

Children and Young People Board

Agenda

Wednesday 5 September
11.00am

Westminster Suite
Local Government House
Smith Square
London
SW1P 3HZ

To: Members of the Children and Young People Board
cc: Named officers for briefing purposes

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LGA Children and Young People Board
5 September 2012

There will be a meeting of the LGA Children and Young People Board at:

11.00am on Wednesday 5 September 2012 in the Westminster Suite (8th floor), Local Government House, Smith Square, London, SW1P 3HZ.

Attendance Sheet

Please ensure that you sign the attendance register, which will be available in the meeting room. It is the only record of your presence at the meeting.

Apologies

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting, so that a substitute can be arranged and catering numbers adjusted, if necessary.

Labour: Aicha Less: 020 7664 3263 email: aicha.less@local.gov.uk
Conservative: Luke Taylor: 020 7664 3264 email: luke.taylor@local.gov.uk
Liberal Democrat: Evelyn Mark: 020 7664 3235 email: libdem@local.gov.uk
Independent: Group Office: 020 7664 3224 email: independent.group@local.gov.uk

Location

A map showing the location of Local Government House is printed on the back cover.

LGA Contact

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Children and Young People Board - Membership 2012/2013

Councillor	Authority
Conservative (8)	
David Simmonds [Chairman]	Hillingdon LB
Paul Carter	Kent CC
David Pugh	Isle of Wight Council
Derrick Murphy	Norfolk CC
Robert Light	Kirklees MBC
Susie Charles* [substitute 2011/2012]	Lancashire CC
Liz Hackett Pain*	Monmouthshire CC
John Osman* [substitute 2011/2012]	Somerset CC
Substitutes:	
Roy Perry	Hampshire CC
Patricia Bradwell**	Lincolnshire CC
Peter Evans **	West Sussex CC
Dominic Gilham**	Hillingdon LB
Labour (6)	
Rita Krishna	Hackney LB
John Merry CBE [Vice Chair]	Salford City
Paul Lakin	Rotherham MBC
Anne Burns	Cumbria CC
Nick Forbes*	Newcastle City
Judith Robinson*	Cornwall CC
Substitutes:	
Richard Watts**	Islington LB
Liberal Democrat (3)	
David Bellotti	Bath & NE Somerset Council
Liz Green [Deputy Chair]	Kingston upon Thames RB
Kath Pinnock	Kirklees MBC
Substitutes:	
Peter Downes OBE	Cambridgeshire CC
Independent (1)	
Apu Bagchi [Deputy Chair]	Bedford BC
Substitutes	
Gillian Ford	Havering LB
Paul Cullen	Richmondshire DC
Neil Burden**	Cornwall Council

* new member

** new substitute

Agenda

Children and Young People Board

5 September 2012

11.00am

Local Government House

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Discussion on the year ahead and the Business Plan

Purpose of report

For discussion.

Summary

This report provides background for the Board's discussion about the year ahead and sets out the priorities in the current LGA business plan that are relevant to the Board's work programme. **Appendix A** provides a brief overview of the policy context of the Board's work. The LGA Business Plan is set for the financial year and the business planning cycle for 2013/14 is likely to begin towards the end of this year.

Recommendation

Members are invited to discuss the focus of the Board's work for the rest of this financial year and to begin to identify likely priorities for 2013/14.

Action

To be taken forward by officers as directed by members of the Board.

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Discussion on the year ahead and the Business Plan

Background

1. The LGA's business planning cycle is based the financial year, so the current Business Plan covers the rest of the financial year to the end of March 2013. The new business planning cycle, for the year April 2013 – March 2014, is likely to commence towards the end of this year. However, the Board cycle begins in September with the appointment of new Boards, so it is timely to have a discussion about the priorities in this year's business plan and start to think ahead to what might be the emerging priorities next year.

