

Date 21 April 2010
Subject Young People's Learning Agency Board meeting
Location The Rubens Hotel, London
Time 10:45
Publication intent NOT PROTECTIVELY MARKED

Present

Members

Les Walton (Chair)
Pete Birkett
Peter Lauener (YPLA Chief Executive)
John Merry
David Pearmain
Michele Sutton

Observers

Anne Marie Carrie (DCS)
Ian Ferguson (Employer)
John Freeman (REACT)
Julian Gravatt (AoC)
David Igoe (SFCF)
Jo Thomas (DCSF)
Malcolm Trobe (ASCL)

Officers

Sophie Hume-Wright (Chair's Policy Advisor)
Karen Murray (Head of Framework - item 6 only)
Sue Randall (Clerk)
Cathy Robinson (Head of Legal and Governance)
Paul Williamson (Director of Strategy and Commissioning Support - item 5 only)
Rob Wye (Director of Strategy and Implementation)

Apologies

Apologies have been received from:

Members

The Young People's Learning Agency

Cheylesmore House Quinton Road Coventry CV1 2WT
T 0845 337 2000 www.ypla.gov.uk

Peter Box
Gareth Dawkins
Dexter Hutt
Emma Pearson-Winstone
Mark Sanders
Helen Sexton
David Wootton

Observers

Sue Baldwin (DCSF)
Lesley Davies (AoC)

Officers

David Russell (Director of Finance, Funding and Corporate Services)

Item 1. Opening comments

- 1.1 The Chair thanked everyone for attending the first meeting of the YPLA Board.
- 1.2 The Chair listed the apologies.

Item 2. Declarations of Interest

- 2.1 The clerk agreed to circulate the required Declarations of Interest form to members and observers by email after the meeting.

Action: Sue Randall

- 2.2 There were no interests declared specific to the meeting agenda.

Item 3. Chair's Update

- 3.1 The Chair had received much recent positive feedback on YPLA activities in its initial weeks.
- 3.2 The first set of payments had been made to Local Authorities for college allocation. A small number of minor issues had been addressed quickly and effectively. The Chair thanked the executive for their hard work in ensuring this had gone well.

Item 4. Young People's Learning Agency Conduct of Business and Procedures (paper YPLA 01/2010)

The Young People's Learning Agency

Cheylesmore House Quinton Road Coventry CV1 2WT
T 0845 337 2000 www.ypla.gov.uk

4.1 The paper set out proposed operating arrangements and a code of conduct for members and observers of the YPLA itself and any committees.

4.2 The Board had agreed a set of delegations to the Chief Executive by correspondence on 1 April 2010.

4.3 Members were concerned to ensure an open and transparent organisational culture. It was important to ensure the Board was fully briefed on all matters both operational and strategic. The Board contained a broad field of expertise which the YPLA executives were encouraged to use.

4.4 Board meeting minutes were to be non-attributed, but should include the key points from the discussion. A publication scheme was being developed but in the meantime, it was agreed that as much as possible was to be published.

4.5 All members present agreed the following recommendations:

- To adopt the standing orders for the regulation of meetings of the YPLA and its committees
- To adopt the protocol for DCSF observers at the YPLA Board and its committees
- To establish the following committees with terms of reference as set out in appendix C and D and to delegate to the Chair the function of appointing members to the committees:
 - Audit and Risk Management Committee
 - Organisation Development and Remuneration Committee
- To approve the Code of Conduct, which will apply to members and observers of the YPLA and its committees
- To note that the delegations to the Chief Executive set out in appendix F were approved by members on 1 April 2010 and that a codicil has been added to the delegations to highlight the Chief Executive's responsibility to agree a course of action with the Chair on any questions that arise which are novel or contentious and to report regularly to the YPLA Board
- To agree that the YPLA Board should not delegate some functions, including agreeing the YPLA's annual plan and the statutory guidance given to local authorities under the Act and the exercise of the YPLA's statutory intervention powers
- To endorse the following arrangements for the handling and publication of YPLA papers and minutes and those of its committees:
 - (a) Subject to examination of the publication scheme by the Board, the YPLA adopts the Information Classification set out in appendix G for security purposes
 - (b) Papers for the YPLA and its committees will be sent out a minimum of ten days before the meeting by email and post
 - (c) Papers will be marked unclassified when they are sent out unless they contain sensitive information
 - (d) Minutes and papers will be published after the meeting except for any information which is deemed to be sensitive by the author of the

- paper or the YPLA or the committee itself. The classification will then be amended to "Public" or "Protect" as appropriate
- (e) members will be obliged, in accordance with the Code of Conduct for Members of the YPLA and its Committees, not to disclose or use any information they acquire by virtue of their membership of the YPLA unless and until it has been published by the YPLA
 - (f) notwithstanding (e) above, any information held by the YPLA including information marked "Protect" may be subject to disclosure under the provisions of the Freedom of Information Act 2000 unless it contains exempt information as defined in the Act.

