

# **The Requirements for Community Learning and Development (Scotland) Regulations 2013**

## **Guidance for Local Authorities and their Partners**

### **1. Introduction**

#### **1.1 Context**

The Requirements for Community Learning and Development (Scotland) Regulations 2013<sup>1</sup> (“the CLD Regulations”) come into force on 1 September 2013. The CLD Regulations are subordinate legislation made by the Scottish Ministers using the power under section 2 of the Education (Scotland) Act 1980 (“the 1980 Act”).

The CLD Regulations place requirements on local authorities. Community Learning and Development is, however, in practice delivered across Scotland through partnership activity by local authorities, third sector organisations and other providers of public services.

This partnership working has been developed as the best means of achieving positive outcomes for communities and learners, and engaging them in an active role. The drive to reform public services further emphasises its importance.

This Guidance seeks to assist:

- Local authorities to meet the requirements placed on them by the CLD Regulations;
- Other partners, including learners and communities, to support local authorities in meeting the duties; and
- All partners (local authorities, third sector organisations and others) to identify how they can work together to further develop their

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<sup>1</sup>The Requirements for Community Learning and Development (Scotland) Regulations 2013

[http://www.legislation.gov.uk/ssi/2013/175/pdfs/ssi\\_20130175\\_en.pdf](http://www.legislation.gov.uk/ssi/2013/175/pdfs/ssi_20130175_en.pdf)

contribution to meeting local needs in ways that also assist local authorities to meet the duties.

## **1.2 The Purpose of the CLD Regulations**

The CLD Regulations are intended to strengthen the legislative basis for community learning and development. In particular they are intended to support the achievement of the following policy goals:

- Communities across Scotland - but particularly those who are disadvantaged - have access to the CLD support they need;
- Communities across Scotland are enabled to express their needs for CLD provision; and
- Community Planning Partnerships (CPPs), local authorities and providers of public services more generally respond appropriately to the expectations set by the CLD Strategic Guidance.

It seeks to do this by setting requirements on local authorities in relation to the auditing of need for CLD, consultation and planning at local level.

## **1.3 The CLD Regulations and the Education (Scotland) Act 1980**

The basis for Community Learning and Development (CLD) in existing legislation for education in Scotland was outlined in 1999 in guidance from the Scottish Office Education and Industry Department (Circular 4.99):

“Local authorities provide community education as part of the exercise of their duty under section 1 of the Education (Scotland) Act 1980 to secure the adequate and efficient provision of further education.”

The 1980 Act provides a legislative basis for CLD. Other legislation including the Local Government in Scotland Act 2003<sup>2</sup> and legislation relating to equalities and human rights has important implications for the

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<sup>2</sup> Local Government in Scotland Act 2003

<http://www.scotland.gov.uk/Publications/2004/04/19168/35271#51>

provision of CLD; those of the 2003 Act are spelt out in the statutory guidance<sup>3</sup> and advice notes<sup>4</sup> attached to it.

The 1980 Act states (Part 1, Section 1, clause 1) that it is the duty of every “education authority” (“education authority in this context meaning “local authority”) to secure adequate and efficient provision of “school education and further education” for their area.

By issuing the CLD regulations under the powers of the 1980 Act, Scottish Ministers have confirmed that “further education” as defined in the 1980 Act, includes CLD, in the meaning stated in the CLD regulations. The 1980 Act therefore requires local authorities to secure adequate and efficient provision of CLD for their area, as part of their duty for provision of further education. “Further education” in this context does not imply a particular age range to which provision should relate.

## **2. Legislation, Guidance and Policy**

This guidance provides advice to local authorities on how to meet the requirements in the CLD Regulations, and to their partners including the third sector on how they can assist local authorities to meet these requirements.

The Scottish Government issued Strategic Guidance on CLD to Community Planning Partnerships (“the Strategic Guidance”) in June 2012 (See Annex 1). The Strategic Guidance remains in place; the advice and expectations stated within it will be helpful to local authorities in considering how best to meet the requirements in the CLD Regulations, and to their partners in considering how to assist them.

The Strategic Guidance is an integral part of the wider programme of public service reform, including the strong emphasis on empowering

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<sup>3</sup> Local Government in Scotland Act 2003

<http://www.scotland.gov.uk/Publications/2004/04/19168/35271#51>

(See in particular 5.1 “Engaging Community Bodies - What the Duty Entails”.)

<sup>4</sup> <http://www.scotland.gov.uk/Publications/2004/04/19167/35255>

communities, the developing role of Community Planning<sup>5</sup> and the reform of Post-16 Education<sup>6</sup>.

In considering how best to meet the requirements of the CLD Regulations, local authorities may wish, as well as making use of the Strategic Guidance, to explore opportunities to meet a range of new statutory requirements and policy expectations, which include the planned legislation for community empowerment, the outcomes of the review of Community Planning,<sup>7</sup> and the implications of the *Learning for Sustainability* report<sup>8</sup>.

