March 2003

Annex 1

Checklist for effective partnership between LEAs and local LSCs

Activity	LEA Lead Officer	LSC Lead Officer
<p>1 Communications Management</p> <p>1.1 To ensure regular and effective communication and co-ordination arrangements are in place for all aspects of the LEA/local LSC relationship.</p> <p>1.2 To monitor and review annually communication arrangements to ensure protocols are followed and effective.</p>		
<p>2 Strategic Planning</p> <p>2.1 Consultation on Planning</p> <p>To agree annually a process for consultation on:</p> <ul style="list-style-type: none"> a) LEA Education Development Planning b) Local LSC Strategic and Business Planning c) local community plans through local strategic partnerships <p>2.2 Area Review</p> <p>To agree a process for consultation on:</p> <ul style="list-style-type: none"> a) Planning for, and management of Area Reviews b) Development and implementation of an action plan 		
<p>3 Inspection of schools with sixth forms:</p> <p>3.1 All schools with sixth forms</p> <ul style="list-style-type: none"> a) The LEA will inform the local LSC of the outcome of inspection of any school with post-16 provision as soon as possible. b) Where the school's action plan includes action relating to post-16 provision the LEA will provide the local LSC with a copy of the action plan and the LEA's commentary on the plan. <p>3.2 Schools with inadequate sixth forms</p> <ul style="list-style-type: none"> a) The LEA and local LSC will meet to discuss the school's proposals and how they may best be supported. While the funding of school improvement is the responsibility of the LEA, the LSC may, for example, be in a position to facilitate collaboration 		

<p>with other post-16 providers.</p> <p>b) The LEA will share the monitoring reports provided by OFSTED with the local LSC.</p> <p>3.3 Schools with sixth forms in special measures</p> <p>The LEA will provide the LSC with a copy of the school's action plan and the LEA commentary on the plan where they refer to actions relevant to sixth form provision.</p>		
<p>4 Learning secured by the LEA</p> <p>For all learning secured by the LEA, including accredited and non-accredited learning and work-based learning:</p> <p>4.1 The LEA will inform the LSC of the scope of its inspection, the timetable for the conduct of the inspection and the arrangements for the communication of inspection outcomes.</p> <p>4.2 The LEA will prepare a post inspection action plan and the LSC will discuss and agree the content of the proposed plan.</p> <p>4.3 The LSC will give consideration to providing a contribution towards the cost of LEA development plans through the standards fund.</p> <p>4.4 The LSC will provide support and guidance for the LEA in the development of management information systems, infrastructure, capital and issues concerning disability discrimination</p>		
<p>5 Adult and community learning (ACL)</p> <p>5.1 Collaborative arrangements will be jointly established for LEA's and local LSC's planning of Adult and Community Learning.</p> <p>5.2 The LSC will give feedback and formally indicate its view of the acceptability of any LEA adult learning plan.</p>		
<p>6 Area-wide inspections</p> <p>6.1 The LEA and local LSC will collaborate on preparation for area-wide inspections carried out by OFSTED.</p> <p>6.2 The local LSC and LEA will develop a post-inspection action plan in consultation with other key partners.</p> <p>6.3 The local LSC and LEA will jointly implement the post inspection action plan in collaboration with other key partners.</p>		

<p>Use of performance data and management information:</p> <p>6.4 In order to reduce bureaucracy the LSC and LEA will collaborate in the development and sharing of management information and performance data</p> <p>6.5 Wherever possible the data collected by the LSC and LEA will be in a format that will allow comparisons to be made</p> <p>6.6 The LSC and LEA will respect the confidentiality of any data or management information that is shared.</p> <p>6.7 The LSC and LEA will share information relating to reviews of performance carried out as part of their respective quality assurance processes</p>		
<p>7 Management of proposals for changes in provision</p> <p><u>7.1 by Institutions:</u></p> <p>7.27.1 At an early stage and on an informal basis the LEA and local LSC will inform each other <u>the local LSC</u> of any request received to alter the current pattern of post-16 provision in schools on receipt of a proposal from a school or Diocese.</p> <p>7.37.2 The LEA and local LSC will meet to discuss any proposal, and respond to the school or Diocese as appropriate.</p> <p>7.47.3 The LEA will consult the local LSC on its own proposals to alter the pattern of post-16 provision in schools.</p> <p>7.57.4 At an early stage and on an informal basis the local LSC will consult the LEA on LSC proposals for changing post-16 provision whether these are:</p> <ul style="list-style-type: none"> ▪ the result of recommendations in the report of an area inspection ▪ intended to promote an improvement in educational or training achievements ▪ an increase in participation in education and training ▪ an expansion of the range of educational or training opportunities 		
<p>8 Annual Funding Allocations for schools and ACL:</p> <p>8.1 The Local LSC will communicate all funding policy and related information promptly.</p> <p>8.2 The LEA will inform the local LSC of communication direct with national office on funding policy.</p> <p>8.3 School sixth forms. The Local LSC will channel all queries about the school's budget share to the LEA</p>		

<p>8.4 Adult and Community Learning. The Local LSC will develop and implement a plan for effective management of any contract with the LEA.</p>		
<p>9 Special needs The LEA and local LSC will work closely to provide funding and placements for post-16 statemented special needs students.</p>		
<p>910 Sharing good practice The LEA and local LSC will encourage schools, colleges, work-based learning and adult education providers to share good practice and, where appropriate, will share dissemination activity.</p>		
<p>4011 Professional development The LEA and local LSC will support professional development for providers through sharing staff development activities where appropriate.</p>		
<p>4412 Innovation and New Initiatives The LEA and local LSC will collaborate on new initiatives and innovative proposals to best meet local needs and extend the opportunities available to learners.</p>		

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