

Evaluation of the Transition Year (2009/10)

Introduction

On 1 April 2010 London boroughs assumed responsibilities for commissioning 16-19 education and training across the capital from the Learning and Skills Council (LSC). During the transition year – 2009/10 – local authorities in London were encouraged to lead on the planning and commissioning processes for the year 2010/11 to help build capacity within local teams and to prepare for the transfer. Local authority colleagues were supported to undertake this work by transferring LSC colleagues, and colleagues in the shadow Young People's Learning Agency (YPLA) and the London 14-19 Regional Planning Group (RPG).

During the transition year Local Commissioning Teams undertook a variety of activities including:

- receiving and analysing data and intelligence from the LSC and other sources;
- preparing draft local commissioning statements and plans with the input of local 14-19 Partnerships;
- making use of the capacity building sessions (e.g. Technical Briefings, London LA 14-19 Network Meetings);
- engaging in provider planning discussions to inform the commissioning process;
- convening inter-borough meetings to enable effective cross border planning and commissioning, particularly regarding displacement;
- contributing to London-wide regional and local planning decisions through the Regional Allocations Group.

The shadow YPLA provided support for the commissioning process through the production of comprehensive local data packs, organising briefings on the commissioning process and providing the expert support required to arrive at provider allocations. The RPG provided strategic leadership of the 16-19 commissioning process across London and used the transition year to test formal governance arrangements for local authorities in London.

This report provides an evaluation of the transition year, looking at what did and didn't work during this period and identifying how the process might be improved in the future.

Responses to the Evaluation

The evaluation is based on responses from 14-19 Leads in 26 London local authorities to a questionnaire designed by the RPG. In addition it incorporates further feedback from the Association of Colleges London Region, a specialist provider attached to RPG, and the London Work-Based Learning Alliance.

PART ONE - Local Commissioning

The feedback from local authorities regarding the local commissioning process during the Transition Year was broadly positive.

Responses to Local Commissioning Questions ¹

	Strongly Agree	Agree	Disagree	No Response
My local authority involved local partners (e.g. 14-19 Partnership) in developing our local commissioning plan	12	14	-	-
The Data Pack was a significant source of information and was used throughout the commissioning process	3	15	7	1
Provider planning meetings were a useful part of the process and contributed to commissioning decisions	12	14	-	-
Local authority officers in the Local Commissioning Team have a good understanding of the commissioning process	14	11	1	-
The local commissioning plan was discussed with and endorsed by a senior officer (DCS or ADCS)	13	12	-	1
The local commissioning plan was discussed and endorsed by members	2	14	10	-
Inter-borough dialogues contributed to commissioning decisions	1	15	10	-

Commissioning Management

All but one local authority that responded felt that the officers in their borough had a good understanding of the commissioning process, although several remarked that they expected understanding to improve further now that they had completed the process once:

“Understanding of the commissioning process has developed through the transitional year. However, there is still further development work needed with specific teams outside of the core commissioning team and this will happen through the 11/12 commissioning cycle.”

The one borough that demonstrated less confidence cited the fact that they were bedding in a new team of staff:

“LA did not have much of a ‘team’, was pretty much left to the transferring LSC staff to manage the process, although this was done by agreement.”

Local Engagement

All local authorities felt that to some extent they had involved local partners in developing their local 16-19 commissioning plans. This particularly included providers with all respondents feeling that planning meetings with local providers were a useful part of the process. There was a more mixed response to the impact

¹ Although respondents were offered a four point scale from ‘Strongly Agree’ to ‘Strongly Disagree’ to answer each question, not a single authority ‘strongly disagreed’ with any point – consequently this column has been discarded from the table.

of inter-borough dialogue, with most boroughs finding discussions useful but many feeling that it was not as effective as it could be. There was also differing experiences of engagement with authorities outside London for outer-London boroughs ranging from none at all to broadly positive.