In particular, the Scottish Government's proposed Community Empowerment and Renewal Bill is intended to support communities to achieve their own goals and aspirations through taking independent action and by having their voices heard in the decisions that affect their area. Further consultation will take place on a draft Bill this year.

## **2.1 Who this Guidance on the CLD Regulations for**

The requirements in the CLD Regulations apply to local authorities. Scottish Ministers do not have powers under section 2 of the Education (Scotland) Act 1980 to place requirements on anyone other than local authorities. So in the first instance this Guidance is for local authorities; however, it is also intended to be useful to other partners in identifying how assisting the local authority to meet the duties placed on it can help towards achieving shared outcomes.

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<sup>5</sup> Community Planning Review

<http://www.scotland.gov.uk/Topics/Government/local-government/CP/soa>

<sup>6</sup> Post - 16 Education Bill

<http://www.scotland.gov.uk/Topics/Education/post16reform/bill>

<sup>7</sup> Guidance for new SOA's

<http://www.scotland.gov.uk/Topics/Government/local-government/CP/SOA2012/SOA2012>

<sup>8</sup> Learning for Sustainability Report

<http://www.scotland.gov.uk/Topics/Education/Schools/curriculum/ACE/OnePlanetoSchools/LearningforSustainabilityreport>

## **Authority staff**

This Guidance provides advice for local authority staff on how to meet these requirements. It is intended to be useful in particular to:

- Senior staff responsible for the strategic management of the authority's services;
- Managers at all levels in all services who have responsibility for CLD services or for particular aspects of them; and
- Practitioners and front-line staff who have responsibility for delivering CLD services or for particular aspects of these.

The responsibility for meeting the requirements in the CLD Regulations rests with the local authority as a whole, and the staff that have a role in meeting them may be located in a number of different services. Giving early consideration to who within the authority should have the guidance brought to their attention is likely to assist the authority greatly in meeting the requirements of the CLD Regulations.

## **Local authority elected members**

The Guidance is also intended to be useful for local elected members in setting the strategic direction and priorities of local authorities.

## **Other partners**

Other partners, across the public sector, the third sector, and in some instances the private sector, have key roles in planning and delivering CLD. Community organisations and learners have a vital active part to play.

As made clear above, the CLD Regulations do not place requirements on any of these other partners. However, we think it will not be possible for local authorities to meet the requirements in ways that have a positive impact for learners and communities without the active co-operation of the other bodies that deliver CLD.

This guidance is therefore intended to assist partners across all sectors to understand the requirements placed on local authorities and how they can assist authorities in meeting them through the pursuit of shared objectives and intelligence gathering.

As one aspect of this, the guidance is intended to assist communities and learners to develop their role as active partners in CLD through understanding the requirements placed on local authorities.

### **National Agencies**

The Guidance is also intended to assist national agencies that have a role in CLD, to be aware of how the CLD regulations may be relevant to their own responsibilities in the context of the public sector reform agenda.

## **2.2 The CLD Regulations**

### **Citation, commencement and interpretation**

Regulation 1 indicates that the CLD regulations come into force on 1 September 2013, and provides a definition of what (a) “community learning and development” and (b) “target individuals and groups” mean *in these regulations*.

### **Community Learning and Development**

The definition of community learning and development indicates that it includes both programmes of learning and activities, that these are designed with the individuals and groups taking part in them and that their purpose is to promote the educational and social development of these individuals and groups.

It is important to note that this definition:

- Reflects the principle that CLD activities are designed with the involvement of participants;
- Includes both educational and social development in the purpose of CLD activities;
- 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; and
- Does not exclude activities that have an impact on wider communities as well as on the individuals and groups participating in them.

### **Target Individuals and Groups**

The definition of target individuals and groups identifies them as those the local authority considers are most likely to benefit from the provision of CLD, taking account of needs of communities within its area.

(**Regulations 2 & 3** set requirements on local authorities for the identification of target individuals and groups, and for involvement and consultation in relation to this).

### **2.3 Assessment of Community Learning and Development Needs**

**Regulation 2** requires every local authority to initiate, maintain and facilitate a process that secures the provision of CLD in their area, and to do this in a way that:

- Identifies who the target individuals and groups for CLD are taking account of the needs of communities in their area;
- Takes account of the needs of these target individuals and groups for CLD;
- Assesses to what extent those needs are already being met; and
- Identifies barriers to the adequate and efficient provision of CLD.

The process outlined in Regulation 2 provides the means through which local authorities can secure the adequate and efficient provision of CLD required as part of their duties in relation to further education under the 1980 Act.

It is important to note that local authorities are required to “secure” provision of CLD; this indicates that delivery of the CLD may involve the local authority and others, such as third sector organisations.

