



Public Good and a Prosperous Wales - the next steps

WLGA Consultation Response

July 2018



CLILC • WLGA

Introduction

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales. The three national park authorities and the three fire and rescue authorities are associate members.
2. It seeks to provide representation to local authorities within a policy framework that is underpinned by a commitment to local democracy and accountability. In doing so it must satisfy the priorities of our members and ensure that local public services are at the forefront of the debate on developing devolution in Wales and the communities we serve.
3. The WLGA welcomes the opportunity to respond to the Welsh Government's Consultation Document *Public Good and a Prosperous Wales*. The Association does however have some concerns about the nature of the consultation process. It is recognised that the current consultation document is a "technical consultation" but the document is over 150 pages long and asks over 100 specific questions. It is difficult to see how individuals or organisations can engage in a consultation exercise which makes such demands of participants. The Association also has doubts about the methodology adopted for this and the earlier White Paper consultation and would like to see greater transparency and clarity over how responses are assessed. For example, paragraphs 199-200 on page 67 of the current consultation responses comments that:

"A minority were against the inclusion of sixth forms in the remit of the Commission due to them being part of a school. . . . The main respondents here were from the school sector, including some local authorities and the Welsh Local Government Association." The report goes on to note that "A small number of respondents were keen for sixth forms to be an option for inclusion at a later date, so as not to over burden the new Commission at the outset or see how things develop before adding sixth forms. This is the view of most of the higher education sector, some unisons and others."

4. Section 7 of the Government of Wales Act 2006 requires the Welsh Ministers to make a scheme "the local government scheme", setting out how they propose to sustain and promote local government in Wales. The current Scheme recognises the WLGA in its role as representative voice of the 22 authorities in Wales. It is surprising therefore to see the views of the WLGA and most of higher education in Wales presented as a "minority" view.

Background

5. The WLGA set out its views on Professor Ellen Hazelkorn's report "[Towards 2030: A Framework for Building a World-Class Post-Compulsory Education System for Wales](#)" in its response to the Welsh Government's 2017 White Paper consultation. The WLGA supports much of Hazelkorn's analysis of post-compulsory age education and training in Wales and supports fully the aspiration to bring greater coherence and coordination to post-16 provision and the urgency of eliminating duplication and competition. The WLGA does not however support the creation of a single Commission to be

responsible for the oversight, strategic direction and leadership of the Post Compulsory Education and Training (PCET) sector.

6. This approach has failed in the past and the WLGA sees no evidence to suggest that it will be more successful on this occasion. Between 2001 and 2006 the National Council for Education and Training for Wales (Education and Learning Wales - ELWa) attempted to create a national planning framework and funding formula for the PCET sector and failed in almost all its objectives. ELWa was criticised from the outset for a series of failures in financial management, poor risk management and organisational restructuring and was merged with the Welsh Government in 2006. Its functions were subsequently exercised by the Welsh Government and it took almost a decade to rectify the damage caused by the exercise. Returning to this failed approach after 8 years of austerity fills many in local government with deep anxiety.
7. School 6th forms suffered huge fluctuations in their funding from year-to year at this time and although stability was restored subsequently, schools have had to struggle ever since with the disparity between pre and post-16 funding. There is a strong feeling within local government that 6th forms have been underfunded and that schools have been disadvantaged since the funding was taken out of the Revenue Support Grant (RSG).
8. The current consultation document is predicated on the creation of a PCET Commission with responsibility for the funding of 6th forms and their quality assurance. The Association rejects this approach and as stated earlier has doubts about the value of a consultation exercise that follows the structure of *Public Good and a Prosperous Wales*. For that reason, the WLGA will respond to the themes and policy direction of the consultation rather than each of the 100 detailed questions.

Concurrent Developments

9. *Public Good and a Prosperous Wales* sets the PCET process within the context of wider education reform and the Welsh Government's overall strategic approach to policy development yet there is no recognition of the concurrent debate about local government reform. The PCET consultation is taking place at the same time as the Cabinet Secretary for Local Government and Public Services, Alun Davies AM, is initiating a debate on local government reform. The recent Green Paper and many of the Cabinet Secretary's public statements talk about strong local government with new powers and responsibilities. There is also a growing regional agenda where City Deals and Growth Deals, aligned to Regional Skills Partnerships, are developing strong governance arrangements and successful collaborative projects. It is difficult to understand how this approach aligns with the policy direction set out in this document, where it is proposed that the responsibility for 6th form funding and other aspects of delivery are increasingly centralised in the proposed Commission.

The Commission

10. The WLGA has argued in relation to PCET reform that post-16 provision should be organised within a democratic framework with local accountability. It is based on the

WLGA's view that decisions about how services are planned, funded and managed should be taken as close to the point of delivery as possible or practical. The Association does not believe that a Commission covering all post-16 and higher education provision for the whole of Wales accords with these principles. The proposed Commission is described throughout the consultation document as being at "arm's length" from the Welsh Government "but within a strategic planning and funding framework established by Welsh Ministers." What exactly is meant by arm's length is not clearly defined at any point and but paragraph 21 on page 17 makes it clear that, *"The Commission will be accountable to Welsh Ministers in the exercise of all its functions."*

11. It is proposed that the members of the Commission's Board should be recruited through a public appointments process and that there should be between 9 and 15 members. The document also proposes that the Commission should take on the responsibilities currently carried out by other advisory boards and while reducing complexity in this confusing and congested sector is the right approach in principle, it is difficult to see how these processes will operate in practice. Investing so much responsibility in such a single national Commission, with so few Board members and such a close relationship with the Welsh Government does not align with local democratic accountability. It is difficult if not impossible to see how such a remote system of governance can take decisions about provision within individual schools, 6th forms or other aspects of post-16 provision. Such a centralised, top-down, prescriptive model does not align with the rhetoric of creating a system which is self-improving, focuses on learner needs and is focused on regional skills and employment needs.
12. It is also unclear as how independent the Commission and its Board will be from the Welsh Government. While it is recognised that the PCET sector must have a strong and clear working relationship with the Welsh Government the demarcation between the strategic and the operation is not clear here and as such lines of accountability are unclear. The WLGA has always recognised the role of the Welsh Government in the setting of national strategy but has always maintained that services should be delivered and planned locally taking account of local circumstances. The level of central planning proposed in this instance has not worked in Wales in the recent past and it is difficult to envisage how it would succeed in the future. There is a further danger that all the powers for funding and planning post-16 provision would rest with the Welsh Government, but the accountability would rest with a small number of publicly appointed Board members.