“Inter-borough dialogues contributed to something, [but] not sure how much it affected the final decisions”

“Dialogue was useful but did not inform the commissioning decisions, mainly due to the uncertainty around how to manage the 'displacement' issues”

“Although these discussions were worthwhile in terms of information sharing and developing cross-border relationships, the actual agreement of displacement of learner places was almost impossible due to:

- the complexity of individual displacement cases,*
- difficulties in providing robust evidence to support displacement cases - due to the nature of displacement, many assumptions have to be made which can easily be challenged,*
- tight timescales to plan for and undertake this resource intensive process,*
- policy which emerged very late in the cycle, and*
- conflicting regional perspectives – particularly apparent when speaking to [neighbouring borough outside London].”*

Data

Boroughs were also split over the usefulness of the Data Pack. Some felt that there was better local information available in-borough, some found it was not as user-friendly as it might be, and some said that parts of the information needed to be more up-to-date. Almost all authorities, though, indicated that the information in the Data Pack had been useful at the very least when used in conjunction with data from other sources:

“The datapack provided a good basis, but this needed to be supplemented with data and information from other sources, particularly with regards to resident learners travelling out of region.”

“The Data Pack has improved considerably from early drafts. Needs to be complemented by significant local data. A greater depth of understanding of travel to study data patterns and rationale is needed.”

“It is useful to have the data brought together in one place but it didn't have a significant impact on the commissioning process.”

Senior Officer and Member Endorsement

All responding boroughs reported that senior officers – either the DCS or an ADCS – were involved in discussing and endorsing the commissioning plan. However, member endorsement was far more patchy, with most boroughs reporting no, low, or partial involvement in signing off the local commissioning plan, and only one reporting full involvement (which was also a borough with member representation on the RPG Executive). However, this is perhaps unsurprising given that the powers and responsibility were clearly retained by LSC during the year. Several boroughs also cited the tight commissioning timeframe as a particular issue. It is anticipated that there will be more member involvement as authorities have a better idea of when to schedule member consideration in future years:

“For the 2010/11 transitional year the commissioning plan was presented to members. For 2011/12 Commissioning the process has already been established where a report will be presented in June to the Executive Member for Children and Young People asking that members give approval of the 2011/12 commissioning plan in November 2010 after this has been endorsed by the 14-19 Partnership and before it is submitted to the Regional Planning Group for moderation.”

National Commissioning Framework (NCF)

16 Local Authorities indicated that they had responded to the consultation on the National Commissioning Framework, often through their 14-19 partnership. Of those that did not, it was noted that some had endorsed the collective RPG response for London.

Communications

The broad consensus was that communications had worked as well as could be expected during the transition year with so much in flux. A number of local authorities pointed out the tight deadlines that were often required and would have appreciated more time to plan where possible. Others highlighted the need for operational leads to be copied in to some communications sent to DCSs and some felt that it was not clear whether certain communications should be sent from RPG, YPLA or the Borough. A number of useful suggestions for improving communications were made on the responses, a selection of which are included below.

“Given that it was a transition year and the LSC was closing, the communications worked well between the LA and shadow LSC staff with all deadlines and key information acted upon for the 2010/11 commissioning year.”

“Being certain that only one or two people in the local authority receive all communications. Anything going to DCS or ADCS needs to also be copied to an operational lead.”

“YPLA and RPG communicating internally. Too many deadlines have fallen within school holidays, or on simultaneous dates (TY deadlines and Planning Volume deadlines) Many LA staff now have to take annual leave during the holidays so can't necessarily respond appropriately.”

“Regular updating of the London Councils website with agenda and minutes of RPG and OSG meetings. More consultation with 14-19 leads on policy. More information on the formation of working groups and updates on the progress they are making.”

Future Planning

The majority of local authorities responding (17) stated they would welcome support in the future around planning for Raising the Participation Age (RPA) and the implementation of the new entitlement curriculum. However, several of these responses were qualified by wanting more knowledge around what form such support might take. This also seemed to be the view of three responses which did not answer the question. Several ideas were put forward around what could/should be covered – with the sharing of best practice across boroughs being most popular. Four boroughs said they would not want support, although two of these stated this was because it was too early to judge what the priorities of the new government might be.

“[Yes:] Support provided through RPG-led meetings and activities.”

“Sharing any good practice or early work from pilot boroughs.”

“Not at this stage, we need to wait and see what the new government has as its priorities.”