An issue for consideration by local authorities will be how they will identify the needs of target individuals and groups for CLD, in order to be in a position to take account of (“have regard to”) these needs; and, since they are also required to take account of the needs of communities in their area, how the needs of these communities will be assessed.

The Equality Act 2010<sup>9</sup>, and in particular the public sector equality duty<sup>10</sup> set out in section 149 of the Act and the duties in the Equality Act 2010

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<sup>9</sup>Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

(Specific Duties) (Scotland) Regulations 2012, apply to the function of securing the provision of CLD as they do to all functions of local authorities.

### **3 Guidance to Local Authorities**

Our guidance to local authorities is that in deciding how to meet the requirements in Regulation 2 and throughout the CLD Regulations, it will be useful to consider:

- What existing processes are in place that may assist in meeting the requirements?
- How these existing processes can be adapted or further improved to meet the requirements (and to improve outcomes for communities and learners)?
- How the processes put in place to meet the requirements of the CLD Regulations can also assist in delivering policies and strategies related to CLD, and in meeting the requirements of other forthcoming legislation and policy, such as the Community Empowerment and Renewal Bill and the Children and Young People Bill<sup>11</sup>, and the wider public service reform agenda<sup>12</sup>?

In particular, local authorities may find it useful to consider how the process they put in place to secure the provision of CLD relates to the Community Planning process. In the Strategic Guidance, the Scottish Government stated its expectation that CPPs:

- Ensure that systematic assessments of community needs and strengths provide the basis for SOAs (Single Outcome Agreements) and service strategies and plans.

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<sup>10</sup> Public Sector Equality Duty in Scotland

<http://www.equalityhumanrights.com/scotland/public-sector-equality-duty/>

<sup>11</sup> Children and Young People Bill

<http://www.scotland.gov.uk/Topics/People/Young-People/legislation>

Public Service Reform

<sup>12</sup> <http://www.scotland.gov.uk/Topics/Government/PublicServiceReform>



- Ensure this assessment is based on engagement and continuing dialogue with communities, utilising CLD expertise, as well as on analysis of other data.
- Ensure SOAs have a clear focus on prevention and community empowerment as the foundation of reformed public services and utilise CLD provision and methods for these purposes.
- Review current partnership arrangements for planning, monitoring and evaluating CLD and ensure that they are fit for the purpose set out in this guidance.

In considering how to meet these requirements, local authorities are of course not debarred from working with their Community Planning partners. The process to secure the provision of CLD and the work of CPPs in assessing community needs and community empowerment are two very closely related aspects of the reform of public services. Our view is that two processes should be delivered accordingly.

**Regulation 3** sets requirements for involvement and consultation in the process set out in Regulation 2. It places a duty on the local authority to “take such action as it sees fit” in order to ensure that two sets of people are involved in and consulted on the process.

The first set of people who are to be involved in and consulted on the process are “persons” who appear to the local authority to be representative of the target individuals and groups, that is of learners and community groups who are identified as “targets” for the provision of CLD.

The second set of people who are to be involved in and consulted on the process are “persons”<sup>13</sup> who appear to the local authority to be representative of providers of CLD within the area of the local authority.

This requirement to involve and consult applies to all the requirements set out in regulation 2. This includes the identification of target individuals and groups, in doing which the local authority must take account of the needs of communities within its area.

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<sup>13</sup> A “person” in this context can be an individual, a body such as a limited company or an unincorporated association.

It is for the local authority to decide how to go about identifying who it will consult on the process and seek to involve in it. Local authorities may find it useful to refer to the Strategic Guidance.

In a section on “Effective Partnerships: services and communities”, the Strategic Guidance notes (paragraph 4.6) that:

“We want to see partnerships that plan and deliver CLD include the full range of relevant partners”; and

“We want providers to go further in involving learners and communities as active partners in planning and delivering CLD, and to strengthen their focus on helping communities to influence, shape and co-produce services more generally”.

The Strategic Guidance also outlines (paragraph 3.3) the partners who have a key contribution to make in delivering identified outcomes for communities through provision of CLD. These are identified as being:

- Services in local authorities and government bodies with an identified CLD remit, and in voluntary organisations publicly funded for this purpose;
- Partners in settings such as community health, housing, social enterprise, anti-poverty work, equalities or sustainable development;
- Other public service organisations such as colleges and universities, the NHS and Skills Development Scotland; and
- Local communities or communities of interest, for example ethnic minorities or people with disabilities, concerned with shaping CLD services.

This provides a useful source of advice for local authorities in considering how best to meet the requirements set out in Regulation 3.

#### **4 Three Year Plan**

**Regulation 4** places a duty on every local authority to publish a plan containing the information specified in paragraph (2) on how it will secure adequate and efficient provision of CLD.