The priorities in the current LGA business plan that are relevant to the Board's work programme

2. The high level priorities across the LGA's work programme in the current business plan¹ are:
 - 2.1. **Public Sector Reform** – councils are at the centre, and are seen to be at the centre, of public sector reform and are delivering more effective services for local people;
 - 2.2. **Growth, Jobs and Prosperity** – councils are recognised as central to economic growth;
 - 2.3. **Funding for Local Government** - Reform of the public sector finance system so councils raise more funds locally, have confidence their financing is sustainable and fair, and have greater ability to co-ordinate local public services;
 - 2.4. **Sector-led improvement** – councils are the most improved part of the public sector. Local politicians and senior managers lead the transformation of local places.
3. The more detailed specific objectives relevant to the Board's are of work are as follows:
 - 3.1. **Schools:** Councils are supported in their role in school place provision, fair admissions, driving school improvement and supporting vulnerable pupils (this includes work on Raising the Participation Age and reform to the Special Educational Needs system);
 - 3.2. **Care of Children:** Proposals for reforming children's social care, including on children's homes and adoption, enable councils to more effectively meet the

¹ http://www.local.gov.uk/c/document_library/get_file?uuid=e753abeb-678b-492c-89f7-08b40b8ea7a8&groupId=10171

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needs of children and young people in their care (this replaces the original objective in the business plan, which related to an anticipated White Paper on the care system for children which has not materialised);

- 3.3. **Children’s Sector-led Improvement:** Sector-led improvement is established in children’s services, through support for self-assessment and peer challenge including 36 peer reviews, targeted support to councils and practical approaches to policy implementation (the majority of this work is led by the Children’s Improvement Board, which is dealt with under a separate agenda item);
 - 3.4. **Children’s health:** Local government demonstrates its commitment to its new public health responsibilities (this is a priority that is jointly delivered with the Community Wellbeing Board and the CYP focus is ensuring that the public health reforms take proper account of issues relating to children’s health);
 - 3.5. **Hidden Talents** – demonstrating that councils are best placed to identify and support the one million young people not in education, training or employment (this is a priority jointly delivered with the Economy and Transport Board, with a particular CYP focus on supporting councils in their responsibilities relating to the raising of the age of participation in education and training).
4. **Appendix A** provides a brief overview of the policy context of the Board’s work, to help inform the discussion.

Financial Implications

5. There are no additional financial implications arising from this report.

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*¹ 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 .

¹ <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.² 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.

² 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

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.

The Council Role in Education

Purpose of report

For information and discussion.

Summary

To provide an overview of current issues around the council role in education including the role of the Education Funding Agency.

Recommendation

This report is for Members' discussion.

Action

To be taken forward by officers as directed by members of the Board.

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The Council Role in Education

The Education Funding Agency (EFA)

1. The Young People's Learning Agency (YPLA) and Partnerships for Schools (PfS) ceased their activities at the end of March 2012. Their responsibilities and staff, along with a number of Department for Education (DfE) staff, moved to the new Education Funding Agency (EFA) from 1 April 2012. The EFA will have 750 – 800 staff, with 580 YPLA staff transferring.
2. The EFA has a wider remit than the YPLA and will fund the education system for 3-19 year olds (or up to 25 for learners with a disability), including Academies, free schools, maintained schools and sixth form colleges. (Prior to the EFA's establishment, the DfE dealt directly with councils on schools funding for 0 – 16 year olds.) It will be responsible for the allocation and payment of approximately £52 billion revenue and capital funding each year and for the delivery of capital programmes.
3. A list of the functions of the EFA, taken from the DfE website, is attached as **Appendix A**.
4. In the run-up to the publication of the School's White Paper in 2010 the LGA lobbied intensively for the abolition of the YPLA, with its functions devolved to councils or taken on by DfE without the need for an additional bureaucratic tier between central and local government. We met with Lord Hill on two occasions to discuss the LGA's ideas for streamlining and localising the YPLA's (and subsequently the EFA's) remit. Our suggestions included:
 - 4.1. allowing councils to take over the calculation which replicates local schools funding formulae for academies on the basis that councils already do this for maintained schools and EFA involvement is unnecessary duplication of a function that can be more cost-effectively delivered by councils for all schools locally;
 - 4.2. allowing councils to take on the current roles discharged by the EFA in relation to financial assurance for academies on a similar basis to that outlined above;
 - 4.3. allowing councils to take over the EFA's functions in relation to school improvement and intervention for academies, to allow councils to fulfil their statutory duties to "promote high standards and the fulfilment of potential" of local pupils, without having to raise issues about the performance of local academies in a different way with the EFA and the Secretary of State; and
 - 4.4. disbanding the EFA's regional structure, which means that it has to maintain 10 separate offices, which is only necessary if it is duplicating the detailed local

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functions of councils in replicating local funding formulae, financial assurance; and driving school improvement locally.

