

Leaders' Committee

Constitutional matters – Amendments to the Young People's Education and Skills Board constitution

Item no: 8

Report by:	Yolande Burgess	Job title:	Strategy Director
Date:	24 March 2015		
Contact Officer:	Yolande Burgess		
Telephone:	020 7934 9739	Email:	yolande.burgess@londoncouncils.gov.uk

Summary This report proposes a number of amendments to the constitution of the Young People's Education and Skills Board to reflect that the service will be part funded by the London Enterprise Panel (LEP) for the year 2015-16.

Under London Councils' governance arrangements, amendments to the constitution of the Young People's Education and Skills Board require Leaders' Committee approval.

Recommendations Leaders' Committee is asked to:

- Agree to the proposed amendments to the constitution of the Young People's Education and Skills Board.

Constitutional matters – Amendments to the Young People's Education and Skills Board constitution

Introduction

1. Young People's Education and Skills (YPES) provides pan-London leadership for 14 to 19 education and training provision in relation to the current and future needs of learners and employers, supports local authorities in undertaking their statutory functions, and assists other stakeholders in planning, policy and provision. The YPES Board, made up of key stakeholders and chaired by the Executive Member for Children, Skills and Employment, is the lead strategic body for 14 to 19 education and training services in London.
2. YPES works for London's boroughs, guiding and supporting them in their local commissioning. Working closely with the London Enterprise Panel (LEP), it brings together key stakeholders from across London to help deliver the region's priorities to influence and shape the learning provision on offer to young people
3. The constitution of the YPES Board describes the accountabilities and responsibilities of the Board and its work, under the governance arrangements of London Councils. Any amendments require Leaders' Committee approval.

Background

4. Between 2010 and March 2015, funding for the YPES service has been jointly funded by London Councils and the Department for Education (DfE) through a Special Purposes Grant. The DfE informed the YPES Board in 2014 that they would not be able to fund the service beyond March 2015.
5. In December 2014, Leaders' Committee agreed to the continuation of funding for the YPES service and the LEP confirmed they would contribute towards the cost of the service in the year 2015-16. To recognise this investment, the LEP, through its Skills and Employment Working Group, has asked that the YPES's Board's Constitution appropriately reflects the investment and interests of the LEP.
6. The YPES Board met on 12 February 2015 and all voting members present agreed the constitution should be amended and recommended the changes for Leaders' Committee approval.

Constitution amendments

7. The proposed changes to the Constitution are:

- a. **Purpose:** the Board's responsibilities are re-cast to reflect the joint working of the Board with the LEP.
- b. **Voting members:** the LEP is noted as a member independently of other strategic partners.
- c. **Chair of London Councils Young People's Education and Skills Board:** the LEP Skills and Employment Working Group representative will be appointed as a Vice-Chair of the Board.

8. Some additional non-material amendments have been made to remove duplications, to reflect changes to names of organisations and to recognise changes in London Councils governance.

9. Paragraph 12 of the Constitution notes that the Young People's Education and Skills Work Plan is approved by the Young People's Education and Skills Board. This is in addition to the normal London Councils process i.e. the portfolio holder and chair meeting and the executive.

10. Appendix 1 details the revised constitution.

Recommendations

11. Leaders' Committee is asked to agree to the proposed amendments to the constitution of the YPES Board.

Financial Implications for London Councils

None

Legal Implications for London Councils

None

Equalities Implications for London Councils

None

Background document

- The current constitution of the Young People's Education and Skills Board as approved by Leaders' Committee on 12 November 2009:

http://www.londoncouncils.gov.uk/committees/agenda.htm?pk_agenda_items=3770

- A revised version of the constitution.