It requires the first plan to be in place no later than 1<sup>st</sup> September 2015. The plan is to cover a three year period, and the regulation places a duty

on the local authority to publish further plans each third year after the publication of the previous plan.

For example, a local authority might choose to publish its first three year plan meeting the requirements of the CLD Regulations in November 2014; it would then be required to publish its next plan by November 2017, and so on.

It is for the local authority to decide how it will meet this requirement; for example, whether to do so through a free standing plan or as a part of a wider plan such as the Community Plan.

**Regulations 2 and 3** place duties on the local authority to establish, facilitate and maintain a process for securing the provision of CLD. This process can be expected to generate the information required for the three year plan.

Our expectation is that local authorities may focus initial attention on establishing and maintaining the process (with reference to existing processes and how these can be further developed, as discussed in relation to **Regulation 2**). This will establish a sound basis for developing and publishing the plan, while assisting them to work effectively with partners to deliver positive outcomes for communities and learners.

**Regulation 4** goes on to set requirements for what the plan must specify, and who the local authority must consult before publishing the plan.

The **Regulation** sets out 4 elements that the plan must include. These are:

- a. How the local authority will co-ordinate its own provision of CLD with other providers of CLD in its area;
- b. What action the local authority will take to provide CLD over the period of the plan;
- c. What action other providers intend to take to provide CLD in the local authority's area over the period of the plan; and
- d. A statement of any needs for CLD that will not be met over the period of the plan.

In order to succeed in specifying in the plan the action other providers intend to take, and to decide how it will co-ordinate its own provision of CLD with them, the local authority will need to have information on the activities other providers are delivering or planning to deliver.

The requirement on local authorities under Regulation 3 is to take action to ensure that other providers are consulted on and involved in the process of securing CLD in the area. The CLD Regulations do not place a duty on other providers to make this information available.

The guidance provided in relation to Regulations 2 and 3 above also applies in relation to the development and publication of the plan (and we would advise that the development and publication of the plan is an integral part of the process established to meet the requirements of Regulations 2 and 3).

Finally, Regulation 4 specifies who the local authority must consult with before publishing a plan. These are the same two sets of people identified in Regulation 3 (that is “persons” who appear to the local authority to be representative of the target individuals and groups, and “persons” who appear to the local authority to be representative of providers of CLD within the area of the local authority); and “such other persons as the education authority thinks fit”.

Local authorities may find the Strategic Guidance useful in deciding how best to meet the requirements of Regulation 4. Aspects of the Strategic Guidance that they may want to refer to include:

- Development of partnership working: paragraph 4.6 of the Strategic Guidance asks Community Planning Partnerships and CLD providers to “go further in involving learners and communities as active partners” and ensure that partnerships include the full range of providers.
- Range of partners: paragraph 3.3 of the Strategic Guidance, referred to above in relation to Regulation 3, outlines the partners the Scottish Government wishes to see involved.
- Activities to deliver CLD outcomes: paragraph 3.4 of the Strategic Guidance sets out the types of activities that the Scottish Government wishes to see partners undertaking to deliver CLD outcomes; local authorities and their partners may wish to consider this in identifying the activities to be included in the plan.

- Improving performance: paragraph: 4.12 of the Strategic Guidance highlights that “effective self-evaluation by groups, services and partnerships is essential to improving performance and delivering better outcomes for learners and communities”. Local authorities and their partners will want to ensure that the 3 year plan supports and further improves their existing arrangements for self-evaluation, performance management and measurement of the impact of CLD.

## ANNEX 1

### **COMMUNITY LEARNING AND DEVELOPMENT: STRATEGIC GUIDANCE FOR COMMUNITY PLANNING PARTNERSHIPS**

#### **EXECUTIVE SUMMARY**

This guidance comes against the backdrop of the most ambitious set of reforms to post-16 learning ever undertaken in Scotland. The Government is pursuing those changes with three clear objectives in mind: to align the system more purposefully with its ambitions for jobs and growth; to improve peoples life chances; and to ensure the sustainability of our system in a time of inescapable pressures on public spending.

Community learning and development (CLD) can play a central part in ensuring individuals, families and communities across Scotland reach their potential through lifelong learning, mutual self-help and community organisation - and that the available support and opportunities are community-led, built around people's aspirations.

This strategic guidance clarifies our expectations of Community Planning Partnerships (CPPs), within the broad framework of public service reform, and in line with the Review of Community Planning and Single Outcome Agreements (SOAs). We expect local authorities to provide clear leadership and direction, and to drive the action needed to ensure we maximise the contribution of CLD partners in the reform of public services.

It is important to be clear about the purpose of CLD. We see it as empowering people, individually and collectively, **to make positive changes in their lives and in their communities, through learning.** So this guidance outlines the action necessary to maximise CLD's impact, resulting in better alignment of services and optimal use of resources.

