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Department of Education



**Consultation on Proposals
for the
Future of the Youth Council**



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Introduction

The primary function of this consultation document is to set out the Department of Education (hereafter “the Department”) options for the future of the Youth Council for Northern Ireland (hereafter “the Youth Council”).

Your views on the consultation are welcome and will provide the opportunity to inform decisions on the proposals for the future of the Youth Council. Details on how to send comments and the closing date for consultation are provided later.

The Minister’s final decision on the future of the Youth Council will take account of the outcome of this consultation.

Strategic Context

The historic pattern of funding for youth services will change with the creation of the Education Authority which provides a new regional body to deliver youth services. However, this leaves a situation where there are now effectively two organisations operating at a regional level: the Education Authority and the Youth Council. The establishment of the Education Authority represents an opportunity for the Department to reshape and reform regional and sub-regional youth service delivery to ensure that the service is supported to participate as effectively as possible within the new education administrative arrangements. Within this context, therefore, the Department seeks to explore how its funding for youth services might be delivered through the Education Authority.

Under the Review of Public Administration, the Education Skills Authority (ESA) was proposed to provide a single authority for the administration of education. As part of those proposals, the Youth Council was to be subsumed into ESA. The Executive subsequently agreed to withdraw from its 2014-16 Programme for Government commitment to establish ESA and instead to amalgamate the five Education and Library Boards (ELBs) and their Staff Commission into a single Education Authority, leaving the Youth Council and CCMS outside these arrangements. The options considered in this paper are not intended to replicate the ESA proposal to dissolve the Youth Council and transfer its functions, assets and staff to ESA but to resolve the administrative effect of the creation of the Education Authority (i.e. the existence of two organisations operating at a regional level).

Budgetary Considerations

The Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last 5 years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as Education. The Minister has taken every action possible to protect Education funding and those frontline services within the Department's remit. However, it is simply impossible to protect everything, hence the Minister has decided that a different approach for managing the DE funded youth service is required to ensure quality and consistency in delivery in order to allow the youth service to continue to provide the maximum level of frontline services within its approved budget.

The Minister's focus remains on raising standards and improving outcomes and therefore the Department must seek to ensure that the youth service is fit for purpose, maximises value for money and avoids duplication.

Priorities for Youth

When published in October 2013, the Priorities for Youth policy indicated that delivery of many of its actions would be the responsibility of ESA, as the Department's delivery body. Priorities for Youth was therefore clear that delivery of policy objectives could be taken forward within a single administrative structure.

In delivering Priorities for Youth there are significant roles for both regional and local voluntary groups working in partnership with the Statutory Authorities. This includes a more strategic approach to the assessment of need for general and targeted provision, planning of youth services and engagement between the voluntary sector and the statutory sector to develop greater cooperation, where appropriate, in the implementation and delivery of actions in the Regional Youth Development Plan. The establishment of the youth service Regional Advisory Group has put in place a mechanism which enables key stakeholders to engage directly with the statutory authorities to inform the strategic delivery of youth services, both regionally and sub regionally. This will help the Department meet its overall policy objectives to raise standards and improve educational outcomes.

Current Arrangements

Until now each of the five ELBs has been responsible for securing the provision of adequate facilities for youth service in its local area and it has done this using a mix of funded provision through a large number of voluntary youth organisations and direct statutory provision. In 2015 -16 the Department's funding to the Education Authority, including earmarked funding for particular services, is almost £29 million.

The statutory functions of the Youth Council are set out at Annex A. In terms of funding, it provides financial support to regional voluntary youth organisations, mainly through infrastructure funding, but also for some specific programmes. The funding for the Youth Council for 2015 -16, including earmarked funding, is around £4.1 million.

Until now regional and local administrative structures have coexisted, each within a clearly defined remit. In this context, the statutory organisations have worked together effectively on issues of mutual interest relating to youth service delivery. However, as stated earlier, the establishment of the Education Authority has made the picture less clear, as there are now two statutory bodies operating at a regional level.

The challenge is to examine whether these structures are the most appropriate way of ensuring the delivery of existing services and functions, that the most effective use is made of the Department's youth budget and that the policy requirements of Priorities for Youth are delivered.

Rationale for Change

The establishment of the Education Authority enables a new approach to be taken to the organisation of regional and sub regional youth services focusing on equality of access and consistency in the delivery of departmental policies and provision of services to ensure that they are fit-for-purpose and maximise efficiency and value for money. It creates a structure of governance that supports, challenges and holds to account those responsible for delivering regional and sub regional youth service activities to children and young people in a systematic and consistent manner.

