

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

RECORD OF OFFICER EXECUTIVE DECISION

Date of Decision:	22 April 2025
Title:	The Combined Authorities (Adult Education Functions) (Amendment) Order 2025
Decision Maker: (Including Job Title)	Sharon Kemp (Chief Executive)
Details of Specific Delegation or Delegation contained in the relevant Sub-Scheme of Delegation.	Section 4C1 3. Devolution and local freedoms including delivery of devolved powers and freedoms and liaison with:- (a) South Yorkshire Combined Authority and Sheffield City Region bodies; and (b) Central government departments.
Decision:	The consent of the Combined Authority and each of its constituent councils is required before an Order can be made providing Adult Skills Fund powers. The Department of Education is seeking consent as quickly as possible in order that the Order can be enacted in time for the 2025/26 academic year.
Reasons for the Decision:	<p>In 2024 new types of technical qualifications were approved by Institute for Apprenticeships and Technical Education, for delivery from 2025. These are funded nationally under section 100 (1B) of the Apprenticeships, Skills, Children and Learning Act 2009. To enable Combined Authorities and Combined County Authorities to use their Adult Skills Fund budget to fund the new technical qualifications from 2025, the Government will need to transfer this funding power to them via a statutory instrument.</p> <p>The Combined Authorities (Adult Education Functions) (Amendment) Order 2025 ("the Order") will be made, subject to Parliament's approval, under provisions within the Local Democracy, Economic Development and Construction Act 2009, including section 105A. This Order will amend the existing education-related statutory instrument for each Combined Authority to add the further funding power, to</p>

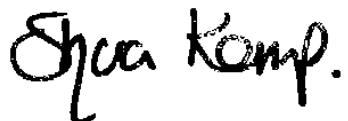
	<p>enable combined authorities to fund new, high-quality technical qualifications alongside others already available to them. This will ensure that adult learners in the area will have access to the same high-quality technical qualifications as those in other devolved, and non-devolved, areas. The aim (subject to Parliamentary approval and timetabling) is for the statutory instrument to come into effect by the start of August 2025, in time for the new academic year.</p> <p>A public consultation and an assessment of burdens has been undertaken by the Department for Education, which concluded that transferring section 100 (1B) will not place any additional burdens on combined authorities. Qualifications are withdrawn and new qualifications are approved all the time, so the list of qualifications from which combined authorities can select is not static – it is constantly changing. Commissioning officers and providers already have processes in place to manage changes to the qualifications landscape and decide which ones are most appropriate for adults in their areas. The proposed Order will not require the Combined Authority to do anything different, or change the way it operates, it will merely give the power to fund the new technical qualifications, alongside other qualifications that are already available to it, if it wants to.</p>
Details of alternative options considered and rejected:	The only other option in this case is to refuse consent. This option would prevent the SYMCA from continuing and it is not felt that this would assist.
Conflicts of interest declared by any Cabinet Member consulted by the decision maker which relates to the decision:	None
Dispensations Granted: (If any)	None
Conflicts of interest declared by the Decision Maker if they sit as a Cabinet appointed representative to an outside body which relates to the decision:	None

Dispensations Granted: (If any)	None
Reports or parts of reports considered	The decision is taken in accordance with the details published by the Combined Authority at South Yorkshire MCA

I certify that this is a true record of the decision relating to The Combined Authorities (Adult Education Functions) (Amendment) Order 2025.

I confirm that in making this decision, due regard was given to the seven principles of public life.

Signed by the Decision Maker:



Dated: 22 April 2025

Name: Sharon Kemp
Job Title: Chief Executive Officer