
To: Education and Children Policy Board

On: 5 November 2015

Report by: Director of Children's Services

Heading: Community Learning and Development Regulations

1. Summary

- 1.1. The Scottish Government launched the Requirements for Community Learning and Development (Scotland) Regulations 2013 which place a legal requirement on local authorities. The regulatory requirements and policy context are summarised in this report.
 - 1.2. The Community Learning and Development (CLD) Regulations support the achievement of four policy goals and have a specific focus within the strategic objectives for the reform of public services.
 - 1.3. A specific requirement of the Regulations is the creation and implementation of a strategic plan, which details how CLD activities will be delivered in a local authority area. A draft strategic plan has been written and feedback on it is being sought at present from partner organisations. The finalised strategic plan will be submitted to the next cycle of the Education and Children Policy Board.
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2. Recommendations

- 2.1. It is recommended that the Education and Children Policy Board note the policy context and the regulatory requirements placed on local authorities, summarised in this report.
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3. Background

- 3.1. In June 2012 the Scottish Government issued the Strategic Guidance for Community Planning Partnerships: Community Learning and Development (CLD Strategic Guidance). The document is directed at Community Planning Partnerships (CPPs) and recognises the vital role played by a wide range of organisations and services.

- 3.2. The CLD Strategic Guidance clearly identifies a lead role for local authorities “to provide clear leadership and direction, and to drive the action needed to ensure they maximise the contribution of CLD partners in the reform of public services”.
- 3.3. This expectation has now been formalised by the Requirements for Community Learning and Development (Scotland) Regulations 2013 which places a legal requirement on local authorities to fulfil this role.
- 3.4. The CLD Regulations support the achievement of four policy goals:
 - To ensure communities across Scotland (particularly disadvantaged communities) have access to the CLD support they need;
 - To strengthen co-ordination between the full range of CLD providers, ensuring that CPPs, local authorities and other providers of public services respond appropriately to the expectations set by the CLD Strategic Guidance;
 - To reinforce the role of communities and learners in the assessment , planning and evaluation processes, enabling them to shape CLD provision; and
 - To make the role and contribution of CLD more visible.
- 3.5. Community Learning and Development has a specific focus within the Scottish Government’s strategic objectives for public services;
 - Improved life chances for people of all ages through learning, personal development and active citizenship; and
 - Stronger, more resilient, supportive, influential and inclusive communities.
- 3.6. CLD practice should empower people, individually and collectively, to make positive changes in their lives and their communities through learning. The principles that underpin practice are: Empowerment, Participation, Inclusion, Self determination and Partnership.
- 3.7. The CLD Strategic Guidance is part of the wider programme of public reform, which includes the developing role of community planning and the reform of post-16 education. The Guidance is intended to compliments these and other strategy/policy developments.

4. Responsibilities

- 4.1. The responsibility for meeting the requirements of the CLD Regulations rests with the local authority. In line with the Education (Scotland) Act 1980, the CLD Regulations refer to the ‘education authority’ but staff that have a role in securing the provision of CLD may be located in a number of different services such as education, culture, sport, leisure and library services. To comply with the regulations a chief officer within the education authority will be responsible for ensuring that all relevant services and community planning partnership partners are made aware of the regulations.

- 4.2. Where local authority CLD services are provided by arms length external organisations (ALEO) in whole or part, for example Engage and the Renfrewshire Leisure Trust, the duty to meet these Regulations remains with the local authority. It is the local authority's responsibility to ensure that any ALEO provides services in a way which will enable the local authority to meet its statutory obligations.
- 4.3. To initiate, track and maintain progress, a lead person with an appropriate level of seniority must be identified and it is expected that staff with an appropriate skill set relevant to CLD will be in place at all levels of delivery, management and strategic planning.
- 4.4. The local authority also needs to ensure that a range of partners are active in the planning, delivery and evaluation of CLD provision. Effective self-evaluation by groups, services and partnerships remains critical to improving performance and delivering better outcomes for learners and communities. Renfrewshire has a good platform for developing this further through the learning community partnership model.
- 4.5. HM Inspectors will continue to carry out learning community inspections to evaluate the outcomes and impacts of CLD activities in local areas. The inspections will aim to answer to key questions:
 - How well are partners improving learning, increasing life chances, promoting and securing well being?
 - How well are partners working together and improving the quality of services and provision?
- 4.6. HM Inspectors will expect to see learning communities being aware of the CLD Regulations and that partners place a strong emphasis on joint self-evaluation through the use of a quality framework such as 'How Good is our Community Learning and Development 2 and the revised quality indicators updated in 2012.

5. The Regulations

Regulation 1 – Citation, Commencement and Interpretation

- 5.1. The CLD Regulations, which came into force on 1 September 2013, seek to strengthen the legislative basis for CLD, by placing requirements on local authorities in relation to the auditing of need for CLD, as well as consultation and planning at a local level.
- 5.2. The phrase 'community learning and development' in the CLD Regulations includes both programmes with an explicit learning focus and other types of activity that are designed with participants and promote their educational and social development, such as adult literacy programmes. It also includes activities that develop communities as well as promoting the educational and social development of the individuals and groups participating in them such as volunteering.