LONDON COUNCILS YOUNG PEOPLE'S EDUCATION AND SKILLS

CONSTITUTION

1 Purpose

- 1.1 The role of London Councils Young People's Education and Skills is to provide pan-London leadership for 14 to 19 education and training provision in relation to the current and future needs of learners and employers, support local authorities in undertaking their statutory functions, and assist other stakeholders in planning, policy and provision.
- 1.2 The key tasks of London Councils Young People's Education and Skills is to:
 - 1.2.1 develop the strategic vision of the market for 14 to 19 provision in London, influencing and shaping sufficient diversity and specialism to promote full participation;
 - 1.2.2 lobby for the best resources for London's young learners;
 - 1.2.3 in partnership with the LEP:
 - 1.2.3.1 develop a clear picture of the changing jobs landscape and skills needs in London to help shape the development of provision;
 - 1.2.3.2 support stakeholders with the provision of high-quality impartial information for all London's young people;
 - 1.2.3.3 alert London providers to known regionally unmet needs and gaps in the market;
 - 1.2.4 contribute to the production and analysis of data, including demographic data, to inform planning at a provider level;
 - 1.2.5 promote consistent scrutiny of 16 to 18 provision, challenging poor quality and championing excellence across the capital;
 - 1.2.6 support local authorities and providers to operate in the collective interest of London, particularly in addressing the needs of vulnerable learners;
 - 1.2.7 co-ordinate the development of specialist education and training across London – including both provision for learners with learning difficulties and disabilities and specialist vocational provision; and
 - 1.2.8 undertake any other tasks as directed by London Councils' Leaders' Committee.
- 1.3 In pursuing these ambitions it is recognised that there may be the need to undertake specific commissioning activities at a regional level on behalf of local authorities, based on clear business cases.

2 Definitions

- | | |
|---------|--|
| "ALDCS" | is the Association of London Directors of Children's Services. |
| "ASCL" | is the Association of School and College Leaders. |

“AoC”	is the Association of Colleges, which represents and promotes the interests of colleges of further and higher education at national and regional level.
“CELC”	is the Chief Executives’ London Committee.
“DWP”	is the Department for Work and Pensions.
“EFA”	is the Education Funding Agency.
“GLA”	is the Greater London Authority.
“Leaders’ Committee”	is the committee comprising the Leaders of each of the London local authorities which discharges the functions delegated to London Councils by the London local authorities.
“LEP”	is the London Enterprise Panel, the body through which the Mayoralty works with London’s boroughs, business and Transport for London to take a strategic view of the regeneration, employment and skills agenda for London.
“London Councils”	is the joint committee of all the London Local Authorities constituted under an Agreement dated 13 December 2001 as varied by an Agreement dated 1 February 2004.
“LWBLA”	is the London Work-based Learning Alliance.
“NATSPEC”	is the Association of National Specialist Colleges, which represents and promotes the interests of specialist colleges for learners with special educational needs and disabilities.
“The Agency”	is the Skills Funding Agency.

3 Relationship with London Councils

- 3.1 London Councils Young People’s Education and Skills is established by a decision of Leaders’ Committee¹ of 13 October 2009.

4 Voting Members

- 4.1 The members of London Councils Young People’s Education and Skills Board entitled to vote on matters arising are:
- 4.1.1 **London Local Authority Members** comprising one councillor nominated by each of the main representative parties.
 - 4.1.2 **London Local Authority Officers** comprising two Directors of Children’s Services to be nominated by ALDCS and one Chief Executive to be nominated by CELC.

¹ Note the group was originally constituted under the name London 14 to 19 Regional Planning Group (LRPG)

- 4.1.3 **London Enterprise Panel** comprising one co-chair and one employer from the Skills and Employment Working Group.
 - 4.1.4 **London Strategic Partners** comprising one nomination from each from an employer representative body and the Greater London Authority.
 - 4.1.5 **Providers of education services** comprising three representatives to be nominated by the AoC in consultation with the Sixth Form College Forum and NATSPEC (one shall be a General Further Education College; one shall be a Sixth Form College, and one shall represent learners with special educational needs and disabilities); one representative from a school, Academy or Free School sixth form nominated by ASCL; and one representative to be nominated by the LWBLA. Each of these representatives shall be a direct provider in their own right.
- 4.2 All of the above members to be subject to the approval of Leaders' Committee. Members will be expected to declare any conflicts of interest and withdraw from voting where necessary.