5. We have also proposed that in council areas where more than half of secondary schools are academies, the functions of the EFA in relation to funding, financial assurance, monitoring performance and intervention in the case of underperformance should revert to the local council. We have argued that in those areas councils will have already demonstrated their willingness to take on the more strategic council role in the local education system envisioned by the Schools White Paper and that those councils should be trusted to take on this role for all local schools, including academies.

LGA/DfE action research into the evolving role of the local authority in education

6. The final report of the action research that LGA jointly funded with DfE was published at LGA Annual Conference on 26 June 2012 and discussed at the last Board meeting. It will be discussed by the Ministerial Advisory Group on the council role in education on 8 November. It flags up a number of challenges for DfE, which focus on situations where local partnership working between councils and academies is not working effectively. These include:
 - 6.1. providing greater clarity about how performance in academies will be monitored and underperformance tackled, particularly in 'stand alone' converter academies;
 - 6.2. more clarity about who will be responsible for closing, merging and reorganising academies that are failing or are no longer needed because of competition from more successful schools;
 - 6.3. greater clarity about how the DfE assesses the suitability of potential academy and free school sponsors and how it monitors the performance of sponsors;
 - 6.4. evidence that delays by the Education Funding Agency in using their powers to direct academies to take 'hard to place' pupils are causing difficulties locally; and
 - 6.5. concerns about how the changes to the SEN system, including changes to funding, will impact on a system where schools have greater autonomy and responsibility.

Financial Implications

7. There are no additional financial implications as this is a priority in the LGA Business Plan.

The functions of the Education Funding Agency (EFA)

The Education Funding Agency (EFA) was established on 1 April 2012 as an executive agency of the Department for Education. It brings together work previously carried out by the Young People's Learning Agency, Partnerships for Schools and the maintained schools funding division of the Department.

The EFA is responsible for the operation of the education capital and revenue funding system and the delivery of capital programmes. Responsibility for the development of education funding policy rests with the relevant policy directorates within the Department for Education. The EFA provides advice to policy colleagues to support effective policy making. Decisions on funding policy are ultimately the responsibility of Ministers. Corporate services are provided by the Department.

The EFA has four high-level objectives:

- Allocations: ensuring that revenue and capital allocations are accurate and on time.
- Payments: ensuring that funding agreements are in place and payments are made accurately and on time.
- Capital: delivering effective programme management and evaluation of strategic capital programmes that will improve the condition of existing buildings and support the creation of new places for pupils and learners.
- Financial Assurance: ensuring the proper use of public funds through financial assurance undertaken by the EFA itself, or by others.

It is responsible for the following functions:

- Calculating annual revenue funding allocations for all open academies, including Free Schools.
- Providing an efficient customer enquiry service for academies on issues arising from the funding agreement and deal with any compliance issues on behalf of the Secretary of State.
- Payment of funding to academies and Free Schools.
- Ensuring academy and Free School funding agreement compliance.
- Responsive case management.
- Ensuring general funding compliance.
- Financial monitoring and assurance.
- Support for education providers in achieving value for money and ensuring efficient use of resources.
- Support to sponsors and education providers on funding and financial matters.