The current youth service structures were designed for a different context. With the establishment of the Education Authority and with the youth sector embarking

on the implementation of Priorities for Youth it is essential that the organisational structure/capacity supports the effective delivery of programme services.

It is important to stress that regional and sub regional youth services should not be viewed as isolated identities, but as a whole which will require collaboration and interaction to deliver the optimal outcomes for children and young people. The emphasis will be on ensuring the delivery of high quality youth services across both regional and sub regional levels through effective engagement of multiple stakeholders (e.g statutory, voluntary, regional, sub regional and sectoral bodies). The Department believes it is timely to address the rationalisation of the administration of youth services to facilitate more innovative decision making, reduce bureaucracy and eliminate duplication in order to have greater budgetary efficiencies and a youth service fit for purpose going forward.

The Department is making every effort to protect Education funding and frontline services within the Department's remit whilst cutting unnecessary administration. Rationalising the delivery of regional youth services within the Education Authority will enable them to operate more efficiently than through previous structures by allowing greater flexibility in the allocation of youth service resources and realising further gains derived from minimising duplication and making economies of scale. This will mean that more of the youth service budget can be allocated to frontline services. It is recognised that the Youth Council has to date provided a distinctive entity in the management of regional youth services. However, given the current budget context and the Minister's desire to protect frontline services, there may be other options to achieve this.

Giving effect to the administration of regional youth services through the Education Authority does not require a change to the current Education Authority legislation, however, as the Youth Council was established under the Youth Service (NI) order 1989, primary legislation would be required to effect a change in approach (ie to dissolve the Youth Council).

The Department is therefore seeking views on whether the functions currently undertaken by the Youth Council could be subsumed within the operation of the Education Authority as set out in the Education and Libraries (NI) Order 1986 where the Education Authority is responsible for securing adequate facilities for youth services activities ancillary to education.

Impact on Other Executive Departments

Consideration will be given to the potential impact this policy may have on legislation and policies of other Executive Departments.

Timing

The timing of the repeal of the Youth Service (NI) Order 1989 would be subject to the legislative process in the NI Assembly.

Options in Respect of the Future Delivery of Youth Services

The Department would like to hear the views of all interested persons on the options identified below:-

- **Option 1 - Dissolution of the Youth Council. (Repeal of The Youth Service (NI) Order 1989)** The creation of Educational Authority enables the delivery of a single regional youth service. This option provides the opportunity for minimising the duplication of regional and sub regional youth services so that the maximum proportion of available grant funding is allocated to front line youth services whilst complementing the consistency and quality of the service provided. As a single provider the Education Authority will ensure consistency in the delivery of youth service. The Education Authority's functions do not require any legislative amendments in order to administer regional youth services.
- **Option 2 - Dissolution of the Youth Council (Repeal of The Youth Service (NI) Order 1989) and protection of youth provision within the Education Authority.** This option builds on Option 1 as it proposed that youth provision within the Education Authority is protected through the development of:-
 - specific targets relating to youth provision set by the Minister and monitored by the Department;
 - management/monitoring of the Education Authority youth budget to ensure it underpins these targets;

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- greater flexibility in the allocation of resources, regionally and sub regionally;
 - particular consideration given to the funding of Regional Voluntary Youth Organisations;
 - designated staff for youth services within the Education Authority; and
 - scope for strategic/higher level projects to be identified as part of the Regional Youth Development Plan preparation process, which will guide and support the delivery of services by the Education Authority.

Questions for Consultation

The Department encourages all who read this document to approach it with an open mind and to respond to it constructively. We hope that, with the benefit of this consultation, we will be able to provide a youth service that will best serve the needs of children and young people. We would welcome responses to the following questions:

Whilst acknowledging the effective administration of regional youth services by the Youth Council to date,

1. Do you agree that the creation of the Education Authority combined with current budgetary constraints provides a need to rationalise the administration of regional and sub regional youth services?
 - a. **YES** If you support the delivery of regional and sub regional youth services in the Education Authority, please identify the option that you think will achieve the desired effect: Option 1 or Option 2
 - b. **NO** If you do not support the delivery of regional and sub regional youth services in the Education Authority, please state what your objections are and give your reasons including any possible alternative models that you may suggest.
2. Are there any services currently provided by the Youth Council which you consider must be retained by the Education Authority?
3. Do you consider that the dissolution of the Youth Council will adversely impact on regional youth services?
4. Do you consider that the options identified adversely impact on any of the Section 75 groups?

