

## Item 1 Appendix A

# LGA Children and Young People Board: Briefing on the Board's priorities for 2012/13

## 1. Adoption

Adoption reform is a Government priority this year, seeking to address the reduction in numbers and the length of time the process takes. The Action Plan for Adoption: Tackling Delay, published in April, sets out proposals including speeding up the assessment process; a fast-track process for those who have adopted before or who are foster carers; creation of a National Gateway and making 'fostering for adoption' easier. The Government has also published local authority 'adoption scorecards'.

### Our current position

Some elements of the adoption reform, such as cutting down the bureaucracy associated with assessments, are positive. However, the LGA has lobbied strongly against adoption scorecards as they do not provide a fair picture of local authority performance. They do not take into account the difficulties councils face in finding families for harder to place children, such as sibling groups, older children or those with disabilities, nor recognise the shortage of adopters. Ofsted found that the most significant cause of delay was the court system.

### Next steps for the LGA

The LGA will continue to make the case against the adoption scorecards as a route to local improvement. We will also seek to influence the upcoming Children and Families Bill and the outcome of the House of Lords select committee on adoption legislation.

## 2. Children's Homes

Reports into child sexual exploitation and children missing from care have been highly critical of residential children's homes. In particular, serious concerns have been raised about out of area placements and the quality of care provided in homes. The Government has stated the need for urgent reform and has established two working groups on these subjects

### Our current position

The paramount concern for councils is the welfare of local children and it has become clear that the current system of residential care is not fit for purpose. There is need for reform and as corporate parents, providers and commissioners local government must take responsibility to improve the parts of the system within our control and work closely with partners to achieve wider system change.

### Next steps for the LGA

The LGA is fully participating in the Government's working groups which are seeking to gain the necessary clearer understanding of how the current system is operating. We will seek to inform and influence the reform proposals, so that councils can more effectively meet the needs of looked after children. We are also developing a programme of work to support councils on this issue, with a particular focus on their commissioning and market shaping role.

### **3. The council role in education**

Since 2010 the number of academies has increased from 200 to nearly 2,000, with nearly 50 per cent of secondary schools becoming academies or intending to convert. The LGA has been working through the Ministerial Advisory Group on the council role in education, convened by Education Secretary, Michael Gove MP, to argue for a strong continuing council role in education. We jointly funded, with DfE, *Action research on the evolving council role in education*<sup>1</sup> which looks in detail at how councils are working with schools in 8 areas.

#### **Our current position**

We have been lobbying for a strong continuing role for councils in education, with a focus on the statutory council roles in school place planning, school improvement and supporting vulnerable pupils. We have argued that as increasing numbers of schools become academies, it will simply not be sustainable for the DfE to exercise effective scrutiny of their performance and financial management centrally. So we have proposed that in areas where more than 50 per cent of secondary schools are academies, formal intervention and oversight powers over academies should revert to the local council.

#### **Next steps for the LGA**

The action research will be formally considered by the Ministerial Advisory Group on 8 November. Work is underway to produce an LGA policy position in time for the meeting setting out our views about the importance of a continuing council role in education and what the role should be.

### **4. Schools funding**

The current national funding formula for schools is heavily based on historic spend in 2005-6 and produces significant variations in the per-pupil funding between different authorities. There is consensus that the system needs significant reform to make it fair, but the Government has put off wholesale reform of the national funding formula until the next spending review (due in 2014/15).

They are proceeding with major changes to local school funding formulae, with local discretion as to the number of factors and central retention being much more restricted than it is at present.

The Government has issued a consultation document on the future funding of central education functions which devolve to academies. The LGA is gathering evidence about this from member authorities. This follows resolution of the position for 2011-12 and 2012-13 which has led to DfE paying a grant to authorities with few academies; this could amount to around £150 million over 2 years.

Schools capital financing is also being reformed, with a Priority Schools Building Programme for 261 of the schools in the worst condition and Basic Needs Funding of £1.5 billion.