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Appendix A

- Provision of advice and guidance as required by statute and as required by the sectors.
- Investigation of suspected fraud or financial irregularity.
- Providing advice to the Department's policy directorates to inform the development of funding policy.
- Allocating 16-19 revenue funding and learner support budgets to 2500 providers accurately and on time.
- Maintaining and developing the funding systems for 16-19 education and for learners with learning difficulties and/or disabilities up to age 25.
- Tendering and funding the 'youth contract' allocations for disengaged 16- and 17-year-olds.
- Ensuring general funding compliance.
- Distribution of learner support bursaries to providers.
- Financial monitoring and assurance.
- Support to providers in achieving value for money and ensuring efficient use of resources.
- Support to providers on funding and financial matters.
- Provision of advice and guidance as required by statute and as required by the sectors.
- Investigation of suspected fraud or financial irregularity.
- Responsive case management.
- Support to Secretary of State in his role as Principal Regulator.
- Providing advice to the Department's policy directorates to inform the development of funding policy.
- Providing programme management and support for the Priority School Building Programme, Free Schools, the Property Data Survey Programme, Building Schools for the Future, and make capital grants for building programmes at academies and sixth-form colleges.
- Ensuring capital investment is delivered on time, on budget and to agreed quality standards.
- Providing advice and guidance on the effective and efficient design of school buildings.
- Managing the co-location fund, the secure homes capital programme and PFI revenue payments.
- Making payments under the Voluntary-Aided (VA) Capital Programme (including VA PFI payments).
- Project management of Framework Academy capital projects and advise on procurement of new accommodation for academies.
- Delivery, project management, support and advice for PFI procurements.

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Appendix A

- Providing Free School proposers with advice, support the Department's assessment of Free School proposals and purchase and hold land and buildings to accommodate Free Schools.
- Support to academy converters (including PFI), studio schools and University Technical Colleges through advice to providers and sponsors.
- Support to operational PFI projects. Liaison with HMT and other government departments.
- Managing framework contracts to support any schools capital project.
- Support and advice across capital programmes on ICT infrastructure and services.
- School assets - administer applications, and provide evidence for recommendations to the Secretary of State on the disposal of assets.
- Building design guidance - provide advice and guidance on all aspects of school building design and construction cost matters.
- Pupil place planning - collect and review local authorities' pupil forecasts as part of the annual school capacity survey.
- Stakeholder management, including relationship and market management in relation to capital investment.
- Allocation and distribution of capital funding to 16-19 providers.
- Making payments to local authorities (for maintained schools), academies, sixth form colleges, further education colleges and other providers, accurately and on time.
- Payment of the Dedicated Schools Grant and the Pupil Premium to local authorities for their maintained primary and secondary schools, including those with sixth forms.
- Seeking assurance on the proper use of funds provided by the EFA.
- Preparing and publishing accurate accounts for the EFA's £52 billion spend

Taken from pages on the DfE website: The Education Funding Agency:
EFA functions (on 22 August 2012):

<http://www.education.gov.uk/aboutdfe/armslengthbodies/b00199952/the-education-funding-agency-efa>

Children's Social Care Policy

Purpose of report

For discussion.

Summary

To provide an overview of current children's social care policy issues to inform discussion on the Children and Young People Board's work for 2012-13. This report should be read in conjunction with the accompanying report on the Children's Improvement Board and sector-led improvement which sets out the support for councils in this area.

Recommendation

That members of the Board use the report as the basis for discussion on children's social care.

Action

Officers to action as directed.

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Children's Social Care Policy

Introduction

1. Keeping children safe is one of the most important things that councils do and although it is not a service most residents access, it has a high public profile. It is high cost and high risk and faces the twin pressures of increased demand for services at the same time as reduction in budgets. Referral rates and the looked after children population have all steadily risen over recent years and in general, councils have sought to protect services from cuts.
2. In parallel to these challenges, there have been significant policy changes in recent years. This paper provides an overview of some key policy issues and is intended to be read in conjunction with the paper on the Children's Improvement Board for this agenda item which focuses on sector-led support.

The Munro review of child protection

3. The Government largely accepted the recommendations of Professor Munro's independent review of child protection which were published in May 2011. It represents a significant change to the way the child protection system operates, with a welcome emphasis on increasing the scope for professional judgment and reducing overly burdensome central prescription and bureaucracy so that social workers can spend more time with children and families. It also recognises that other services e.g. health and schools have a crucial role to play. This is a long-term, system-wide reform programme and implementation is ongoing. For example, the streamlined statutory guidance Working Together to Safeguard Children is currently being consulted on and there is still work underway on safeguarding within the reformed health system. Councils are also implementing reforms locally, such as developing an early help offer, with support from the Children's improvement Board.

