

**Report of the Director of Children's services**

**Report to Executive Board**

**Date: 24<sup>th</sup> April 2013**

**Subject: City Learning Centres**



Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

There are four City Learning Centres (CLCs) in Leeds which were created in 2002 to improve education facilities for schools. They predate the Building Schools for the Future (BSF) programme which has been transformed many of the city's high schools and which provided specialist facilities across the city that were previously only available in the CLCs.

They were originally funded through the Excellence in Cities grant. When this grant ceased in 2010, Schools Forum agreed to continue funding CLCs using the Dedicated Schools Grant (DSG) as an interim measure.

In view of the changes to schools needs and funding in recent years, discussions have been on-going regarding the future of the CLCs resulting in schools taking on an increasing role in the running of the facilities. There is now a need to increase the pace of these discussions as changes to the rules around the use of the DSG funding mean that from April 2013 it is not possible to use it to support the cost of running the CLCs.

DSG funding to cover the net cost of the CLCs in 2012/13 was £1.273m. To try and retain the existing CLC provision through funding from the Children's Services base budget is neither appropriate nor a viable option in the current financial climate. However, to allow adequate time to secure new arrangements and minimise disruption to schools and pupils, CLCs will continue to be funded by Children's Services for the remainder of this academic year

Through discussions with Area Inclusion Partnerships and Schools, new arrangements for the future funding and use of the CLCs from 1 September 2013 have been developed. These proposals aim to build on the practice currently available in the CLCs whilst maximising the potential use of these valuable resources as citywide assets.

## **Recommendations**

Executive Board are recommended to:

- i. Note that the Dedicated Schools Funding used to support the running of the City Learning Centres ended on 31 March 2013 and that the interim funding made available through Children's Services is only in place until 31 August 2013 after which all council funding for the CLCs will cease.
- ii. Approve the inclusion of the Derek Fatchett CLC site as part of the City of Leeds academy proposals and the inclusion of the CLC staff in the ring-fence for posts in the proposed new academy in addition to TUPE should that apply based on continued delivery of existing provision.
- iii. Approve the development of an agreement for an initial period of two years for the West Area Inclusion Partnership (AIP) to take over the running of the West CLC for use as an Inclusion Centre on the understanding that there will be no budget transferring.
- iv. Approve the development of an agreement with the North East AIP to run the North East CLC for the next two years, on the understanding that there will be no budget transferring and that TUPE is likely to apply to some staff based on proposed future use. This to be followed by further discussions with the AIP around the use of the CLC by one or more schools to enable them to increase their 11-16 capacity from 2015 onwards.
- v. Approve the transfer of the South CLC to the South Leeds Learning Trust to enable them to increase their 11-16 capacity on the understanding that there will be no budget transferring.
- vi. Delegate responsibility to the Director of Children's Services to implement the recommendations for the four City Learning Centres.

## **1 Purpose of this report**

- 1.1 To seek the approval of Executive Board for new arrangements regarding the funding and use of the City Learning Centres (CLCs).

## **2 Background information**

- 2.1 The CLCs were developed in 2002 as a government initiative to support schools in the use of Information and Communication Technology (ICT) in the curriculum and provide access to a range of equipment not then available in schools. There are four City Learning Centres in Leeds; Derek Fatchett CLC attached to City of Leeds High School, the South CLC attached to Cockburn High School, the North East CLC on the Allerton Grange High School Site and the remaining part of the West CLC located adjacent to the old Wortley High School site.
- 2.2 They were originally funded through the Excellence in Cities grant. When this grant ceased in 2010, Schools Forum agreed to continue funding CLC using the Dedicated Schools Grant (DSG) as an interim measure. Since then discussions have been on-going regarding the future of the CLCs resulting in schools taking on an increasing role in the running of the facilities. There is now a need to increase the pace of these discussions as changes to the rules around the use of the DSG funding mean that from April 2013 it is not possible to use it to support the cost of running the CLCs.
- 2.3 As a result of the continued development of ICT facilities in schools partly as a result of the Building Schools for the future (BSF), combined with major changes to the curriculum in recent years, demand for the programmes traditionally provided by the CLCs has declined. They no longer deliver any two year courses and all the current programmes are scheduled to finish by this summer. This has led to a situation this academic year where Area Inclusion Partnerships (AIPs) and schools are now managing or utilising all or significant portions of three of the CLCs.
- 2.4 Budgeted DSG funding to cover the net cost of the CLCs in 2012/13 is £1.273m. To try and retain the existing CLC provision through funding from the Children's Services base budget is neither appropriate or a viable option in the current financial climate.
- 2.5 However, to allow adequate time to secure new arrangements and minimise disruption to schools and pupils, it is proposed that CLCs will continue to be funded by Children's Services for the remainder of this academic year. A budget