“Curriculum mapping – given the travel to learn patterns in London it is crucial that a regional approach is maintained.”

“[Yes:] particularly regarding the need to decommission provision in order to create capacity for the full entitlement.”

“More information available, particularly to schools, on the nature of apprenticeships.”

PART TWO – Regional Planning

London Boroughs were slightly more circumspect over how regional planning had been conducted during the transition year as opposed to local commissioning. Nevertheless, the responses were still largely positive.

Responses to Regional Planning Questions ²

	Strongly Agree	Agree	Disagree	No Response
The RPG's governance arrangements contributed to London's local authorities working well together	4	19	1	2
The RAG was an effective means of bringing local authorities together to discuss and agree procedures for regional planning	9	15	2	-
Inter-borough dialogues were an effective mechanism for enabling cross borough planning	5	12	8	1
The regional planning process delivered an outcome that was fair and transparent, regionally and locally	11	11	4	-
My local authority used the priorities document <i>Taking a Lead, Making a Difference</i> when preparing its commissioning statement for 2010/11	9	13	3	1
The RPG, through the RAG, set clear parameters for the overall planning process as part of the Transitional Year	8	14	3	1 (Agreed and Disagreed)
Information from the RPG has been communicated in a timely and consistent manner	9	13	4	-
The 14-19 Leads conferences provided an opportunity to explore the broader 14-19 agenda (e.g. developing the four pathways) to support commissioning decisions	13	12	-	1 (Didn't attend)
The shadow YPLA provided appropriate support to assist local authorities with commissioning decisions	7	17	1	1
When I needed help and support during the transitional year, it was clear to me where to find it	11	11	3	1
The Transition Year Toolkit was a useful suite of documents, providing guidance for commissioning and a means of ensuring consistency	10	16	-	-

STRUCTURES AND PROCESS

RPG Governance

The RPG and its related sub-group structure was largely felt to have been an effective facilitator for boroughs working together on a regional basis. However, perspectives varied depending on how involved the local authority had been with

² Again, no authority 'strongly disagreed' with any question and this column has been discarded. Where a 'no response' has been recorded a reasoning has been given where applicable.

RPG. It seemed generally to be felt that more transparency around RPG representation would be helpful, although it was recognised work in this area was underway now that the shadow RPG structure was being formalised.

“They [RPG governance arrangements] provided a framework which gave the LA confidence in which to make local decisions, for e.g. the allocation of growth process.”

“We feel unable to comment as we have had little direct contact with the RPG.”

“We need to distinguish between RPG officers and the RPG group ie the body that meets; the make up, sub groups their members and workloads largely remained a mystery unless your LA had a leading member for much of the year. No doubt without careful communication there is a danger of this happening again for this cycle following the election.”

“We had some concerns about OSG [RPG's Operational Sub-Group], specifically around representation, but know that this is in hand. We would like more communication as to how membership for sub groups/task and finish groups is decided.”

Regional Allocations Group

Boroughs seemed broadly accepting of the need for and the value of regional discussion through the Regional Allocations Group (RAG). But there were differing views on how effective the RAG was able to be simply due to the amount of authorities needing to reach consensus:

“Size makes this [RAG] somewhat unwieldy.”

“The RAG was important in enabling a common approach but will need to be firmer in setting agreed procedures and getting LAs to comply.”

“A very valuable way of sharing information and developments across different areas - it is an ideal opportunity to see what other areas are doing and dealing with the new processes.”

“RAG is too big to be an effective decision making body. It seems that it would be far more useful for it to be used as a communication tool with the inter borough dialogue groups and RAG sub groups being the voice of boroughs.”

“It was generally effective, however, the specific responsibility to moderate the allocation of growth to individual providers was not as effective.”

“We would like more communication around representation on the various working groups and would prefer the groups to be formed by nominations from the informal subregional groupings. We feel that representation should be decided by Local Authorities, not the RPG.”

Regional Inter-borough Dialogue

There were very diverging views on the value of inter-borough dialogue and its contribution to cross-borough planning. Some respondents felt these had already happened in previous years, whilst others felt discussions were not overly effective. There does not appear to be too much consensus over whether full regional discussion, formal or informal sub-regional discussion, or 1:1 inter-borough discussion represents the best method of consolidating regional commissioning.