The Family Justice Review (FJR)

4. Lengthy delays in the family justice system are not only financially costly, but also detrimental to children's wellbeing. The Family Justice Review identified that the system is under huge strain and made recommendations on how to improve the way the system operates. The LGA supported these and the Government accepted the majority. Action is required at both local and national level to implement the reforms and work is underway locally between councils and courts to build more effective relationships and better working practices. Other elements, such as a six month time limit on cases, will be included in the forthcoming Children and Families Bill, the draft of which is expected this autumn. The review also challenged the adequacy of social worker court skills and this is being taken forward by the new College of Social Work.

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Adoption

5. 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 adopter 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.
6. The Government also published local authority 'adoption scorecards' which the LGA lobbied strongly against 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. In addition, an Ofsted report found that the most significant cause of delay was the court system, which is outside of local government's control. The scorecards will be updated with more recent data this autumn. The LGA has also argued the narrow focus on adoption fails to take into account the wider picture of permanence for children, which include special guardianship and long-term foster care that may be more appropriate for some children.
7. The upcoming Children and Families Bill is anticipated to contain elements related to adoption, in particular to address what the Government views as unnecessary delay caused by local authorities seeking a 'perfect ethnic match'. Additional proposals on post-adoption support are expected in due course and the House of Lords select committee on adoption, to which the LGA gave evidence, will report in January.

Child sexual exploitation and missing children

8. The related issues of children running away and child sexual exploitation have become more prominent in the past few months for several reasons:
 - 8.1. The high profile court case in Rochdale, in which several men were found guilty of sexually exploiting children.
 - 8.2. A joint report by two All Party Parliamentary Groups (APPG) highlighted serious concerns about failings in the system to protect children who go missing from care and the associated risk of sexual exploitation.
 - 8.3. A two year inquiry into child sexual exploitation in gangs and groups by the Office of the Children's Commissioner, including an interim report focused on residential children's homes this July.
 - 8.4. The Government's progress report on the Child Sexual Exploitation National Action Plan, also published in July.
9. This year the LGA worked with Barnado's, as part of their 'Cutting them Free' campaign, to produce a practice briefing to support local areas in developing effective responses to child sexual exploitation. A successful launch event was held in June.

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Children's homes

10. The reports into child sexual exploitation and children missing from care have also 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, on which the LGA has representation. There are significant gaps in the understanding of how the system and market are operating in practice which the working groups are seeking to address before making proposals.
11. Key issues include the relationship and balance of responsibilities between the placing authority and host authority; local authority commissioning; and the geographical clustering of children's homes. The Children and Young People Board discussed a paper on this subject at its July meeting and officers are developing a work programme.

Early Intervention Foundation

12. A key recommendation of the independent reviews into early intervention carried out by Graham Allen MP was the creation of an Early Intervention Foundation. The purpose of an independent Foundation would be to build a robust evidence base on the effectiveness of early intervention programmes and to provide advice to local commissioners. The Department for Education has been carrying out a procurement process and the LGA Leadership Board agreed to lend the LGA's support to a bid by a consortium of organisations, led by Mr Allen. A decision is expected imminently. The Chairman of the Children and Young People Board has been nominated to be the LGA representative on the Board of Trustees.

Additional issues

13. The issues set out above are some of the key changes and policy developments shaping children's social care. The LGA also maintains a watching brief for example by engaging with stakeholders, responding to consultations and submitting evidence, as appropriate, on a range of other issues such as children's centres and early years, Ofsted inspection frameworks and youth justice.

Children's Improvement Board (CIB) and sector-led improvement for children's services

Purpose of report

To provide background on the work of CIB and inform discussion on the Children and Young People Board's work for 2012-13.

Summary

Promoting and supporting sector-led improvement is one of the LGA's business plan priorities and the work of the CIB is an important mechanism for taking this forward. The support offered through CIB helps local councils respond to some of the challenges they are facing, particularly in terms of children's social care. The work of the Children and Young People Board needs to be considered in relation to the LGA's role in leading sector-led improvement with the other partners on the Children's Improvement Board.

Recommendation

That members of the Board use the report, as the basis for discussion on sector-led improvement.

