

Decision Pathway Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 01 May 2018

TITLE	Devolution of the West of England Adult Education Functions Order 2018 - Legislative Process		
Ward(s)	City wide		
Author: Jane Taylor	Job title: Head of Service (Employment, Skills and Learning)		
Cabinet lead: Cllr Anna Keen	Executive Director lead: Jacqui Jenson		
Proposal origin: <i>Other</i>			
Decision maker: Cabinet Member Decision forum: <i>Cabinet</i>			
Timescales: The West of England Combined Authority (WECA) require a decision from Bristol City Council and other constituent local authorities in relation to the transfer of adult skills statutory duties by no later than 1 st June 2018.			
Purpose of Report: To give consent to the West of England Combined Authority (Adult Education Functions) Order 2018 by the Department for Education passing statutory duties regarding the provision of adult education currently held by the Secretary of State for Education to the West of England Combined Authority.			
Evidence Base: Bristol City Council, South Gloucestershire Council and B&NES signed up to the devolution of funding to address the provision of adult skills (currently known as the Adult Education Budget (AEB)) as part of the first West of England Combined Authority (WECA) devolution deal in 2016. The agreed deal set out that: “HMG will fully devolve to WECA all Adult Education Budget by 2018/19. In addition, grant to WECA co-commissioning rights to all non-devolved post-16 skills funding including that controlled by the EFA. Decisions on the devolved and co-commissioned programmes will be led by Local Outcome Agreements developed in conjunction with local employers and focusing on key sectors identified in the West of England Strategic Economic Plan.” AEB is the only Government funding stream for adult learning and skills which includes both accredited and informal learning. Current AEB activity to Bristol residents is predominately delivered through the City of Bristol College; Bristol City Council Community Learning Team (as part of Community Learning West Consortium), the WEA and other local FE Colleges. The attached background information outlines more information about the proposed devolution of AEB funding to WECA.			
Recommendations: That Cabinet: <ol style="list-style-type: none"> 1. Give consent to the devolution of the West of England Combined Authority (Adult Education Functions) Statutory Duties Order 2018. 2. Delegate to the Director Finance in consultation with the Deputy Mayor and Cabinet Member for Finance, Governance & Performance and the Mayor, authority to make decisions in relation to the order and its implementation and provide to the Secretary of State written confirmation of the Councils consent to the West of England Combined Authority (Adult Education Functions) Order 2018. 			
Corporate Strategy alignment: AEB funding currently provides resources that directly support the delivery of the Corporate Strategy themes and commitments: Fair and Inclusive – by improving educational outcomes and reducing educational inequality experienced by adults who have few or no formal qualifications. Well Connected – by reducing social and economic isolation and helping connect people to people, people to jobs and people to opportunity through high quality, community based and responsive community learning programmes.			

City Benefits: There are a number of potential advantages for Bristol residents and learners to devolving control of AEB from central government including: i) improved alignment of adult learning outcomes with wider Bristol City Council and WECA priorities, and also meeting the needs of local public and private sector employers; ii) the introduction of new flexible funding rules based on agreed local outcomes and enabling improved responsiveness, such as multiple year funding agreements; iii) potential enhanced value for money locally via rationalisation, reduced duplication and greater transparency leading to improved economies of scale in the provider base and a more rigorous measurement of local outcomes.

Consultation Details: Internally advice has been sought from Bristol City Council Section 151 Officer, Monitoring Officer and other strategic senior leaders. Officers from Bristol City Council are working alongside officers from South Gloucestershire Council, B&ANES, WECA and the Department for Education. The City of Bristol College and other FE Colleges and training providers in the West of England are also involved in regular discussion and consultation.

Revenue Cost	£ n/a	Source of Revenue Funding	
Capital Cost	£ n/a	Source of Capital Funding	
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: Currently, £1.8 million Adult Education funding is channelled to Bristol from the Education and Skills Funding Agency. Subject to the appropriate consents, the proposal for the Secretary of State is for the funding to be channelled through the West of England Combined Authority (WECA). It is expected that WECA would continue to commission in the same way during any transitional period in order not to destabilise provision. If this were to happen, this would allow the service to plan any changes in provision and its impact on the core and sessional staff employed to provide Adult Education in the city. There are risks, but the requested transitional arrangements will allow planning for any change. At this stage, plans are not sufficiently developed to be able to say what impact this would have on existing provision and funding available to the Council.

Finance Business Partner: David Tully, Interim Finance Business Partner, April 13th 2018

2. Legal Advice: The West of England Combined Authority (Adult Education Functions) Order 2018 will be specified in regulations made under the Education Act 1996. At this time all that is being sought from the Council is consent to the making of the Order transferring specified duties and funding to the Combined Authority, as anticipated in the Devolution Agreement (Paras 13-17). Decisions by the Combined Authority regarding the exercise of those duties and allocation of funding will be subject to its normal decision making requirements. There are no direct equalities implications arising in relation to this report. These will be set out in the relevant investment decisions ahead of the budget setting process for 2019/20.

Legal Team Leader: Eric Andrews, Team Leader, Legal Services, April 13th 2018

3. Implications on ICT: There are no direct IT implications identified in this initiative. However, any intentions to share data or allow access to BCC systems will need to be complaint with BCC policies and appropriate legislation, particularly GDPR. Early engagement with the IT service will help ensure suitable and timely implementation of any such activities, should they be necessary.

ICT Team Leader: Ian Gale, Service Manager: ICT Service Delivery and Integration, March 13th 2018

4. HR Advice: Currently there are no HR implications within this proposal, however once we have the devolved budgets in place then we will look at the HR implications as part of the overall project.

HR Partner: Lorna Laing, HR Business Partner March 13th 2018

EDM Sign-off	Jacqui Jensen	14 th March 2018
Cabinet Member sign-off	Cllr Anna Keen	12 th March 2018
CLB Sign-off	Jacqui Jensen	20 th March 2018
For Key Decisions - Mayor's Office sign-off	Mayor's office	29 th March 2018

Appendix A – Further essential background / detail on the proposal A(i) Adult Education Budget Devolution - Essential Background Information	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	NO
Appendix F – Eco-impact screening/ impact assessment of	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Combined Background papers	N/A
Appendix J – Exempt Information	NO
Appendix K – HR advice	NO
Appendix L – ICT	NO