One response highlighted that the Transition Year had not produced any major inter-borough disputes implying that it may be clearer 'what works' in future years.

"Cross borough conversations have taken place informally for several years re Diplomas and other provision so these were built on again informally."

"Some conversations were inconclusive. [There is a] need for some overarching framework or need for new provision if market demand already being met. Needs to take place at a strategic level looking at policies that could affect neighbouring boroughs in the medium term."

"These meetings were invaluable particularly in respect of planning specialist or targeted provision. It is worthy of note however that the discussions were not tested from our perspective in terms of any real disputes in the process."

"I think we need collectively to decide if RAG or ad hoc SRG are the way forward? I think RAG is better but, it would need to meet more regularly and have an enhanced role. As we move forward much more of the work will be pan London LLDD / Young Offender etc. and travel to learn cannot really be effectively discussed in smaller groupings, other than as a preamble."

Regional Planning Process Outcomes

Similarly there was a range of views on how effective the commissioning process had been overall. Some authorities felt that it was broadly fair, others that it was flawed and not transparent. One borough raised questions over whether the process will succeed in future years without the safety net of LSC taking responsibility.

"Given the LSC was still leading the regional planning this was an 'agree' answer. However, there appears to be an inevitable tension between what the RPG wishes to achieve on behalf of all London boroughs, what the YPLA needs to achieve nationally and what the individual boroughs may want or need to achieve. We feel very strongly that the RPG / RAG should be allowed to develop a methodology, using NCF, that encourages YPLA to think of itself as a responsive agency, not a directive one as the LSC was."

"The process was applied consistently but does not allow for local discretion."

"We agree that the outcomes of the process were broadly fair but don't believe that many providers would regard them as totally transparent. Hopefully next year we will be able to publish the process for agreeing growth and dealing with infrastructure changes much earlier in the year and will be working with providers throughout the year to be as clear as possible as to criteria."

"Yes, generally fine but more thought needs to be given to the process for allocating growth (if any) in 2011-12. If a subgroup is set up it needs to be given a clear remit including the criteria for making decisions. The RAG as a whole then needs to have access to all the information before it can decide whether or not to endorse the recommendation of the subgroup."

"LSC moderation occurred at the same time as a RAG meeting to discuss allocations. This was hardly fair or transparent! Improvement would include a published timetable to allow each step of the process to be planned for effectively. The process for managing growth proposals deviated from the initial agreed arrangement. Future Guidance on growth should be comprehensive and adhered to."

There were also some specific comments around issues with the system and how certain aspects of the commissioning process could be improved in future. The RPG

response to the NCF consultation strongly stated the requirement for increased flexibility in order for local authorities to exercise their strategic leadership.

“If the system continues to reward unplanned growth by consolidating it, this leaves us with little scope to commission provision to meet RPA requirements.”

“As the LA becomes experienced in the commissioning process, I hope that there will be more flexibility within the system for it to influence the allocations process.”

“There appears to have been little progress in developing a regional approach to the commissioning of LLDD provision. We feel this is an area in particular could be improved through regional planning.”

“The current funding methodology leaves minimal scope for local authorities to make local decisions on distribution of funding and implement strategies to change the mix and balance of local provision. An example of this, is the limited influence we had over the use of any additional funding (core 16-19 and ALS) or to shift provision to meet local needs due to the tight criteria applied.”

“The process for agreeing negotiated Additional Learner Support needs to improve for 2011/12 for the following reasons:

- The business case template had no criteria or rationale associated with it so it was difficult to write a business case that would secure additional ALS.*
- The assessment of the ALS growth business cases were not moderated by RPG yet the 16-18 growth business cases were.”*

“I believe the only way forward is by agreeing a language of quality, where quality gets growth and lack of performance may not lead to a cut, but should certainly result in a cap on growth.”

SUPPORT AND GUIDANCE

RPG role in support and setting priorities

Most authorities used *Taking a Lead, Making a Difference* when preparing their commissioning statements although several stated that they would have preferred it to have been available earlier. This was also cited as a reason why some boroughs were unable to make use of it.