The Government's National Performance Framework sets out the strategic objectives for all public services, including those delivering CLD. CLD's specific focus should be:

- 1. Improved life chances for people of all ages, through learning, personal development and active citizenship.**
- 2. Stronger, more resilient, supportive, influential and inclusive communities.**

The implementation of this guidance must be led by CPPs, with support from Government bodies such as Education Scotland and with national

and local Third Sector partners. It should form an integral part of public service reform, ensuring that Community Planning provides the vehicle to deliver better outcomes in partnership with communities.

Using an evidenced based approach; reducing outcome gaps between areas; jointly prioritising outcomes; and strengthening community engagement and participation are the principles which will shape work on community planning and SOAs. This will, in turn, drive improvements in partnership working, including CLD partners, in delivering SOAs.

Evidence from a range of sources, and in particular from the inspection of learning communities, demonstrates the powerful impact of CLD on the lives of learners and communities. To secure yet further improvement, we need now to strengthen the coordination between the full range of providers, and communities themselves.

Our communities face major challenges from the wider economic outlook, falling public expenditure and our changing demographics. But Scotland cannot afford the potential consequences of high levels of youth unemployment, the decline of vulnerable communities and the challenges faced by an increasingly elderly population. This is why it is essential we build resilient communities and release the talents of people (particularly those of our young people) across Scotland. That is what this guidance aims to do.

## **1. CONTEXT**

**1.1** In this guidance, the Scottish Government is renewing its commitment to Community Learning and Development (CLD); our plans to strengthen the legislative basis underpinning it are a further sign of our resolve. This matters because building a learning culture is central to the well-being, resilience and dynamism of our communities - and, ultimately, in achieving our purpose;

*To focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.*

**1.2** The Government's response to the *Commission on the Future of Public Service Delivery* set out a vision for how Scotland's public services need to change:

*'We will empower local communities and local service providers to work together to develop practical solutions that make best use of all the resources available. The focus of public spending and action **must build on the assets and potential of the individual, the***

*family and the community rather than being dictated by organisational structures and boundaries. Public services must work harder **to involve people** everywhere in the redesign and reshaping of their activities.'*

Renewing Scotland's Public Services  
Scottish Government, 2011

**1.3** In *Putting Learners at the Centre*, our 2011 proposals for reforming post-16 learning, we made clear our wish to work with partners in strengthening the strategic approach to CLD in Scotland. The result is this refreshed guidance for local Community Planning Partnerships (CPPs), community planning partners more generally, and other national stakeholders.

**1.4** CLD is an essential means of delivering Scottish Government priorities, **in particular Curriculum for Excellence**, GIRFEC and the Government's social policy frameworks for combating poverty, tackling health inequalities and prioritising early years. [Annex A](#) illustrates the current government priorities of particular relevance.

**1.5** We have developed this guidance through talking to a wide range of interested and expert stakeholders. It builds on recent progress and forms the starting point for a process of implementation, learning and improvement, that - crucially - focuses on outcomes for learners and communities.

## **2. THE PURPOSE OF CLD, AND THE OUTCOMES WE EXPECT**

**2.1** CLD 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* - increasing the ability of individuals and groups to influence matters affecting them and their communities;
- *participation* - supporting people to take part in decision-making;
- *inclusion, equality of opportunity and anti-discrimination* - recognising some people need additional support to overcome the barriers they face;
- *self-determination* - supporting the right of people to make their own choices; and
- *partnership* - ensuring resources, varied skills and capabilities are used effectively.

The purpose and principles are embodied in the competences and ethics for CLD practice as set out by the CLD Standards Council for Scotland.



**2.2** Our current guidance (*Working and Learning Together*, 2004) outlined CLD priorities as (i) achievement through learning for adults; (ii) achievement through learning for young people; and (iii) achievement through community capacity building. These priorities provided a clear focus for CLD, but we were told in our recent discussion phase, they sometimes led to artificial boundaries for practice between age groups and between work with individuals and groups.

**2.3** The Government's National Performance Framework sets out the strategic objectives for all public services, including those delivering CLD (see [annex B](#)). Within this, CLD's specific focus should be:

- **Improved life chances for people of all ages, including young people in particular, through learning, personal development and active citizenship.**
- **Stronger, more resilient, supportive, influential and inclusive communities.**

**2.4** CLD helps to develop the resilience and ambition needed to combat the effects of economic factors which cause deprivation and inequality. It ensures that barriers to achieving better life chances are identified, understood and overcome and that communities are full partners in delivering practical and policy solutions.

### **3. EFFECTIVE DELIVERY**

**3.1** This guidance sets out the principles within which CPPs should coordinate planning of CLD provision, translating current and proposed statutory responsibilities into specific priorities. By clearly defining role and responsibilities, it provides a basis on which community planning partners should work together to make best use of available resources.

