

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

Guidance for Local Authorities

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This guidance is issued by the Scottish Government to assist in meeting the requirements in the Regulations. All legal obligations are contained in the Regulations and this guidance is an interpretive aid only.

May 2014

The Requirements for Community Learning and Development (Scotland) Regulations 2013: Guidance for Local Authorities

1 Introduction

1.1. Community learning and development (CLD) has a powerful impact on the lives of learners and communities, supporting them to identify and work towards change. Whether that change takes place in an individual's life, helps to create a resilient and enterprising community or contributes to better public services in a changing landscape, Scotland has a need for successful learners, confident individuals, responsible citizens and effective contributors working together to build a shared future.

1.2. While CLD is a coherent and distinctive set of practices defined by clearly identified [competences and values](#), it is delivered in diverse settings and sectors, by practitioners with a wide range of job titles, working with people of all ages.

1.3. In June 2012 the Scottish Government issued the *Strategic Guidance for Community Planning Partnerships: Community Learning and Development* ("CLD Strategic Guidance", attached at Annex 2). While directed at Community Planning Partnerships ("CPPs") and recognising the vital role played by a wide range of organisations and services, the *CLD Strategic Guidance* clearly identifies a lead role for local authorities, stating that the Scottish Government expects 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."

This expectation has now been formalised by The Requirements for Community Learning and Development (Scotland) Regulations 2013 ("the CLD Regulations"), which place a legal requirement on local authorities to fulfil this role.

1.4. The CLD Regulations support the achievement of the following policy goals:

- To ensure communities across Scotland - particularly those who 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.

1.5. The CLD Regulations are subordinate legislation made under section 2 of the Education (Scotland) Act 1980 (“the 1980 Act”). Section 2 allows the Scottish Ministers to prescribe requirements to which every education authority (synonymous with local authority in this context) must conform when discharging its obligations under the 1980 Act.

1.6. Section 1 of the 1980 Act requires each local authority to secure adequate and efficient provision in their area of both school education and further education, which in this context includes CLD and is not age limited.

1.7. While the CLD Regulations place requirements on local authorities, CLD is, in practice, delivered across Scotland through partnership activity by local authorities together with third sector organisations and other providers of public services as the best means of achieving positive outcomes for communities and learners.

1.8. The purpose of this document is to provide guidance to assist local authorities to meet the requirements of the CLD Regulations. It will also be of assistance to partners seeking to better understand their own role in the delivery of CLD.

1.9. The full text of the CLD Regulations forms Annex 1 of this document.

2 Policy context

2.1. The Scottish Government's National Performance Framework sets out the strategic objectives for all public services, including those delivering CLD. Within this, CLD's specific focus is:

- improved life chances for people of all ages through learning, personal development and active citizenship;
- stronger, more resilient, supportive, influential and inclusive communities.

2.2. 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, values and ethics for CLD practice as set out by the [CLD Standards Council for Scotland](#).

The key policy document is the *CLD Strategic Guidance* which is an overarching statement of the goals and principles for the development and delivery of CLD in Scotland. The CLD Regulations and all supporting materials should be read in that context. The *CLD Strategic Guidance* is part of the wider programme of public service reform, which includes the [developing role of Community Planning](#) and the reform of Post-16 education. It is intended to complement these developments.

2.3. In considering how best to meet the requirements of the CLD Regulations, local authorities should also be aware of new statutory requirements and policy expectations related to this area, such as:

- The [Statement of Ambition for Adult Learning](#), which aims to make Scotland the most creative and engaged learning society in the world;
- [Our Ambitions for Improving the Life Chances of Young People in Scotland: The National Youth Work Strategy 2014 - 2019](#), which sets ambitions for improving outcomes for young people through high quality and effective youth work practice;
- [The Commission for developing Scotland's young workforce](#), which aims to enable Scotland's young people to move into sustainable employment;
- [the outcomes of the review of Community Planning](#)
- legislative developments in relation to the implementation of the Getting It Right for Every Child approach and services for children and young people: the [Children and Young People \(Scotland\) Act 2014](#);
- the implications of the [Learning for Sustainability](#) report;
- [Opportunities for All](#), which offers a place in learning or training to every 16-19 year old in Scotland who is not currently in employment, education or training;
- the wider [public service reform agenda](#).

2.4. In particular, the Scottish Government's proposed [Community Empowerment \(Scotland\) 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.