for this has been prepared totalling £452K and was included within the Children's Services 2013/14 budget proposals.

2.6 The future of CLCs has been considered as part of wider discussions relating to our strategies around basic need and school/post 16 learning provision and the delivery of traded services. Some of the key factors that have been considered, include:

- The need to consider the contribution CLCs could make to support the basic need for additional school places over the coming years.
- The need to ensure we maximise the contribution CLCs make to delivering the obsessions and outcomes in the Children & Young People's Plan
- The need to retain access to some element of CLC accommodation by Children's Services to support the delivery of traded services.

### **3 Main issues**

#### **3.1 Current Proposals for the future of each of the CLCs**

3.2 The proposals outlined below have the support of Children's Services Leadership Team and Corporate Asset Management Board.

#### **Derek Fatchett CLC**

3.3 The CLC is currently being considered as an integral part of plans relating to the future of City of Leeds High School. This would secure the site to support the future need for secondary places. Discussions are currently underway with Leeds City College (as potential sponsor) and the Department for Education (DfE) regarding the future of City of Leeds High School as an academy to open in September 2013. It is likely that TUPE would apply to some of the CLC staff dependant on what delivery transfers to the academy. Leeds City College as the academy sponsor have also indicated that they would be willing to include CLC staff in ring-fence arrangements for posts in the new academy. If the school becomes an academy it is likely the asset would transfer to an Academy Trust on a 125 year lease.

3.4 The Light House free school are currently leasing part of the CLC and have an agreement until the end of the current academic year. They are likely to be requesting continued use of the accommodation for the next academic year until their new premises are finished. As all the capacity available across the academy/CLC site would not be needed to accommodate the demand for places at the school in the short term, it should be possible for the academy to agree to this request. Children's Services are also interested in using the site to deliver traded services. Again this should be possible for the next few years.

### **Leeds West CLC**

- 3.5 There is a proposal by the West AIP to further develop the CLC as an inclusion base to support the secondary schools in the West of the city. The AIP are already making extensive use of the CLC as an inclusion base and currently use around half of the available capacity to provide inclusion provision. The AIP have requested a two year agreement where they would take over the running of the CLC and pick up the full premises and other resource associated costs. AIP funding has been secured to meet these costs. Discussions to date indicate that it would be unlikely that staff would be eligible for TUPE due to the significant change to type of provision that would be delivered at the CLC.
- 3.6 The physical location (not on an existing school site) and the very limited size of the accommodation present significant difficulties for using this site to support basic need. Managing exclusions is currently a key priority for schools and the use of the building as an inclusion centre is considered an appropriate use at the current time. However, this would not rule out its use for basic need at some point in the future.

### **North East CLC**

- 3.7 Since the start of this academic year the NE AIP have been using the ground floor of the CLC as an Inclusion Centre, will all delivery taking place through their own staff. There is now a proposal by the NE AIP to run the whole of the CLC as a central resource for the NE schools. The AIP have requested a two year agreement where they would take over the running of the CLC and pick up the full premises and other resource associated costs. The delivery model they are proposing would likely only involve the TUPE of two of the CLC staff.
- 3.8 The current proposal does not support the basic need for school places. However, as there is not a need for additional secondary capacity in the North East over the next two years, this is not seen as a problem. Over the next year it is proposed there will be further discussions with the AIP around the use of the CLC by one or more schools to enable them to increase their 11-16 capacity from 2015 onwards.