- 5.3. The CLD Strategic Guidance sets out the Scottish Government's expectations of what is included under the term 'community learning and development' and sets out the types of activities they wish to see partners undertaking to deliver CLD outcomes with target individuals and groups. These activities include:
- Community development – building the capacity of communities to meet their own needs, engaging with and influencing decision makers;
 - Youth work, family learning and other early intervention work with children, young people and families;
 - Community based adult learning, including adult literacies and English for Speakers of Other Languages (ESOL);
 - Volunteer development;
 - Learning for vulnerable and disadvantaged groups in the community, for example, people with disabilities, care leavers or offenders; and
 - Learning support and guidance in the community.
- 5.4. Target individuals and groups include individuals of all ages, geographical communities, communities of interest and existing community or learning groups.
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6. Regulations 2 and 3 - Assessment of Community Learning and Development Needs

Regulation 2 – The process to secure CLD in the local authority area

Regulation 3 – Duty to involve and consult

- 6.1. The education authority is required to initiate and, having done so, to maintain and facilitate a process by which community learning and development is secured within the area of the education authority and is secured in a way that:
- Identifies target individuals and groups;
 - Has regard to the needs of those target individuals and groups;
 - Assesses the degree to which those needs are already being met; and
 - Identifies barriers to the adequate and efficient provision of that community learning and development need.
- 6.2. In exercise of the requirements in Regulation 2, the education authority has to take such action as it thinks fit with a view to securing that the following persons are involved in and consulted on the process:
- Persons appearing to the education authority to be representative of the target individuals and groups; (learners) and

- Persons appearing to the education authority to be representative of persons providing community learning and development within the area of the education authority. (partners)
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7. Regulation 4 – Three Year Plan

- 7.1. To comply with the above regulations the local authority is required to publish a three year plan.
- 7.2. The plan must specify:
- How the local authority will coordinate its provision of community learning and development with other persons that provide community learning and development within the area of the education authority;
 - What action the authority will take to provide community learning and development over the period of the plan;
 - What action other persons intend to take to provide community learning and development within the area of the education authority over the period of the plan; and
 - Any needs for community learning and development that will not be met within the period of the plan.
- 7.3 Before publishing the plan, the education authority must consult with;
- Persons appearing to the education authority to be representative of the target individuals and groups for community learning and development;
 - Persons appearing to the education authority to be representative of persons providing community learning and development within the area of the education authority; and
 - Such other persons as the education authority thinks fit.
- 7.4. The above regulations place requirements on education authorities that they are to meet in discharging their duties under section 1 of the Education (Scotland) Act 1980 to secure adequate and efficient provision of further education. The requirements in these regulations relate to community education secured within the education authority's area.
- 7.5. Advice from Education Scotland highlights the need for the CLD plan to be firmly rooted within the Shared Risk Assessment and Local Area Network processes and therefore owned and directed by the local authority's Chief Executive.

8. Next Steps

- 8.1. A draft strategic CLD plan has been written and feedback on it is being sought from partner organisations at present. These include the third sector, Council teams responsible for community learning and development and Renfrewshire Community Planning Partners. The plan makes links with key strategic initiatives; for example, the Tackling Poverty Action Plan, Renfrewshire Digital Strategic and the Early Years Strategy. The plan builds on the strategic needs assessment that underpins the Renfrewshire Community Plan and highlights a range of needs that can be responded to through community learning and development services. Lastly the plan sets out action for the future coordination community learning and development in the future.
- 8.2 Following a review of consultation feedback on the strategic plan a finalised plan will be presented to the Education and Children Policy Board for approval. After that it is proposed that the plan be submitted to the Empowering Communities Thematic Board to highlight the implications for Community Planning Partners.
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Implications of this report

1. Financial Implications

None.

2. HR and Organisational Development Implications

None.

3. Community Plan/Council Plan Implications

Children and Young People	- A targeted approach to the delivery and development of the CLD provision will improve outcomes for children and young people.
Community Care, Health and Well-being	- Through partnership working our residents and communities will build capacity improving individual and collective health and well being.
Empowering our Communities	- Communities will be engaged in the identification and improvement of community learning initiatives leading to opportunities for greater empowerment.
Jobs and the Economy	- Targeted learning will impact on some of our most vulnerable learners and improve outcomes for personal aspirations including employment.
Safer and Stronger	- Through strong partnership working and the sharing of resources and expertise our communities will be safer and stronger.

4. **Legal Implications**
None.
5. **Property/Assets Implications**
None.
6. **Information Technology Implications**
None.
7. **Equality and Human Rights Implications**
The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because for example it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health and Safety Implications**
None.
9. **Procurement Implications**
None.
10. **Risk Implications**
None.
11. **Privacy Impact**
None.

List of Background Papers

None

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