**3.2** CLD is a coherent and distinctive set of practices, defined by clearly identified competences; it is delivered in diverse settings and sectors, by practitioners with a wide variety of job titles, working with people of all ages. To achieve the impact we want it is essential to link all this together effectively.

**3.3** CPPs should ensure CLD has a core role in delivering identified outcomes for communities. This will depend on maximising the contribution of the following partners.

- Services in local authorities and government bodies with an identified CLD remit, and in voluntary sector organisations publicly funded for this purpose. These services should be closely aligned with education, culture, sport, leisure and library services and should use the resulting synergies to deliver agreed outcomes.
- Those - often in the voluntary sector - in settings such as community health, housing, social enterprise, anti-poverty work, equalities or sustainable development.
- Other public service organisations such as colleges and universities, the NHS and Skills Development Scotland.
- local communities or communities of interest, for example ethnic minorities or people with disabilities, concerned with shaping CLD services in order to deliver the outcomes that are important to them.

**3.4** All these partner should be aiming to deliver CLD outcomes through:

- 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;
- learning support and guidance in the community.

**3.5** Local strategies for CLD should maximise the synergies between all these roles, across sectors; to do this, CPPs should consider if they are delivering the core activities of CLD through a sufficiently joined-up approach.

## 4. IMPROVING OUTCOMES FOR COMMUNITIES

*'Communities have high expectations of public services and have a key role to play in helping to shape and coproduce better outcomes within their communities. If community planning partnerships are to unlock that potential, their foundations must be built on a strong understanding of their communities, and provide genuine opportunities to consult, engage and involve them. CPPs must be able to engage closely with the needs and aspirations of their communities, within the context of local and national democratic control...'*

Review of Community Planning and SOAs:  
Statement of Ambition, 2012

**4.1** The foundation of CLD delivery is an assessment - in partnership with learners and communities - of needs, strengths and opportunities. This clearly aligns with the Government's response to the Commission on the Future Delivery of Public Services, which sets out the approach to public sector reform as built on four *pillars*:

- a decisive shift towards prevention
- greater integration of public services at local level
- enhanced workforce development and effective leadership
- a sharp focus on improving performance through greater transparency, innovation and use of digital technology.

### Prevention

**4.2** A focus on prevention is a long standing feature of CLD practice. CLD practitioners prioritise preventative measures, work to reduce inequality and target the underlying causes of inter-generational deprivation and low aspiration.

**4.3** Working with communities to realise and build on their own strengths or assets is at the core of the CLD delivery model. We want everyone involved in delivering CLD to emphasise this primary role. Activities must be designed with individuals and communities as active partners, in ways that focus on reducing the longer term need for input by public services - including CLD.

**4.4** Public service planners and decision-makers will want to prevent problems from emerging and increase the opportunities for individuals, families and communities to shape their own lives. To this end they should make full use of CLD's ability to:

- build an in-depth understanding of people's needs, strengths and aspirations through sustained dialogue;
- identify issues and solutions at an early stage;
- identify barriers to participation and strategies for overcoming these;
- mobilise and support direct participation in planning and service design; and
- enable community organisations to develop their infrastructure.

### **Effective partnerships: services and communities**

**4.5** The growing diversity of CLD provision coupled with the increase in partnership working to deliver a wide variety of programmes, services and initiatives means CLD activities and approaches now have a role in many partnerships.

**4.6** Partnership working is already embedded in how CLD is delivered, but, as part of our drive for reformed public services, we need it to be deepened further, widened and more closely focused on outcomes.

- First, we want providers to go further in involving learners and communities as active partners in planning and delivering CLD, and to strengthen their focus on helping communities to influence, shape and co-produce services more generally.
- Second, we want to see partnerships that plan and deliver CLD include the full range of relevant partners. This means each local authority should have a clearly defined framework for planning and delivering CLD, through partnership, as a key element of its reformed public services.
- Third, partnership working to deliver CLD outcomes should provide the basis for delivering key priorities such as:
  - securing agreements to ensure effective links between learning in the community and college-based learning;
  - joined-up working to deliver better outcomes for children and young people through Curriculum for Excellence, including family learning;
  - more clearly focused and integrated support for communities to build their own capacity;

- engaging fully in delivering shared outcomes with national and local Third Sector organisations, including culture and sport;
- developing stronger links with Community Justice Authorities and community safety partnerships;
- further development of CLD's role in local employability partnership work.

Finally, we want CLD practitioners and managers to build on the role they already play in helping other public service providers to engage effectively with service users and communities. The progress made through the three Change Funds, for Older People, Offenders and Early Years, should provide useful models of how to use CLD expertise.

### **Workforce development and effective leadership**

**4.7** At national level, CLD policy and related legislation are being developed in response to changing needs. We ask that workforce development keeps pace with these and supports their implementation.