2.5. Other legislation, including the [Local Government in Scotland Act 2003](#)¹, the [Equality Act 2010](#) (in particular the [public sector equality duty](#) set out in section 149) and the duties in the [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#), has important implications for the provision of CLD.

2.6. The Scottish Government expects that local authorities and their partners will implement these related pieces of legislation in a coherent manner that makes the best use of resources to achieve maximum positive impact.

¹ The implications for the provision of CLD that are contained in the Local Government in Scotland Act 2003 are spelt out in the [statutory guidance](#) and [advice notes](#) attached to that Act.

2.7. Working within this broader policy context, Scottish Government expects to see a continuing emphasis on the quality of CLD delivered by all providers. Effective self-evaluation by groups, services and partnerships remains key to improving performance and delivering better outcomes for learners and communities.

2.8. HM Inspectors carry out learning community inspections to evaluate the outcomes and impacts of activities in local areas. These inspections aim to answer two key questions:

- How well are partners improving learning, increasing life chances, promoting and securing wellbeing?
- How well are partners working together and improving the quality of services and provision?

The learning community inspection process places a strong emphasis on partners' joint self-evaluation through their use of appropriate quality frameworks including [How Good is our Community Learning and Development? 2](#) and the [revised quality indicators](#) which were updated in 2012.

This approach was designed to better recognise the increased integrated partnership-working between departments in local authorities, and with other agencies and organisations. Inspection reports evaluate learning community provision from all agencies and organisations, including schools and the voluntary sector as well as local authority provision.

2.9. Expectations for self-evaluation and inspection align with recent national policy developments, including the *CLD Strategic Guidance* and the CLD Regulations. HM Inspectors will expect to see learning communities being aware of the CLD Regulations in advance of September 2015 and will consider local plans for implementation.

3. Responsibilities

Local authorities

3.1. The responsibility for meeting the requirements in the CLD Regulations rests with the local authority as a whole. 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 (including in school and nursery settings), culture, sport, leisure and library services. They will be at all levels of seniority from Chief Officer to operational grade.

3.2. The local authority is responsible for ensuring that all relevant services and Community Planning Partnership (CPP) partners are made aware of the CLD Regulations and of this document.

3.3. Where local authority CLD services are provided by arms-length external organisations (ALEOs) in whole or in part, the duty to meet these Regulations remains with the local authority itself. It is for the local authority to ensure that any such ALEO provides services in a way which will enable the local authority to meet its statutory obligations.

3.4. Local authorities will not be able to meet the requirements of the CLD Regulations without engaging with other partners, learners and community groups and organisations. We expect that such engagement will be carried out in accordance with CLD values and principles as outlined above. Where we refer to "partners", learners and communities are included in this term through this document.

3.5. Wherever the elements of the CLD plan are located, local authorities should consider how the process they put in place to secure the provision of CLD contributes to the Community Planning process.

3.6. In order to initiate, track and maintain progress, a lead person or persons with an appropriate level of seniority should be identified. We expect that staff with a skill set relevant to CLD will be in place at all the appropriate levels of delivery, management and strategic planning.

Local authority elected members

3.7. Elected members should be aware of the CLD Regulations as part of their responsibility to set the strategic direction and priorities of the local authority. Their role as key stakeholders in CPPs will be of great assistance in engaging other partners in the processes to allow local authorities to meet the requirements of the CLD Regulations.

3.8. Elected members may find the processes carried out by local authorities to meet the requirements of the CLD Regulations helpful when discharging their duties to represent constituents, make decisions and develop, review and monitor the performance of services.

Other partners

3.9. Other partners across the CPP, the public sector, the third sector and in some instances the private sector have roles in assessing need, planning, delivering and evaluating CLD. If local authorities are to meet the requirements of the CLD Regulations, we would expect to see a range of partners active in the planning, delivery and evaluation of CLD provision.

3.10. Community groups, organisations and learners also have a vital and active part to play in enabling local authorities to meet the requirements of the CLD Regulations. Community groups, organisations and learners should be seen as equal partners in the process, contributing their knowledge, ability and resources to develop plans and provision in collaboration with local agencies.

3.11. While the composition of each local authority area will differ, partners who have a key contribution to make include:

- all services with an identified CLD remit within local authorities, ALEOs and government organisations, and voluntary sector organisations publicly funded for this purpose. These services should be closely aligned with education (including schools and nurseries), 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, prisons, 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.