5 Non-Voting Members

- 5.1 The members of London Councils Young People's Education and Skills Board not entitled to vote are:
 - 5.1.1 **Representative organisations of education providers** comprising one nomination each from the AoC and a Higher Education Institution representative body.
 - 5.1.2 **Additional London Strategic Partners** comprising one nomination from each of the Agency, the DWP and the EFA.

6 Additional members

- 6.1 Additional members may be admitted on such terms as may be approved by Leaders' Committee.

7 Chair of London Councils Young People's Education and Skills Board

- 7.1 The Chair of London Councils Young People's Education and Skills Board shall be the London Councils Executive Member for Children, Skills and Employment. Two Vice Chairs will be appointed, a Vice Chair who is a Director of Children's Services (or equivalent title) and the LEP representative who is the co-chair of the Skills and Employment Working Group.

8 Resignations and termination of membership

- 8.1 A member of London Councils Young People's Education and Skills Board may resign by giving notice in writing to the Chair. Upon acceptance of a resignation the nominating organisation will be asked to put forward a new representative.
- 8.2 Membership – either individual or organisational – may be terminated by a majority decision of Leaders' Committee on a recommendation of London Councils Young People's Education and Skills Board if, in the reasonable opinion of that Board, the member is failing properly to discharge the duties of the office, by reason of non-attendance, conduct or otherwise. The termination of an individual's

membership will not automatically terminate the membership of their organisation, which will be asked to provide a replacement representative.

- 8.3 A casual vacancy arising as a result of a resignation or termination may be filled in accordance with the nomination procedure set out in Clause 4, above.
- 8.4 Each member will be entitled to nominate a substitute from the nominating organisation to represent them in their place if they are unable to attend London Councils Young People's Education and Skills Board. Only one member will be entitled to vote.

9 Meetings

- 9.1 London Councils Young People's Education and Skills Board shall hold a minimum of three meetings each year, at one of which appointments for the following year shall be made.
- 9.2 Meetings of London Councils Young People's Education and Skills Board shall be conducted in accordance with the Standing Orders which are annexed to this constitution.

10 Delegation

- 10.1 London Councils Young People's Education and Skills Board may delegate to sub-groups, and/or officers such tasks and activities as it considers appropriate.

11 Observers and members of the public

- 11.1 Observers may be admitted to meetings of London Councils Young People's Education and Skills Board at the discretion of the Chair.

12 Work Plan

- 12.1 London Councils Young People's Education and Skills Board shall consider annually a Work Plan. If, in the course of any year, any material change to the Work Plan is required as a result of a change in government policy or for any other reason, such change shall be subject to the approval of the Board.

13 Employees and Contracts

- 13.1 The London Councils Young People's Education and Skills team staffing complement shall be employed by London Councils.
- 13.2 In the event that London Councils Young People's Education and Skills Board wishes to enter into a contract for the appointment of consultants or otherwise, any such contract shall be let by London Councils in accordance with London Councils' Financial Regulations.

14 Variations

- 14.1 Variations to this constitution may be agreed by a two-thirds majority vote of members present at the meeting at which the variation is proposed, subject to the approval of Leaders' Committee.

15 Termination and Dissolution

- 15.1 London Councils Young People's Education and Skills Board may be dissolved by Leaders' Committee if, as a result of a change in government policy, an inadequacy of available funding, or any other reason, the continued operation of the Board becomes unviable.