If yes, please tell us.

- Which groups do you think the option affects? and
- How do you think the groups would be adversely affected?

5. Do you have any further comments additional evidence or information that the Department should consider when assessing the proposed rationalisation of the administration of youth service funding?

How to Respond to this Consultation

The Department would welcome your comments by **5.00pm on Friday 3 July 2015**. We cannot guarantee to be able to consider your response if it arrives after this date.

The Department would particularly welcome comments on any perceived adverse impacts that this funding change may have on any particular area of Youth Council work or on particular groups.

Responses should be made preferably by using the Response Booklet. Responses in other formats should be clearly marked with the words **Consultation on Proposals for the Future of the Youth Council** on the title page, or in the subject box of emails. Written responses should be sent to:

Post: Consultation on Proposals for the Future of the Youth Council
Department of Education
Youth & Schools in the Communities Team
Rathgael House
Balloo Road
BANGOR
BT19 7PR

E-mail: youth.services@deni.gov.uk

Telephone queries: 028 9127 9747

When responding, please state whether you are responding as an individual or representing the views of an organisation. Please make it clear who the organisation represents and, where applicable, how the views of members were gathered.

Additional Copies

Additional copies of this document can be obtained from the above address or by contacting us by telephone on: **028 9127 9747**.

Alternative Formats

Other versions, such as Braille or Audio can be requested. Please contact 028 9127 9747 or youth.services@deni.gov.uk with your request.

Electronic copies of this document and the response booklet are available in English and Irish on the Department's website at: www.deni.gov.uk.

Complaints

If you have any comments about the way this consultation has been conducted, they should be sent to the Head of Youth & Schools in the Community Team:

Email: Brenda.shearer@deni.gov.uk

By post: Head of Youth & Schools in the Community Team
Consultation on Proposals for the Future of the Youth Council
Department of Education
Youth & Schools in the Communities Team
Rathgael House
43 Balloo Road
Rathgill
BANGOR
BT19 7PR

Telephone: 028 9127 9765

Confidentiality of Consultations

The Department will publish a summary of responses following completion of the consultation process. Your response, and all other responses to the consultation, may be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances.

Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this consultation.

The Freedom of information Act 2000 gives the public a right of access to any information held by a public authority, namely, the Department in this case. This right of access to information includes information provided in response to a consultation. The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- The Department should only accept information from third parties in confidence if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- The Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- Acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

For further information about confidentiality of responses please contact the Information Commissioner's Office (or see website at: www.informationcommissioner.gov.uk).

Section 75

Under Section 75 of the Northern Ireland Act 1988 the Department, in carrying out its functions is required to have **due regard to the need to promote equality of opportunity between:**

- persons of different religious belief, political opinion, race, age, marital status or sexual orientation;
- men and women generally;
- persons with a disability and persons without; and
- persons with dependents and persons without.

In addition, without prejudice to the above obligations, the Department is also required to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

As part of this consultation the Department is inviting views on any future potential Section 75 impacts.

Your views will be taken into account by the Department when it carries out an Equality Impact Assessment screening exercise and, if appropriate, a full Equality Impact Assessment.

Timescale

This consultation will take place between 20 April 2015 and 3 July 2015.

Relevant Legislation

The Education and Libraries (NI) Order 1986

The Youth Service (NI) Order 1989

The Education Act (NI) 2014

Background to Youth Council

The Youth Council was established under Article 3 of **The Youth Service (NI) Order 1989**. It is an executive Non-Departmental Public Body (NDPB) of the Department of Education. The existing structure of Youth Council has been in place since 1 January 1990.

The functions of the Youth Council are as set out in **Article 4 (1) the Youth Service (NI) Order 1989**.

<http://www.legislation.gov.uk/nisi/1989/2413/contents>

The Youth Council's functions include:

- advise the Department of Education, Education Authority and other bodies on the development of the youth service;
- encourage cross-community activity by the youth service;
- encourage the provision of facilities for the youth service and facilities which are especially beneficial to young persons; and
- encourage and assisting the co-ordination and efficient use of the resources of the youth service.

Article 4 (2) The Youth Council may also assist the efficient provision of administrative services (including training and travel) by voluntary headquarter organisations whose services are available throughout NI and not only in some particular locality.

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