4. Regulation 1 – Citation, commencement and interpretation

4.1. The CLD Regulations are subordinate legislation made under section 2 of the Education (Scotland) Act 1980 (“the 1980 Act”). Section 1 of the 1980 Act requires each education authority (synonymous with local authority in this context) to secure adequate and efficient provision in their area of both school education and further education, which in this context includes CLD and is not age limited.

Section 2 allows the Scottish Ministers to prescribe requirements to which every local authority must conform when discharging its obligations under the 1980 Act.

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 local level.

Activities included in the term “community learning and development”

4.2. 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. It includes activities that develop communities as well as promoting the educational and social development of the individuals and groups participating in them.

4.3. Local authorities should note that the *CLD Strategic Guidance* sets out the Scottish Government’s expectations of what is included under the term “community learning and development”. Of particular relevance are [paragraphs 2.1 to 2.4](#) describing the purpose and outcomes of CLD, and paragraph 3.4, which sets out the types of activities that the Scottish Government wishes to see partners undertaking to deliver CLD outcomes set out previously in this document. Those 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;
- learning support and guidance in the community.

Many of these areas of practice have their own professional history and are well defined in their own right. The competences, values and ethics set out by the [CLD Standards Council for Scotland](#) provide the framework for CLD practice, which we see as the key means of delivering the outcomes identified. This framework is applicable in the wide range of contexts outlined above.

Target individuals and groups

4.4. The phrase “target individuals and groups” in the CLD Regulations refers to the people identified through the processes required by Regulations 2 and 3, outlined in Section 5 below, as being most likely to benefit from CLD provision. This includes individuals, geographic communities, communities of interest and existing community or learning groups.

4.5. When identifying these target individuals and groups, local authorities should note that, in addition to having regard to the identified needs of communities, they must also consult both:

- CLD providers;
- Persons representative of the target individuals and groups.

as laid out in Regulation 4.

5. Regulations 2 and 3 - Assessment of community learning and development needs

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

5.1. Regulation 2 requires the local authority to initiate, maintain and facilitate a process which ensures that CLD in the area of the local authority is secured in such a way that it:

- 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; and
- identifies barriers to the adequate and efficient provision of relevant CLD.

5.2. Throughout this process, the Scottish Government expects there to be a clear understanding of the impact CLD provision will make and an emphasis on evidencing this impact.

5.3. Our expectation is that local authorities will build on existing processes developed in response to the *CLD Strategic Guidance* and consider how these can be further developed. This will establish a sound basis for developing and publishing the plan referred to in Regulation 4, while assisting local authorities to work effectively with partners to deliver positive outcomes for communities and learners.

5.4. Local authorities are required to “secure” provision of CLD; this indicates that the delivery of CLD is in no way limited to the local authority. We would expect to see other providers and partners active in the planning, delivery and evaluation of CLD provision.

Identification of target individuals and groups

5.5. In the course of developing their Single Outcome Agreement and Community Plan, each local authority will have developed a good understanding of the demography and socio-economic make-up of its area. This data will be helpful in deciding how to target CLD provision.

5.6. In addition to this, it will be important to work with partner organisations and services – both providers of CLD and non-providers – to draw on the qualitative and quantitative evidence they hold to ascertain who is most likely to benefit from CLD provision.

5.7. Equally, the views of learners and communities themselves must be sought and taken into account. We expect to see evidence that the consultation process referred to under Regulation 3 has had an impact on the CLD planned for and delivered in the area.

5.8. Local authorities should consider their existing mechanisms for identifying target groups in this light and with due regard to the Equality Act 2010.

Needs assessment and prioritisation

5.9. Working with communities to realise and build on their own strengths or assets is at the core of the CLD delivery model. Activities to explore areas of potential need should be designed with individuals and communities as active partners.

5.10. We expect that an asset-based approach to identifying need will be taken when meeting the requirements of the CLD Regulations. This requires local authorities and their partners to identify the strengths and opportunities that individuals and communities have, as well the areas that are required for development.

5.11. Every community or group has access to a range of existing support and internal resources. When planning the delivery of CLD provision, local authorities and their partners should have regard to the level of disadvantage in the community and the level of resource already available to that community when making decisions about priority.

5.12. In line with [Renewing Scotland's Public Services - Priorities for reform in response to the Christie Commission](#), a focus on measures which prevent problems from emerging and increase the opportunities for individuals and communities to shape their own lives is a long standing feature of CLD practice. We expect local authorities and their partners to prioritise preventative measures, work to reduce inequality and target the underlying causes of inter-generational deprivation and low aspiration.