“The document was very useful but needs to be published earlier.”

“Priorities come too late to make any real difference, but we did check they were consistent.”

Most authorities also felt that the RPG and RAG set commissioning parameters to at least some extent, but a few comments indicated that they were quite broad and this allowed for a degree of flexibility in interpretation. Some authorities also felt that timescales were again an issue and would have appreciated information earlier.

“To an extent. The parameters for deciding growth were interpreted differently by different borough, leading to the conclusion that it was not clear what should be done to get through the criteria for growth.”

“Timescales were a little bit too flexible and changed.”

“[The] parameters did sometimes change or were issued in insufficient time to conduct activities thoroughly. For example, the guidance on displacement

discussions was issued after we had commenced discussions and did not make allowance for the considerable resource requirements."

"The RPG and its RAG became more effective as the year progressed and ensured that LAs developed a consensus view on issues."

As well as timescales there were also some questions raised over the effectiveness of communications between RPG and boroughs. On the whole the information flow was generally perceived to be good considering that there were specific difficulties consolidating 32 different approaches and also the fact that the shadow RPG itself was unstaffed during the transition year. However, certain issues such as the routing of e-mails to correct personnel in local authorities or ensuring language is clear and understandable, are areas which RPG will be expected to address for the future.

"The information received from the RPG has been good."

"The information from the RPG has not always been communicated effectively. As stated above, the terminology used has not always been clear to all partners. This is further complicated when expressions and words have different meanings for different members of the partnership. The volume of paperwork has on occasions taken considerable time to unscramble and this has been a particular issue when there have been very short turn around times or competing deadlines."

"In the early days it was unclear what communication came from the RPG and what came from LSC. Often information was sent requesting action with a very tight deadline for response. Some communications were only sent to DCS which caused delays in information reaching the responsible officer."

The 14-19 Leads events organised by RPG and the DCSF Special Adviser had been well received (by those who attended) and were felt to have been productive for information sharing and developing understanding of the new local authority role:

"Good use of time to bring post 16 issues and 14-19 developments together in the same meetings."

"The Leads conferences enable the sharing of best practice and provide a very useful network with colleagues across London. However, it would be useful to have the dates published well in advance and to avoid Wenesdays which are 14-19 partnership meeting days in many LAs."

"Yes, but sometimes these were too long. Half day is enough."

Shadow Young People's Learning Agency Role

Boroughs felt that the shadow Young People's Learning Agency (YPLA) had generally provided useful support. Only one borough disagreed stating *"I'm not aware that it existed."*

"YPLA staff were supportive, in particular around resolving a data issue with the college. It would have been more helpful if they could have shown greater flexibility early in the process around anomalies in the funding formula e.g. cohort change."

"Colleagues at the former LSC ensured that the LA had the support it needed during the transition year. This was essential, because no LSC staff transferred to the LA."

"[The shadow YPLA provided appropriate support to assist local authorities with commissioning decisions] although where LSC and LA decisions differed, it was still very LSC driven."

Overall the vast majority of local authorities felt that when they needed support the RPG and/or YPLA/LSC colleagues had been on hand to help.

"The contacts were clear from the outset. Colleagues in the shadow RPG were quick to respond and helpful, developing good relationships with the LA."

"The borough was well supported by its YPLA Senior Adviser and all queries raised through RPG were addressed"

There was a general sense from some quarters, though, that the roles of the YPLA and RPG (and other key bodies) may need to be more clearly defined as the commissioning process develops in the future.

"We'll need to be clear on the role and remit between the YPLA and the RPG so that we do not duplicate efforts or create confusion."

"...the roles of RPG and YPLA should be taken seriously, in order for the responsibility not to be abdicated to YPLA because RPG and its members cannot decide in a timely manner on important decisions such as how displacement is defined and analysed."

"We feel that the YPLA should continue to provide the data service and the RPG are the best placed to facilitate dissemination of best practice and support to local authorities. It would be useful for these roles and responsibilities to be clearly defined."

"The process was complicated this year by the involvement of two organisations-the LSC and the RPG and whilst this is totally understandable it did make for a conflicting picture on occasions."

"There is some provision which would be much better delivered on a regional basis through the RPG e.g.-Young Apprenticeships."