- To approve that the signature of the Chair or the Chief Executive or the Head of Legal and Governance should authenticate the application of the YPLA's seal.

4.6 The Chair confirmed that membership of the two Committees would be confirmed by the next Board meeting.

4.7 Members were encouraged to accept any invitations they received in their YPLA capacity. Briefing could be provided, if required, by the Chair's Policy Advisor.

Item 5. YPLA National Commissioning Framework: Update on progress, key issues, and next steps (paper YPLA 02/2010)

5.1 The draft NCF document had been published to the YPLA's website on 1 April. The Board was asked to formally endorse the framework for publication.

5.2 The Board recognised the significant improvements made to the NCF and commended the executive for successfully reflecting Board comments in the new draft.

5.3 A number of key issues had been identified via the recent consultation period. Steps had been taken in each case to address concerns raised:

- Complexity of the framework (both real and perceived)
- Feasibility of the timetable
- In year adjustment
- Learners with Learning Difficulties and/or Disabilities budget management issues
- Public procurement.

5.4 The Board agreed that the executive should plan a day-long session on user implementation of the NCF. Outcomes and lessons should be reported to a future Board meeting. The Board also asked to be briefed on the outcome of discussions with two local authorities who were concerned about the possible need under EU requirements to introduce competitive tendering for provision. Therefore:

- a paper dealing with these issues in detail would be brought to the Board's June meeting.

Action: Paul Williamson

- consideration would be given to inviting a local authority or sub-regional group partner to a Board evening session to examine the practical implementation of the National Commissioning Framework.

Action: Peter Lauener

5.5 Other issues on which the Board felt it needed clarification were around timescales and parameters for indicative allocations, the mitigation of risks, and the involvement of providers.

5.6 In the meantime, the Board agreed that YPLA Regional Directors had the responsibility to support dissemination of the NCF to local authorities, many of whom were still in the early stages of working through the implications of the framework.

5.7 It was agreed that a paper on progress with the NCF would be brought to a meeting each academic term.

Action: Paul Williamson/Sue Randall

5.8 The Board formally endorsed the NCF.

Item 6. YPLA Statutory Intervention Policy and Statutory Guidance to Local Authorities (paper YPLA 03/2010)

6.1 The Board was asked to review the draft policy and guidance and agree next steps in terms of consultation process and timescales. In respect of the intervention policy, the powers and final decisions rested with the Board and would not be delegated below it.

6.2 The Board noted initial stakeholder soundings had shown that they felt the policy to be reasonable and inclusive. Colleges, however, did want more reassurance around local authority consistency and transparency.

6.3 Next steps were as follows:

- Documents to be reviewed in the light of Board comments
- Editorial review to be carried out
- Documents to be print ready in June, with a view to the Board seeing them again at the June meeting
- Policy in place in the autumn.

6.4 It was important that the intervention policy was only put into practice as a last resort. The emphasis needed to be on establishing strong relationships.

6.5 The Board felt that the policy was unclear on areas such as urgent intervention, merger arrangements, and the Government Office's role. These areas would be refined in a further draft.

6.6 In terms of merger arrangements, the Board agreed that the policy must aim for maximum flexibility regarding solutions, avoiding a compartmentalised approach.

6.7 It was agreed that a discussion on an academies intervention policy was required at an appropriate point.

6.8 The Board approved the draft documents on the understanding that the above areas for refinement were addressed. The Board also approved the consultation process and timescales.

Item 7. Plan for the Board's work

7.1 All Board meetings were now in place to the end of March 2011. The Board was to meet 9 times per year (3 meetings per term). It was intended that all meetings would be preceded by an evening session on a specific topic.

7.2 Suggestions for the June and July evening sessions included:

- Presentation on Academies
- Youth Justice Board leadership team
- A large employer with a 16-18 training programme
- Commissioning process in a local authority area
- "Policy pressures" – the development of the 14-19 framework
- Young People's Voice.

7.3 Part of the evening session in June may be given over to discussion of election outcomes.

7.4 Other suggestions for Board meetings included a programme of partner visits for when meetings are not in London, preceded by a partner dinner.

7.5 The following was agreed in terms of the cycle of business:

- Audit and Risk Management Committee to meet 4 times per year with regular reporting to the Board
- Organisational Development and Remuneration Committee to meet 3 times per year with regular reporting to the Board
- A termly discussion on the NCF and strategic commissioning
- Discussion on key issues to be factored in, such as LLDD, the funding model, in year adjustment.

Item 8. Any Other Business

8.1 There was none.

Meeting chair	Les Walton
Agenda creator	Sue Randall
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