Barriers to provision

5.13. The CLD Regulations require the identification of “barriers to the adequate and efficient provision” of CLD in the areas identified by the needs assessment, whether these are geographic areas or communities of interest. Local authorities, CLD partners and communities should seek to develop a shared understanding of what constitutes “adequate and efficient” CLD provision for their local authority area.

5.14. The Scottish Government will not develop any national definition of “adequate and efficient”; this is for each local authority, in discussion with partners and communities, to decide. We will expect CLD plans to include evidence of how levels of provision have been agreed and how they address the needs and priorities identified locally.

Regulation 3 – Duty to involve and consult

5.15. In meeting the requirements in Regulation 2, the local authority is required under Regulation 3 to involve and consult representative “persons” who appear to the local authority to be representative of both:

- the target individuals and groups;
- providers of CLD within the area of the local authority.

5.16. This requirement to involve and consult reflects the importance placed upon mutual development and equal partnerships when planning and delivering CLD. This is in line with [Renewing Scotland's Public Services - Priorities for reform in response to the Christie Commission](#) which emphasizes the need for “public services to work harder to involve people everywhere in the redesign and reshaping of their activities.”

5.17. We expect all involvement and consultation to be carried out in line with the CLD values and principles outlined above and with the [National Standards for Community Engagement](#).

5.18. We expect the full range of local partners referred to at paragraph 3.11 above and others identified by local authorities to be consulted in a timely manner as the plan develops, and for opportunities to be available for those partners who wish to be more directly involved in developing the plan.

5.19. It is good practice to involve partners who are not providers of CLD but who have a related role such as referral or awareness raising.

6. Regulation 4 – Three year plan

6.1. Regulation 4 requires each local authority to consult on and publish plans every three years containing specified information on the provision of CLD by both the local authority and its partners. The first plan should be in place no later than 1st September 2015 with subsequent plans published at three yearly intervals from the initial date of publication.

6.2. It is for the local authority to decide whether it will meet this requirement as a part of a wider process such as the Community Plan or as a free standing plan. In the latter case, we would expect to see appropriate linkages and references to broader CPP processes and shared outcomes.

6.3. Wherever the elements of the CLD plan are located, local authorities should ensure that the process they put in place to secure the provision of CLD contributes to the Community Planning process. In the *CLD Strategic Guidance*, the Scottish Government stated its expectation that CPPs:

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

6.4. The process to secure the provision of CLD is closely related to the work of CPPs in assessing community needs and community empowerment and should be delivered accordingly. We expect that a responsive approach to community needs and an understanding of outcomes will be at the heart of the process.

6.5. Local authorities and their partners will wish to ensure that the three year planning process supports and further improves their existing arrangements for self-evaluation, performance management and measurement of the impact of CLD.

Content of the Plan

6.6. The CLD Regulations stipulate that each CLD planning process must identify the following information:

- how the local authority will co-ordinate its provision of CLD with other CLD providers within the area of the local authority;
- what action the local authority will take to provide CLD over the period of the plan;
- what action other partners intend to take to provide CLD within the area of the local authority over the period of the plan;
- any needs for CLD that will not be met within the period of the plan.

6.7. Each local authority and its partners will be working to meet the needs and aspirations of local groups and communities within the requirements of the Equality Act 2010. As these needs become apparent, the plan should reflect which of these will be met in the current planning cycle, and also those ambitions and needs that have been identified but which will not be met, with an accompanying rationale. This will contribute towards the transparency of the planning process and allows other providers to identify unmet needs in the community. It is recognised that needs will change over the course of the planning cycle and it is expected that provision should to be flexible enough to accommodate this.

6.8. The Scottish Government would also expect to see:

- Clear links and references to the SOA, Community Plan and appropriate local and national priorities;
- An understanding of the outcomes and impact the provision will have;
- Evidence to assess impact being gathered and reviewed throughout the period to inform future planning;
- Who was involved and consulted in developing the process and the plan, and the impact of that consultation;
- How the plan will be evaluated by local stakeholders.

6.9. In line with other obligations, local authorities should share the completed elements of the plan with their Local Area Network (LAN). LANs have been established for each council area and bring together representatives in a systematic way with the common aims of joint scrutiny, scheduling and planning, shared risk assessment (SRA), and the delivery of a single corporate assessment. It is good practice for local authorities to routinely share information with LANs to support information sharing, evidence gathering and the risk assessment process.

