EXPLANATORY MEMORANDUM TO

THE LEARNING AND SKILLS COUNCIL FOR ENGLAND (TRANSFER SCHEMES) (PERMITTED TRANSFEREES) (ENGLAND) ORDER 2010

2010 No. 599

1. This explanatory memorandum has been prepared by the Department for Children, Schools and Families and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 To allow the transfer of Learning and Skills Council (LSC) staff and property to bodies that weren't originally included in Apprenticeships, Skills, Children and Learning Act (ASCL) 2009. The staff and property is transferring to new bodies as part of the dissolution of the LSC.

3. Matters of special interest to the [Joint Committee on Statutory Instruments *or* the Select Committee on Statutory Instruments]

3.1 None

4. Legislative Context

4.1 This order will add to the list of bodies that staff and property from the LSC are permitted to transfer to under Schedule 7 of the ASCL Act 2009.

5. Territorial Extent and Application

5.1 This instrument applies to England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- ***What is being done and why***

7.1 The Act abolishes the LSC. It transfers responsibility for funding education and training for young people over compulsory school age but under 19 from the LSC to local authorities. It also gives local authorities responsibility for the education of young people in custodial establishments and for the education and training of certain learners with learning difficulties or disabilities up to the age of 25. The Act creates the YPLA to support local authorities in their new role. The Act also creates the office of Chief Executive of Skills Funding. The holder of this office will head the Skills Funding Agency, which will

be established by administrative means. The Chief Executive of Skills Funding will be responsible for establishing and leading a new, demand-led system of skills provision for adults

8. Consultation outcome

8.1 The proposals in the White Paper, '*Raising Expectations: enabling the system to deliver*' were consulted on extensively following its publication in March 2008. There was broad support for the change. Since then there has been ongoing stakeholder engagement in taking forward implementation, with a series of regional stakeholder events and continued engagement of all key partners on programme and stakeholder boards. There has also been ongoing consultation with the unions representing the LSC staff. As the order is technical and is required as part of the transfer no further public consultation has been carried out.

9. Guidance

9.1 No guidance on the order is necessary.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies, other than those named in the Order who have been fully consulted as part of the process.

10.2 Staff and property will transfer to some areas of the public sector. Those areas affected have been fully consulted with.

10.3 An Impact Assessment has not been prepared for this instrument

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 No monitoring or review is required for this Order.

13. Contact

Louisa Maslin at the Department for Children, Schools and Families Tel: 0207 783 8465 or email: louisa.maslin@dcsf.gsi.gov.uk can answer any queries regarding the instrument.