**4.8** The national CLD CPD Strategy and the *i-develop framework* provide the focus for developing a learning culture across the sector. The CLD Competences provide a common framework for practice, underpinned by a code of ethics.

**4.9** Education Scotland, in partnership with the CLD Standards Council, will work with others to support CLD providers to build partnerships that continue to develop the CLD workforce. We welcome the joining-up of CPD partnerships across local authority and professional boundaries, for example the joint CPD programmes in the North Alliance and Glasgow Life.

**4.10** We want to see an integrated approach to all stages of professional learning. A core of highly skilled practitioners will remain essential to achieving the impact we expect from CLD, and we recognise the need to consider further the future of pre-service training in that context.

**4.11** Clearly, effective leadership is crucial to CLD delivering its role and impact. Further work to develop the skills, understanding and confidence for leadership at all levels within the CLD workforce should be a key focus for CPD.

## **Improving performance, innovation and sharing good practice**

**4.12** Effective self-evaluation by groups, services and partnerships is essential to improving performance and delivering better outcomes for learners and communities. Education Scotland will provide public accountability through inspection, challenge and support to local authorities and partnerships. In addition, CPPs should ensure that CLD providers are part of the planning and reporting process supporting Single Outcome Agreements, paying particular attention to local indicators.

**4.13** In this context, CLD providers have developed a range of management information systems to support performance management and improvement. The information and evidence these produce is strong in relation to individual projects – but it needs more development in relation to wider programmes and outcomes at partnership level.

**4.14** Valuable work has been done to quantify the impact of CLD and to identify savings it can help deliver for other areas of public investment. We will work with partners to build on this and develop the best unified, flexible framework possible for self-evaluation, performance management and measurement of impact, to meet local needs and improve understanding at national level.

**4.15** We will work with partners to support CLD providers in driving forward the modernisation of their own services, using self-evaluation as a tool for continuous improvement.

## **5. IMPLEMENTATION AND SUPPORT**

**5.1** The implementation of this guidance provides the impetus for CLD to be delivered as a consistent, central element of public services in Scotland and will be based on a continuing, dialogue with key stakeholders.

**5.2** Throughout this guidance, we have laid out what we expect from community planning partners, with local authorities providing clear leadership and direction. We have also asked Education Scotland to develop an implementation framework, ensuring its own programmes of policy implementation, inspection, self-evaluation and practice support provide the necessary challenge in order to secure change.

**5.3** This approach will achieve greater consistency in the provision and practice of CLD across Scotland, continuing to foster local flexibility in establishing priorities and delivering services, whilst improving outcomes. The implementation process should ensure that:

- the core purpose of CLD is closely aligned with developments in post-16 education reform and community empowerment policy;
- CLD services will help to deliver the new partnership with communities envisaged by the Christie Commission reforms;
- the roles of all partners are clarified both within core services and wider CLD landscape;
- local authorities will be supported to audit the need for CLD, in line with the proposed duty in forthcoming legislation.

**5.4** We recognise that the current financial climate means that while there is increasing demand for CLD intervention and expertise, there is limited current scope for additional investment. So we hope that Community Planning partners approach this challenge by focusing on prevention and seeking to innovate in their use of existing resources, including Change and Regeneration funding.

**5.5** Specifically, we see the following responsibilities as being necessary.

**We expect CPPs to:**

Ensure systematic assessments of community needs and strengths provide the basis for SOAs and service strategies and plans.

Ensure this assessment is based on engagement and continued dialogue with communities, utilising CLD expertise, as well as on analysis of other data.

Ensure SOAs have a clear focus on prevention and community empowerment as the foundation of reformed public services and utilise CLD provision and methods for these purposes.

Review current partnership arrangements for planning, monitoring and evaluating CLD and ensure that they are fit for the purposes set out in this Guidance.

**Education Scotland will:**

Raise awareness of the opportunities, challenges and responsibilities outlined above.

Ensure its own CLD activities have a clear focus on implementing this Strategic Guidance and build and maintain a national overview of the impact of CLD. This will include:

- policy implementation;
- practice development;
- support and challenge to local authorities and their partners;
- support for self-evaluation; and
- evaluation and scrutiny including inspection.

Promote the national CPD strategy and the *i-develop* framework.

Promote high standards of practice underpinning CLD.

Contribute to delivering the implementation framework and subsequent action plans.

Highlight to Scottish Government any issues arising relating to workforce development.

**Education Scotland, working with key national partners, will:**

Establish an implementation framework, ensuring that issues identified in this Guidance are addressed and that existing and proposed strategic developments in the broad CLD field are integrated with this implementation process e.g. ALIS 2020

Ensure learning from the implementation process is shared by local and national partners, and informs its continuing development.

Keep under review the progress in implementing this Guidance and report to Scottish Government annually or with specific issues.