6.10. HM Inspectors from Education Scotland play a key role in the SRA process and are represented on each LAN by an Education Scotland Area Lead Officer. As part of this process, the LAN will consider the plan as part of other documentation and information about the local authority to inform the risk assessment process.

6.11. There is no requirement to submit the published plan to Education Scotland although local authorities may wish to share it with their Area Lead Officer.

Consultation process

6.12. When developing the elements of their CLD plan, the local authority is required to involve and consult persons appearing to the local authority to be representative of:

- the target individuals and groups for CLD;
- providers of CLD within the area of the local authority;
- any other persons the local authority thinks fit.

6.13. Section 5 of this Guidance relating to the requirement to involve and consult under Regulation 3 also applies here.

Annex 1 The Requirements for Community Learning and Development (Scotland) Regulations 2013

This document can be found at <http://www.legislation.gov.uk/ssi/2013/175/contents/made>

Scottish Statutory Instruments 2013 No. 175

<i>Made</i>	<i>29th May 2013</i>
<i>Laid before the Scottish Parliament</i>	<i>31st May 2013</i>
<i>Coming into force</i>	<i>1st September 2013</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2 of the Education (Scotland) Act 1980² and all other powers enabling them to do so.

Citation, commencement and interpretation

1. — (1) These Regulations may be cited as the Requirements for Community Learning and Development (Scotland) Regulations 2013 and come into force on 1st September 2013.

(2) In these Regulations—

“community learning and development” includes programmes of learning and activities designed with individuals and groups to promote the educational and social development of those individuals and groups; and

“target individuals and groups” means those individuals and groups that the education authority considers, having regard to the needs of the communities within the area of the education authority, are most likely to benefit from the provision of community learning and development.

Assessment of community learning and development needs

2. An education authority is required to initiate and, having done so, to maintain and facilitate a process by which community learning and development secured within the area of the education authority is secured in a way that—

(a) identifies target individuals and groups;

² 1980 (c.44). Section 2 was amended by the Self-Governing Schools etc. (Scotland) Act 1989 (c.39), section 69 and the Education (Scotland) Act 1996 (c.43), Schedule 6. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) has regard to the needs of those target individuals and groups for that community learning and development;

(c) assesses the degree to which those needs are already being met; and

(d) identifies barriers to the adequate and efficient provision of that community learning and development.

3. In exercise of the requirement in Regulation 2, the education authority is 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—

(a) persons appearing to the education authority to be representative of the target individuals and groups; and

(b) persons appearing to the education authority to be representative of persons providing community learning and development within the area of the education authority.

Three year plan

4. — (1) An education authority is required to publish a three year plan containing the information specified in paragraph (2) no later than—

(a) 1st September 2015; and

(b) each third year after the date of publication of the previous plan.

(2) The plan must specify—

(a) how the education authority will co-ordinate its provision of community learning and development with other persons that provide community learning and development within the area of the education authority;

(b) what action the education authority will take to provide community learning and development over the period of the plan;

(c) 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

(d) any needs for community learning and development that will not be met within the period of the plan.

- (3) Before publishing a plan, the education authority must consult—
- (a) persons appearing to the education authority to be representative of the target individuals and groups for community learning and development;
 - (b) persons appearing to the education authority to be representative of persons providing community learning and development within the area of the education authority; and
 - (c) such other persons as the education authority thinks fit.

AILEEN CAMPBELL

Authorised to sign by the Scottish Ministers

St Andrew's House
Edinburgh
29th May 2013

EXPLANATORY NOTE

(This note is not part of the Regulations)

These 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 learning and development (defined in Regulation 1) secured within the education authority's area.

Regulation 2 sets requirements in relation to the process to be undertaken by the education authority in securing community learning and development. The education authority is obliged to involve and consult certain representative persons in carrying out that process (Regulation 3).

Regulation 4 requires that education authorities publish plans every three years containing information about the provision of community learning and development.

Annex 2 Community Learning and Development: Strategic Guidance for Community Planning Partnerships

This document can be found at

<http://www.scotland.gov.uk/Publications/2012/06/2208/0>

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 people's 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:

Improved life chances for people of all ages, through learning, personal development and active citizenship.

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 previous 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 partners 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: <ul style="list-style-type: none"> • 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>i-develop</i> 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