The Relationship between the Commission and Learning Providers

13. The proposed relationship between the Commission and learning providers is a complex solution to an already complicated sector. It appears to create an unnecessary and additional layer of bureaucracy that cuts across existing governance arrangements. There would be too many reporting lines in a sector which is already overcrowded. School 6th forms currently have a relationship with school governing bodies and their local authority, operate within Estyn's inspection framework and

within the wider qualifications framework regulated by Qualifications Wales and the examination professional development framework provided by the WJEC. There is a wider concern that it accommodates and encourages greater provision of education and training by the private sector. The WLGA has always opposed the creation of English style academies in Wales and would resist any shift in policy approach which moved in that direction. The Association has sought assurances from successive Education Ministers on this principle.

Strengthening the link between planning and funding

14. The WLGA is sensitive to the need to link planning and funding. The existing structures are a legacy of the failed ELWa experiment and need simplifying and streamlining. The WLGA's preference would be to transfer the funding and responsibility for 6th forms back into the RSG. The Association also believes that responsibility funding the FE Sector should return to local government so as to avoid the current level of competition and duplication and to bring coherence to the sector. Local government provides the required local accountability and the wider democratic framework to fulfil this function. It is also felt that more consideration should be given to the roles of the City Deals and Growth Deals. The regional governance arrangements of these initiatives are maturing and their close link with the Regional Skills Partnerships provide considerable potential for further development.
15. Existing City and Growth Deal structures are realistic alternatives to the proposed Commission: they could work more closely with the FE and HE sectors; could build on and further develop existing understanding of regional skills requirements and focus on the wider needs of the Welsh economy.
16. The WLGA works closely with the three existing Regional Skills Partnerships but recognises that they are still embryonic in their development and need to expand in their scale and scope if they are to produce the kind of employment and skills action plans that meet fully the needs of learners, communities and the Welsh economy. Structures and processes are in place however and they need support to evolve and develop their full potential. They are evolving into the skills vehicles for their respective City Deals and Growth Deals - although the skills needs of Growing Mid-Wales need to be recognised with their own Skills Partnership - and should be supported in their further development. Like all partners in this sector, they would benefit from multi-year settlements.

Protecting the Interest of Learners

17. The WLGA supports fully the focus on protecting the needs of learners and believes that learners, their parents and guardians should be involved in all aspects of provision and should have as much of a say how services are managed as is possible. The WLGA supports a more inclusive approach to post-16 provision that enables young people to fulfil the potential that they have and to contribute to and participate in sustainable communities and a prosperous economy. This means removing barriers but also equipping young people with skills to make informed choices and providing them with the opportunities to make meaningful choices. This means supporting

learners choosing vocational as well as academic pathways and providing learners and their parents or guardians with information and knowledge at a much earlier age. Local authorities rather than a national Commission are best placed to support learners in these circumstances.

Quality Assurance and Enhancement

18. The WLGA does not believe that school 6th forms should come under any new quality assurance framework. Regulation and inspection in Wales needs to be streamlined, integrated and proportionate. The recent Review of Estyn was a missed opportunity to view inspection in this wider context and any PCET reform should aim to streamline and reduce complexity. It is recognised that consistency of strategic approach is needed, that the system needs to be coherent and joined-up as possible, robust but also proportionate.

6th Forms

19. School 6th forms should remain an integrated part of local authority provision and should be funded through the RSG. The WLGA does not believe that the proposed Commission has any role in the governance of 6th forms, school organisation, school admissions, regulation, planning or funding. These are all intensely local decisions that should be undertaken within a democratic framework of local accountability and not by a national quango. The Association recognises that they must operate within a national strategic framework and increasingly within the context of Regional Skills Partnerships and City and Growth Deals.

Supporting the Welsh Language

20. Welsh Local Government supports the Welsh Government's target of 1million Welsh speakers by 2050. The WLGA and Local Government as a whole has supported the delivery of Welsh Language Standards and collectively have a strong track record of successful delivery. Local authorities prioritise their Welsh in Education Strategic Plans and take their responsibilities very seriously. It is inconceivable therefore that any PCET changes or the proposed Commission should interfere in this area.

Conclusion

21. The WLGA supports the principle of reform of the PCET sector and recognises the need for the Welsh Government to provide a clear strategic vision. A more coherent and integrated approach to planning and funding is welcome but the WLGA does not believe that the creation of single, national, arm's length public body to manage and oversee the whole of post-16 provision is sustainable or desirable.
22. The Association is firmly of the view that the funding and planning of 6th form provision should stay within local government but recognises it should align with a wider national approach to post-16 provision. To this end, the WLGA sees an enhanced role for local government, through the further development of the City and

Growth Deals and their governance arrangements, along with the Regional Skills Partnerships, in the planning of wider aspects of PCET provision including the FE sector.

23. These reforms should be based on the principles of subsidiarity, of giving local people a stake in the services they use and the need to provide all public services within a framework of local democratic accountability.

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