Support the CLD Standards Council to become an independent registration body for practitioners.



**We expect the CLD Standards Council for Scotland to:**

Establish a registration system for practitioners delivering and active in CLD practice.

Deliver a professional approvals structure for qualifications, courses and development opportunities for everyone involved in CLD.

Develop and establish a model of supported induction.

Convene a CLD employer group for Scotland and explore options around workforce, including links with UK wide work on National Occupational Standards.

**The Scottish Government will:**

Pursue a legislative basis for CLD and communicate progress with partners.

Pursue the inclusion of colleges as statutory partners of CPPs.

Examine the need to consider further the future of pre-service training.

Continue to involve CLD stakeholders in its post-16 Education Reform Programme.

Continue to promote the benefits of CLD methods across a wide range of policy areas.

Support Third Sector national organisations through the distribution of core funding.

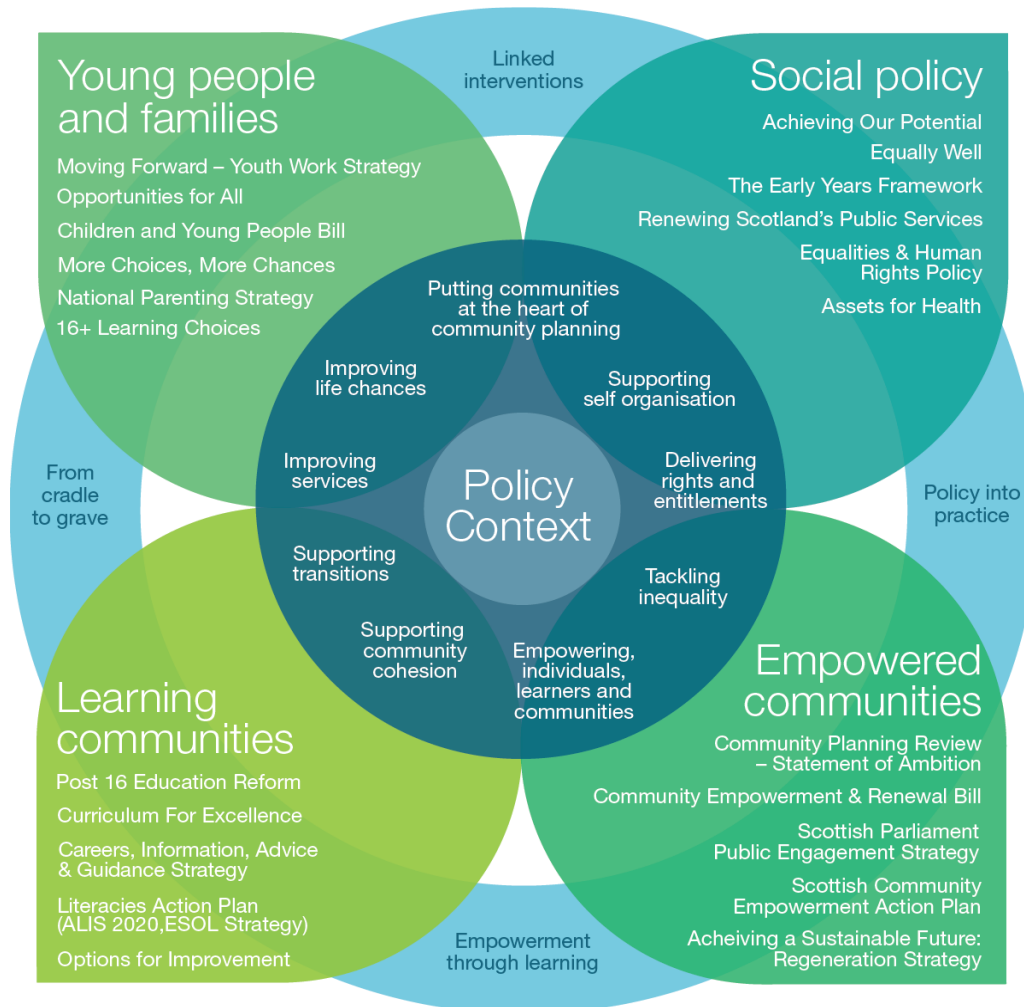
Fund the SCQF Partnership to allow it to support and credit rate CLD courses.

Continue with plans to refresh the current youth work strategy, *Moving Forward*, in partnership with national youth work organisations.

Work with the Improvement Service and Education Scotland to develop improved indicators for the impact of CLD work as part of the on-going Local Outcome Indicator Project which supports CPPs in Scotland.

Commission Education Scotland to provide an evaluative report on the impact of the guidance, based on inspection evidence and any other thematic evaluative activity.

# Annex A – The Policy Context For CLD In Scotland



# Annex B - The Outcomes of CLD in Scotland