#### **Our current position**

We support the ambition to move towards a fairer national funding formula for all schools. However, we have argued that the new system should retain an element of local flexibility, involving a discussion between councils and local schools, to make sure that the national funding formula can take account of local needs and priorities. We are concerned that the discretion of councils and schools forums on local funding formulae is being restricted. On capital, we have welcomed the proposal in the James Review that schools capital should be allocated through a single flexible budget in a local area. We opposed the recommendation for a central procurement body, following the experience of the central bureaucracy associated with the BSF programme.

#### **Next steps for the LGA**

The LGA and advisers will: monitor the implementation of the new local funding formulae and take up any issues with DfE; submit an informed response to the Replacing LACSEG consultation by 24 September; and continue to press for a schools capital system that maximises local flexibility and procurement .

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<sup>1</sup> <http://bit.ly/MOvGJ>

## **5. Early Years: Free early education for two year olds**

In his 2011 Autumn Statement, the Chancellor announced that the new early education entitlement for two-year-olds would be extended to around 40 per cent of two-year-olds by 2014. This builds on Government's earlier commitment to offer 15 hours of free early education to the 20 per cent less advantaged two-year-olds in England by September 2013. This sets a sizeable challenge for local government. Throughout 2011-12, a group of local authorities explored a range of different ways to address the challenges associated with increasing the capacity and quality of provision for two-year-olds. In addition, this year, Government is running trials in ten areas to test the full roll-out of the new entitlement for two-year-olds from September 2012, one year early, with just under a thousand two-year-olds set to benefit.

### **Our current position**

The LGA responded to the Government's consultation on the changes to free early education, saying that whilst we are supportive of the initiative we had serious concerns that the lack of capital funding available may prevent adequate provision of high quality free early education. We have made DfE aware of our concerns and requested capital estimates from local authorities.

### **Next steps**

We are working closely with DfE and are jointly running a session at NCAS conference on what the free early education provision means for councils, sharing of good practice from the trial authorities and more detail on how councils can access the support on offer through the DfE's national support contract. The Children's Improvement Board will be supporting a set of early years' development demonstrator sites in the near future. We will also be responding to the Government's consultation which closes in October 2012 on the criteria to be used to select the 40 per cent of two year olds eligible for the free early education provision, and continuing to engage in an effective dialogue with DfE on this issue.

## **6. Children and young people's health**

Children's health services have traditionally received a 'disproportionately low priority' in England with the NHS not doing as well as it could for children and young people.<sup>2</sup> The Health and Social Care Act 2012 offers an opportunity for children and young people's health services to be prioritised in the new public health system. The children's health work programme is a Board priority for the Children and Young People Board and the work is overseen and co-ordinated jointly by the Children and Young People and Community Wellbeing Boards.

### **Our current position**

The first phase of the children's health support offer has been delivered to councils. This included a conference, a toolkit for Health and Wellbeing Boards and a report on Children's Trusts' relationship with emerging health structures. We are pressing Government for greater clarity on how safeguarding arrangements will function in the new health system. We have submitted our views on the development of the Government Children and Young People's Health Outcomes Strategy.

### **Next steps**

We are engaging with Government to ensure the Strategy optimises the impact that local government can make. We will continue our work around safeguarding arrangements and will work with Government to ensure a robust transitional plan is in place for the safe transfer of commissioning responsibilities for 0-5 year olds from NHS Commissioning Boards to local authorities in 2015. A series of conferences focusing on local authorities' public health responsibilities for children, young people and adults and a set of toolkits for Health and Wellbeing Boards identifying key success factors and case studies will be delivered November-March.

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<sup>2</sup> Getting it right for children and young people, Kennedy Review, September 2010:  
[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/@ps/documents/digitalasset/dh\\_119446.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/@ps/documents/digitalasset/dh_119446.pdf)

## **7. Special Educational Needs and Disability (SEND)**

The Green Paper *Support and aspiration: a new approach to special needs and disability*, published in March 2011, contained wide ranging reforms to address the complexity of the SEND system. In May 2012 the Government set out its intention to introduce a Bill to change the law to put reforms in place. These are currently being tested by 20 pathfinder projects involving 31 councils and health partners, including a single 0 – 25 plan to bring together education, health and social care assessments. Significant changes to funding arrangements for young people with high needs are also being introduced from April 2013.