### **South Leeds CLC**

- 3.9 Since April 2012 there has been a Memorandum of Agreement (MOA) in place with the South Leeds Learning Trust (Cockburn High School and feeder primary schools) around the running of the CLC until August 2013. As part of the agreement most of the delivery CLC is already undertaken by the school staff. It is proposed that from September 2013 the CLC should transfer to the South Leeds Learning Trust to enable Cockburn to increase their 11-16 capacity. The school have agreed to increase their capacity from 210 to 235 per year group, giving a total of 125 new 11-16 places. The school would pick up the full premises and other resource associated costs. TUPE is not likely to apply as the provision delivered from September 2013 would be substantially different.

## **Staffing**

- 3.11 There are currently 20 staff on the CLC structure employed by the council. A Team Leader; 7 staff based at the Derek Fatchett CLC; nine staff based at the NE CLC, one staff based at the South CLC and two staff on the structure of the West CLC who are on long term secondments.
- 3.13 Staff have been informed they will be supported if they wish to access the Early Leavers Initiative or enter Managing Workforce Change on voluntary basis as a priority 3 case. It is proposed that any staff that do not TUPE and are therefore displaced by the proposed new arrangements and have not already secured a new post by 1 September 2013 will move into the formal process of Managing Workforce Change.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The proposals have been discussed with Children's Services lead members for all the main political parties.
- 4.1.2 Staff and unions have been involved in the discussions around the proposals for the CLCs.
- 4.1.3 No public consultation has been undertaken as the recommendations in the report will have no significant impact on the public.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Equality, Diversity, Cohesion and Integration has been taken into account at the earliest possible stage and a full EIA has been carried out (attached at appendix 1).

### **4.3 Council policies and City Priorities**

- 4.3.1 The recommendations in this report support the city priorities and in particular the obsessions and priorities contained in the Children and Young People's Plan and the Leeds Education Challenge.

4.3.1 In particular the proposals support the statutory duty of the council to provide secondary school places.

#### **4.5 Resources and value for money**

4.5.1 There are potential implications around the transfer of assets from the council.

4.5.2 The proposals would result in a net annual saving to the council in the region of £1.273 million.

#### **4.6 Legal Implications, Access to Information and Call In**

4.6.1 This report is subject to call-in.

#### **4.7 Risk Management**

4.7.1 The main risk is probably associated with the Derek Fatchett CLC, should the proposal to convert City of Leeds High School sponsored by Leeds City College not proceed. However, this is only likely to lead to a delay as a new sponsor is secured.

### **5 Conclusions**

5.1 The proposals that have been developed represent the best opportunity to secure the continued use of the City Learning Centres to support the educational achievement of young people in Leeds.

### **6. Recommendations**

Executive Board are recommended to:

- i Note that the Dedicated Schools Funding used to support the running of the City Learning Centres ended on 31 March 2013 and that the interim funding made available through Children's Services is only in place until 31 August 2013 after which all council funding for the CLCs will cease.
- ii Approve the inclusion of the Derek Fatchett CLC site as part of the City of Leeds academy proposals and the inclusion of the CLC staff in the ring-fence for posts in the proposed new academy in addition to TUPE should that apply based on

continued delivery of existing provision.

- iii Approve the development of an agreement for an initial period of two years for the West AIP to take over the running of the West CLC for use as an Inclusion Centre on the understanding that there will be no budget transferring.
- iv Approve the development of an agreement with the North East AIP to run the North East CLC for the next two years, on the understanding that there will be no budget transferring and that TUPE is likely to apply to some staff based on proposed future use. This to be followed by further discussions with the AIP around the use of the CLC by one or more schools to enable them to increase their 11-16 capacity from 2015 onwards.
- v Approve the transfer of the South CLC to the South Leeds Learning Trust to enable them to increase their 11-16 capacity on the understanding that there will be no budget transferring.
- vi Delegate responsibility to the Director of Children's Services to implement the recommendations for the four City Learning Centres.

## **7. Background documents<sup>1</sup>**

None

---

<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