Transition Year Toolkit

There was agreement among boroughs that the Transition Year Toolkit had been very helpful for local authorities in getting to grips with their new role, with few comments suggesting much improvement needing to be made for future years.

"From a local authority perspective the documents provided a useful framework and aided our understanding of what needed to be done."

"The toolkit was very useful but could be streamlined for next year. It would be helpful to have good practice examples of commissioning plans."

"The toolkit provided a good base for local authorities. The templates ensured a consistent approach to the commissioning plan and to the background information given by providers. It would be useful to build on this next year and refine some of the templates to ensure that they are understood by all providers, simple to use but still give the necessary information."

There were specific comments made about the Planning Volume Template included in the toolkit:

"The PVT is being interpreted differently by providers (despite support given) and consequently it may not provide the right level of information when aggregated."

“The London version was issued with no definition or explanation of why the information was required - to providers or the local authority.”

Additionally two authorities felt that the May 31st deadline for this document to be returned was unhelpful partly because by then providers had forgotten their initial instructions about completing it.

Other Stakeholders

Some feedback on the Transition Year was also received from other stakeholders, including providers through provider representative bodies. There were differing opinions from providers over how the process had gone although few were completely negative and were more often cautious.

Seven London colleges responded to a national Association of Colleges survey on the process – most of whom dealt with more than one London Borough. Many of the answers were couched in a “traffic light” response system – ‘red’, ‘amber’, ‘green’. Some of the feedback is collated below:

- There was an even split of two colleges each feeling that they had either good or bad engagement at a local level. The other three rated this ‘amber’.
- The picture was less encouraging for engagement at regional level with five colleges rating this ‘amber’ and two marking this ‘red’.
- Only one college answered ‘red’ to their confidence in local authorities to plan and commission effectively although the other six rated this ‘amber’.
- Three colleges had a negative view of local authority intentions to commission ‘provider neutrally’ whilst the other four stated ‘amber’.
- Two colleges gave a ‘green’ light to their confidence in local authority communications with four ‘amber’ and only one ‘red’.
- Four colleges felt that local authority knowledge of the the College sector rated ‘red’, with two ‘amber’ and one ‘green’.
- Five out of seven stated they had no concerns over local authority planning intentions and all seven said they had no evidence of negative political influence on the part of councillors.
- Six colleges felt they were adequately represented on 14-19 partnerships, although four did not feel there was adequate provider representation on the RPG.

Some specific comments from providers included:

“There has been a high level of professionalism between local authorities, agencies and others who have been determined to make transition smooth for learners in spite of a very short planning and consultation timeline.”

“In relation to specialist colleges at the present time, there are many [LLDD] learners in London who still have not received confirmation of funding for September - this is worrying and carries a high risk of negative publicity which should be addressed urgently.”

The London Work-based Learning Alliance felt that it had experienced a positive relationship with the RPG during the transition year. However, it cautioned that providers were not necessarily clear about how the RPGs role and remit may develop and it was important that close ties were maintained.

They also felt that the transition year had particular impact on e2e providers, complicated with the move from e2e to foundation learning. These providers had mixed experiences with local authorities often dependent on the available knowledge base in specific boroughs around their work. In general it was hoped that there would be increased understanding of the role of work-based learning in future years.

Additionally one local authority reported back with positive comments from their providers.

“Our providers have fed back to us that the transition has been smooth.”

PART THREE - Conclusion

Overall the feedback on the transition year received from all sources was largely positive. There is clearly room for improvement in several areas – particularly around the timing and clarity of communications; the definition of organisational roles; and uncertainty about how far the present process might withstand greater pressure in future. However, when considered within the context of the specific constraints of bedding in a new system, most parties are agreed that the commissioning process was generally managed effectively during the transitional year.

“In the main we felt it [local commissioning] worked very well especially given the high number of boroughs and varying levels of expertise.”

“I am grateful to colleagues at the RPG for ensuring that there was a two year planning period prior to the LA taking over this responsibility and for their support and direction throughout the process.”

“On the whole I think it worked very well and has put us all in a good position to take the next steps.”

“Many thanks for the high quality support from the central team.”