

Scottish Community Development Centre Briefing: *Requirements for Community Learning and Development (Scotland) Regulations 2013: Guidance for Local Authorities*

Education Scotland published further guidance on the Community Learning and Development Regulations in May 2014. This follows on from the Regulations themselves, which were published in 2013, and the Strategic Guidance addressed to Community Planning Partnerships in 2012.

This briefing is intended to set out the main points contained in the Guidance and raise questions of interest to Community Learning and Development.

What does the Guidance say?

The essence of the Guidance is contained on the opening page, where the following policy goals are set out:

- To ensure communities across Scotland – particularly those that are disadvantaged – 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
- To make the role and contribution of CLD more visible

It places the Guidance – and Community Learning and Development – as complementary to the public sector reform programme and the developing role of Community Planning. It does this through

emphasising the importance of prioritising preventative measures, working to reduce inequality, targeting the underlying causes of inter-generational deprivation and low aspiration, and making the best use of resources to achieve maximum impact. It states that the process put in place to develop the CLD plan should complement local Community Planning processes.

There is an interesting emphasis throughout the Guidance on the link to fulfilment of the Equality Act 2012 and in particular the Public Sector Equality Duty.

The Guidance is directed at local authorities, but there is a clear statement that they will not be able to meet the requirements without working with others.

It clearly links the 3 year plans to the Community Learning inspection framework, and there is a continuing emphasis on quality and self-evaluation.

The Guidance stresses the importance of the **process** of developing the plan as well as the plan itself.

Assessment of community learning and development needs

Assessment has to be undertaken in a way which:

- Identifies target individuals and groups
- Considers the needs of those target individuals and groups for CLD
- Assesses the degree to which those needs are already being met
- Identifies barriers to the adequate and efficient provision of relevant CLD

A clear link is drawn to the demographic and socio-economic data gathered when developing SOAs, with an explicit understanding that this data will be used when developing the CLD plan.

Throughout the process there should be a clear understanding of the impact CLD provision will make and an emphasis on evidencing this impact, and that this should include the use of evidence from the range of partners involved in CLD.

It explicitly states that the views of learners and communities must be sought and taken into account – and that this has had an impact on the CLD planned for and delivered in the area.

Reference is again made to existing mechanisms for identifying target groups and the Equality Act. Although consultation mechanisms are mentioned, it notes that activities to explore areas of potential need should be designed with individuals and communities as active partners. Lastly, it sets an expectation that an asset based approach

to identifying need will be taken – the need to identify strengths as well as areas for development.

Importantly, it notes that there should be consideration of the level of disadvantage in the community and the level of resource (including support and communities' internal resources) already available when making decisions about priority.

CLD plans have to develop a shared understanding of what constitutes 'adequate and efficient' CLD provision for their area. This is left for local agreement as the Scottish Government does not intend to develop a national definition of 'adequate and efficient'. But it does expect plans to include evidence of how levels of provision have been agreed and how they address the needs and priorities identified locally.

The importance of mutual development and equal partnerships is reiterated throughout, with an expectation that there will be the involvement of, and consultation with, representative persons who appear to the local authority to be representative of both target individuals and groups and providers of CLD, in line with the National Standards for Community Engagement.

The Three Year Plan

This must be in place by 1 September 2015, and can either be part of the Community Plan or a free standing plan with appropriate linkages and references to broader CP processes and shared outcomes.

The Plan has to show:

- How the local authority will co-ordinate its provision with other providers
- What action will be taken to provide CLD
- Any needs not being met – and why
- That the public sector equality duty has been taken into account
- That it is flexible enough to meet changing need
- Clear links and references to SOA, Community Plan and national priorities
- Understanding of the outcomes and impact of provision
- Evidence to assess impact being gathered and reviewed to inform future planning
- Who was consulted and involved and the impact of that consultation
- How the plan will be evaluated

Plans are to go to Local Area Networks (LANs) – these are local groupings of all inspectors with an oversight of the various

inspection processes and presumably the capacity to make links across inspections.

So, what does it mean?

This presents a real opportunity for Community Learning and Development to place itself at the heart of the Community Planning process. It is also an opportunity for CLD to set out its stall – defining the communities and learners it works with, the difference it makes, the SOA outcomes it contributes to, and the range of partners who contribute to community learning and development. Through the requirement to present the plans to the LAN there is a real opportunity for CLD to show the contribution it makes across a range of strategic areas.

The Guidance builds on current CLD practice which links evidence with agreement on priorities and capacity to deliver, and therefore should be an opportunity for CLD to showcase the good practices it has in place.

However there are challenges. This added visibility means that CLD will have to ensure that it is effective across a range of issues.

- The planning process must be inclusive at the assessment, prioritisation and delivery stages – this may lead to questions about whether current partnership working is fit for purpose and whether support arrangements are strong enough to allow partnerships to grow and develop.
- Use of demographic and socio-economic data and evidence gathering must be robust. This will lead to considerations of

how partnerships currently share and use data and evidence, and the extent to which this drives targeting and planning. Linked to this the self-evaluation processes of all partners must stand up to scrutiny.

- Communities and learners are required to be at the heart of both evaluation of need and decision making on priorities – CLD will have to consider how it develops processes which support that involvement and square some of the contradictions in the guidance between involvement, consultation and representation. These processes will have to reflect CLD values and the National Standards for Community Engagement. Where CLD partners have not involved communities in discussions - on assessment of strengths and areas for development, targeting, allocation of resources or evaluation of the difference provision makes - this could be both challenging and require significant support.
- The link to the Equality Act means that CLD will have to examine which groups it currently targets and the extent to which it considers the demands of this Act when planning provision.
- The emphasis on early intervention and prevention means that CLD will have to question the extent to which current provision truly contributes to this. Alongside a need to target resources, this may mean significant shifts in provision.
- There is an emphasis on showing the impact of provision. CLD will have to develop robust and sophisticated methods for showing impact in qualitative terms over the short and long term. It will need to develop methods across all partners – and methodologies for collection and data sharing.
- The Guidance leaves decision making about what is ‘adequate’ provision to local partnerships. This means that CLD needs to be able to argue coherently about the value and spread of its provision – and raises interesting questions about how a lack of sufficiency is dealt with. Is this an opportunity for CLD attracting additional resources or a threat to its future if impact and delivery is deemed inadequate?
- The Guidance clearly links CLD to Community Planning processes – this will bring questions about the extent to which this is currently happening and the current links between CLD provision and SOA outcomes.
- No additional resources are provided to develop these plans – CLD will need to consider how they plan to use their own resources to support this - and whether they have all the skills necessary to undertake this task. Again, the strength of partnership working will be a consideration in assessing the extent to which partner resources can contribute to the process of developing these plans.