LONDON COUNCILS YOUNG PEOPLE'S EDUCATION AND SKILLS BOARD**STANDING ORDERS**

Meetings

1. London Councils Young People's Education and Skills Board shall hold a minimum of three meetings each year.
2. Any member of London Councils Young People's Education and Skills Board may give written notice of an item to be placed on the agenda for any meeting. All notices of agenda items and reports for circulation with agendas must be received by the Strategy Director of London Councils Young People's Education and Skills not less than ten working days prior to the meeting to which the agenda relates.
3. Meetings shall normally be held at the offices of London Councils but may be called at such time and such place as may be determined by London Councils Young People's Education and Skills.
4. If so determined by London Councils Young People's Education and Skills, a meeting may take place by means of telecommunications providing that each member participating in the meeting can communicate with the others.
5. The Strategy Director shall, not less than seven clear days before an intended meeting of London Councils Young People's Education and Skills Board, circulate a notice to each member. The notice shall set out the time and place of the meeting and the business to be transacted and shall be accompanied by such reports as are available. No business other than that set out in the summons shall be considered at the meeting unless by reason of special circumstances, which shall be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered as a matter of urgency.
6. The notice and reports shall be sent by electronic means unless a member requests otherwise.
7. The failure of any notice to be delivered shall not affect the validity of the meeting.
8. The business for ordinary meetings shall be:
 - the election of a person to preside if the Chair and Vice-chairs are not present, the approval as a correct record and signature of the minutes of the previous meeting;
 - the receipt of any declarations of interests from members;
 - the consideration of reports/presentations;
 - the consideration of motions;
 - the consideration of any other business specified in the summons to the meeting;
 - the reporting of any decisions taken since the last meeting under urgency procedures.

Quorum

9. The quorum shall be one third or the number nearest to one third of the voting members of London Councils Young People's Education and Skills Board. If, within half an hour of the time appointed for the meeting to commence, a quorum is not present, the meeting shall dissolve.

Procedure

10. The procedure to be followed at meetings, unless specified in these Standing Orders, shall be decided by the person presiding at the meeting and his/her decision shall be final.

Voting

11. Decisions at meetings of London Councils Young People's Education and Skills Board shall be taken by simple majority vote. In the case of an equality of votes, the Chair shall have a second or casting vote.
12. When making recommendations to Leaders' Committee, London Councils Young People's Education and Skills Board will provide a record of voting on the subject of the recommendation.

Urgency

13. If, at any time, the Strategy Director of London Councils Young People's Education and Skills considers that any matter is urgent and should be decided on prior to the next meeting of the Board, then he/she shall consult the Chair and Vice Chairs of London Councils Young People's Education and Skills Board and, if they agree the matter is urgent and agree the Strategy Director's recommendation, then the decision shall be taken by the Strategy Director and reported to the next meeting of the Board. If neither the Chair nor the Vice Chairs are available, the Strategy Director shall consult such members of the Board as he/she considers appropriate.

Declarations of interests

14. Any member of London Councils Young People's Education and Skills Board having a financial interest, direct or indirect, otherwise solely as a trustee, in any matter under consideration at a meeting, shall:
 - forthwith declare his/her interest;
 - not speak or vote thereon;
 - at the request of the Chair withdraw from the room whilst the matter is under consideration.
15. For the purposes of Standing Order 14, a member shall be treated as having an indirect financial interest in any matter if:
 - she/he or any nominee of his/hers is a shareholder member of a profit-making company or other body (apart from any public body) which has a direct financial interest in the matter;

- he/she is a partner, or in the employment of, a person with a direct financial interest in the matter and a member shall be treated as having a direct or indirect interest if the member's spouse or partner has such an interest.

Conduct

16. Members shall comply with the seven principles of public life (the 'Nolan principles').

***Ex Officio* members**

17. The Chair and Deputy Chair of London Councils shall be *ex officio* members of London Councils Young People's Education and Skills Board. They shall be entitled to speak but not to vote in meetings in that capacity.

Variation and Revocation

18. Any addition to, or revocation of, these Standing Orders shall be by majority vote of those present and entitled to vote provided that any such addition or revocation shall require confirmation at the next meeting of London Councils Young People's Education and Skills Board; shall comply with any legislation in force from time to time and shall not conflict with the Standing Orders of London Councils