

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**DATE:**

**REPORT OF DIRECTOR  
CULTURE, LEISURE &  
EVENTS**

### **COUNCIL DECISION**

**Adult Services and Health – Lead Cabinet Member - Councillor Jim Beall**

#### **ESTABLISHMENT OF A GOVERNING BODY FOR THE LEARNING AND SKILLS SERVICE**

##### Summary

The report proposes the creation of a Governing Body overseeing Stockton Borough Council's Learning and Skills Service, to strengthen the governance arrangements and enhance the high level scrutiny and challenge of the service. The Governing Body would be constituted as an advisory committee established to advise the executive on the discharge of its learning and skills functions.

This proposal responds to the requirements of the new Ofsted Common Inspection Framework and findings of recent Ofsted assessments of other local authority adult skills services.

##### Recommendations

Cabinet recommends to Council the creation of a governing body for the Learning and Skills Service

##### Reasons for the Recommendations/Decision(s)

To allow the establishment of an advisory committee, providing strengthened governance and leadership challenge in relation to the Learning & Skills service. This will also meet the anticipated expectations of Ofsted.

##### Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of

the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

### **Disclosable Pecuniary Interests**

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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This proposal responds to the requirements of the new Ofsted Common Inspection Framework and findings of recent Ofsted assessments of other local authority adult skills services.

**RECOMMENDATIONS**

1. Cabinet recommends to Council the creation of a Governing Body for the Learning and Skills Service.

**DETAIL**

1. Stockton Borough Council's Learning and Skills Service is a 'good' (Ofsted grade 2) provider of post 16 education and training, delivering across the Borough, often in the most disadvantaged communities. The service aspires to become an 'outstanding' provider within the borough and one area for development highlighted in the 2014-15 self-assessment report, is to further improve the governance arrangements. The service already receives scrutiny and challenge through existing Council-wide performance monitoring and through the input of Corporate Management team to the development and approval of annual service plans. Service plan priorities are included in wider Council plans which are themselves subject to scrutiny and challenge by CMT, Cabinet and the whole Council. In addition, the Lead Cabinet Member for Adult Services and Health meets with the relevant Director and Service Manager and receives reports on progress and achievements. However, this scrutiny and challenge is embedded in a range of informal and formal systems.
2. When inspecting providers, Ofsted make judgements against the Effectiveness of Leadership and Management and they are placing much more emphasis on the robustness of governance. Similar providers to Stockton Learning and Skills Service have recently been downgraded, often to a grade 4 'inadequate provider' based on their lack of strategic overview and governance arrangements. Inspectors evaluate the impact of leadership and governors' work in developing and sustaining an ambitious culture in the provider, including

at all sites and in subcontractors, and the impact this has on the aspirations of learners and staff and learners' outcomes.

3. We believe it would strengthen our position in relation to future inspection if we were to formalise and refocus our dispersed governance approach into a new Governing Body. The Governing Body, constituted as an advisory committee, would advise the executive on the discharge of its learning and skills functions. It is envisaged that the Governing Body would meet termly to scrutinise the performance of the service and provide support to address areas for improvement. The Governing Body would make recommendations to the Director of Culture, Events & Leisure and the Learning & Skills Service Manager on strategic and performance matters and report to Cabinet annually. This would make the high level, strategic and systematic challenge and leadership of the adult learning and skills agenda clear and explicit.
4. The Governing Body would need to include approx. 6-10 members with relevant skills sets e.g. education, employer relations, and strategic planning. Governors will need to 'know the organisation well', receive regular and detailed reports, and 'support/challenge the strategic leadership. They will also need to know the key strengths and areas for improvement of the service and be able to demonstrate a positive impact on raising the quality of provision.
5. The method of recruitment and selection of governing body members would need to be agreed in detail, but will incorporate an element of open invitation and application, alongside invited individuals identified as holding the relevant skills, and nominated representatives of key partners.
6. Suggested membership:  
Relevant Lead Cabinet Member (Chair)  
Up to 2 Representatives of local employers  
Up to 2 Representatives of Further Education colleges or other adult skills providers  
Up to 3 Individuals selected for particular areas of expertise, eg schools, community, voluntary sector, social enterprise.
7. The Director of Culture, Leisure & Events, and the Assistant Director of Schools and Special Educational Needs will attend the Governing Body as advisors.
8. The committee may co-opt or invite other individuals to support specific pieces of work and invite officers of other services to contribute to discussions as advisors.

## Area Review context

9. The Government's policy statement "[Reviewing Post-16 Education and Training Institutions](#)" sets out their approach to facilitating a restructuring of the further education sector. This is being done through a series of area based reviews of provision. The Tees Valley Area review is currently underway. The aim is to move towards fewer, larger, more resilient and efficient providers, and more effective collaboration across institution types. It will be important to create greater specialisation by establishing institutions that are genuine centres of expertise. This is intended to support sustained progression in professional and technical disciplines, alongside excellence in other fundamental areas – such as English and maths.
10. In the longer term, the greater specialisation resulting from the review is expected to lead to the creation of a new network of prestigious Institutes of Technology. These new institutions will work collaboratively with other colleges and providers, including National Colleges, to deliver high standard technical and professional education at levels 3, 4 and 5.

11. This gives Stockton Borough Council's Learning and Skills Service the opportunity to join up high-level planning with local colleges and other training providers and the Governing Body would help to provide the drive and strategic overview of this process.

## **FINANCIAL IMPLICATIONS**

12. There are no direct financial implications to the council, other than staff time in providing administrative support and advice to Governing Body. It is envisaged that members would meet termly as a full governing body.

## **LEGAL IMPLICATIONS**

13. The Governing Body would be set up as an Advisory Committee, allowing the involvement of a majority of non-council members. The Terms of Reference will set out the Board's intended aims to challenge and oversee the strategic direction and performance of the Learning and Skills Service, assessing progress against strategic objectives and making recommendations to the executive for future improvements through appropriately timed reports to Cabinet.

## **RISK ASSESSMENT**

14. This 'Establishment of a Governing Body' report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk. Once established, the Governing Body is expected to reduce the risk of a negative Ofsted inspection and also reduce the risk of the Learning & Skills Service failing to move strategically to exploit the opportunities created by the changing landscape of adult training and learning providers and workforce development needs.

## **COUNCIL PLAN THEMES**

15. Further strengthening of the Learning & Skills service, as set out in this report will support a number of Council Plan themes, but in particular Economic Regeneration and Transport, Adults, and Stronger Communities.

## **EQUALITIES IMPACT ASSESSMENT**

16. This report has been subject to Equality Impact Assessment consideration and has been judged to have a positive impact. The Governing Body would have oversight of the work of the Learning and Skills Service and how it is targeting provision at those most at need, including people with all protected characteristics.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

17. Consultation with the Cabinet Member for Adult Services and Health has been carried out in line with the Concordat for Communication and Consultation with Members

**Name of Contact Officer: Fabienne Bailey**  
**Post Title: Learning and Skills Manager**  
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Education related? Yes

Background Papers

Ward(s) and Ward Councillors:

Property

No implications identified in relation to the Council's property.