### **Our current position**

The LGA supports the principles in the SEND Green Paper, including the proposals for a strategic role for councils in planning and securing a range of high quality provision for the 0-25 age group and for giving families more choice and control over services. Many councils have made significant improvements in support for SEND and we have welcomed the key role for councils in the reforms. We remain concerned to ensure that the detailed implementation of the reforms does not create unmanageable shifts in funding. The integration of the pre and post 16 high needs funding systems is long overdue, but many councils are concerned that the change to the way places in special schools are planned may cause some turbulence to school budgets.

### **Next steps**

We will be looking in detail at the drafting of the clauses in the draft Children and Families Bill and the implications for member councils. These are likely to include: the scope of the 'local offer' to provide information on the services that families can expect in each area; the rights of parents to appeal and challenge decisions; the legal duty of health services; and choice of education provider. Funding reforms will happen ahead of the legislative change and the LGA is working with the Department to address the support that will be needed over coming months. We have produced a list of key implementation tasks for councils to undertake before April 2013.

## **8. 16-19 participation in education, employment and training**

Next year, councils take on a new duty to promote Raising the Participation Age (RPA) in compulsory learning of all 16 and 17 year olds by 2013 and 2015 (full time education, apprenticeship, or part time learning if employed or volunteering for over 20 hours a week). Underpinning RPA are other duties to: encourage, enable or assist participation; track young people's progress; support vulnerable groups and those not in education, employment and training (NEET); and secure enough suitable learning for young people up to 19. From September, DfE will publish quarterly performance tables by local authority on all of these Areas.

### **Our current position**

Shifts in Government policy make councils' ability to discharge these duties difficult. Councils now have little influence on how 16-19 provision is commissioned and no influence over funding (now an Education Funding Agency role). Employers are no longer required to meet their RPA obligations. Rising NEET figures show no sign of abating, and despite councils' duty to reengage young people, the Government contracted £126 million 16-17 year old NEET Youth Contract provision to private companies and charities, instead of enabling councils to commission it.

### **LGA Next steps**

Over the next year, the LGA will represent councils' views and seek to influence guidance and secondary legislation on RPA; get involved in DfE reforms to 16-19 provision; respond to the Commons Education Committee's careers guidance inquiry; and engage with EFA. Our Hidden Talents campaign will continue to advocate a local government solution to supporting disengaged young people into work and learning; and call for a reform to the current system.

## 9. Children's Improvement Board (CIB)

CIB is a local government partnership which leads a programme of sector-led improvement for children's services. The members of the Board are:

Debbie Jones	Executive Director of Children and Young People's Services, London Borough of Lambeth	Chair of CIB
Cllr David Simmonds	Chairman of LGA Children and Young People Board	LGA
Cllr Rita Krishna	LGA Children and Young People Board	LGA
John Coughlan	Deputy Chief Executive & Director of Children's Services (Hampshire County Council)	ADCS
Mark Rogers	Chief Executive, Solihull Council	SOLACE
Carolyn Downs	Chief Executive, LGA	LGA

CIB has a budget of £8.85 million from the Department for Education (DfE) for this financial year. Of this, £3 million has been allocated to the nine regions to support regionally based sector led improvement. The CIB's programme also depends to a great extent on donated time and expertise from local councils.

### Our current position

The CIB's priorities for 2012-13 are: reducing the number of councils in intervention, establishing an effective system of peer challenge and support, better engagement of stakeholders and supporting councils in managing the impact of policies. Support for improvement in children's social care has been a particularly important feature of CIB's work to date.

### Next steps for the LGA

Local councils has made good progress in taking on sector led improvement. Through the regions, every council will have received a peer challenge to its children's services by the end of the year. A number of councils have agreed to act as development demonstrators for early years and Munro to share learning about whole system change. Other work underway includes a programme of safeguarding peer reviews, improving the use of data, responding to the family justice review and innovation in youth services.

CIB leads sector-led improvement in an area of particularly high profile and high risk. Challenges for the remainder of this year are the need to establish ownership of sector led improvement by councils, demonstrating real impact in a complex area at a time of reduced resources for councils and the pressure of supporting councils subject to DfE intervention which diverts resource from more universal improvement support.