Action

Officers from LGA and CIB to continue to support the CIB's work programme.

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Children's Improvement Board (CIB) and sector-led improvement for children's services

Background

1. The Children's Improvement Board (CIB) is a partnership between the LGA, the Association of Directors of Children's Services (ADCS) and the Society of Local Authority Chief Executives (SOLACE), supported by the Department for Education (DfE). The work of the Board draws extensively upon in kind contributions from the sector, particularly time and expertise. It is also supported by a DfE grant of £8.85 million in this financial year.
2. The LGA has a longstanding commitment to promoting sector-led improvement for local government and reducing the burden of inspection and performance monitoring. Considerable progress has been made towards this goal and the establishment of the CIB in 2011 is one example of the change in emphasis. The LGA's work in support of CIB is linked to its other work on sector-led improvement particularly corporate improvement and adult social care. The LGA report "Sector-led improvement in local government" gives an overview:
www.local.gov.uk/c/document_library/get_file?uuid=f19c68ea-368d-4be9-b1c8-7d085324436e&groupId=10171
3. This report sets out the support available to local councils, led by the CIB, and the sector's response to the challenges it faces in providing the best services for children and young people. It highlights CIB's work particularly on helping councils improve children's social care. Further information on CIB is available on the LGA's website including a regular bulletin which is sent to all members of the Children and Young People Board and all lead members for children: www.local.gov.uk/CIB. There is also a CIB Group on the LGA's Knowledge Hub knowledgehub.local.gov.uk/group/childrensimprovementboard (new users need to register but the group is open access).

How CIB's work programme supports councils

4. CIB offers support to councils across a wide range of issues, both through national programmes and through activities and programmes organised by regions. The need to improve children's social care has been particularly important following the fundamental changes in approach recommended by the Munro Review, the recommendations of the Family Justice Review, recent attention on the timeliness of adoption and concerns about the safety of children placed in residential care. These developments have taken place against a backdrop of high political and media profile and a demanding inspection regime.

Taking forward the Munro review

5. CIB has held discussions with local councils to understand their progress so far in responding to the Munro Review and the sort of support they would need to make more progress. Following these discussions, CIB is supporting a number of councils who will act as "development demonstrators". These councils do not have to show established

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“best practice” but they have to take a whole systems approach to change and be willing to share their learning with others over a period of time. A good response was received to a request for expressions of interest in being a development demonstrator. Follow up discussions are now taking place with a number of councils with a view to launching the development demonstrators in October. Development demonstrators were nominated via regions but will operate as a national resource. (There will be an additional set of development demonstrators for early years and narrowing the gap in achievement. The CIB team will ensure that links are made between the two sets of demonstrators.)

Taking forward the recommendations of the Family Justice Review (FJR)

6. CIB commissioned a number of workshops for local councils on FJR in early summer to provide an update and discuss emerging practice. The outputs of these workshops will be a report of key themes which emerged and a toolkit including signposts to resources and examples of local practice, both to be published on line in early autumn.

Supporting councils on adoption and looked after children

7. Following the publication of scorecards on adoption, CIB offered support to those councils who had been identified by DfE as causing particular concern and made a commitment to offer more general support to any councils who fell below the performance thresholds on timeliness or felt they would benefit from support to improve their practice in this area. A number of councils (identified by DfE) took part in a diagnostic assessment of adoption services, jointly commissioned by CIB and DfE which aimed to allow the council to tell the story behind the data and provide a more rounded picture than the indicators alone. CIB has reviewed the diagnostic assessment process with DfE and will also be meeting with some of the councils who participated to allow them to feed back on their experience.
8. CIB is now working on a wider menu of support to councils which will offer the diagnostic assessment for adoption services as a tool but will also deal more broadly with support for looked after children, permanency and interaction with the family justice system. A full report on CIB’s role in supporting councils will be made to the CIB meeting on 13 September. The next set of updated adoption scorecards is expected in October.

Safeguarding peer reviews

9. CIB now supports the programme of safeguarding peer reviews developed by LGA (and formerly Local Government Improvement and Development). The reviews continue to be in demand from councils and complement the children’s services peer challenges now taking place between councils.

Early sector support and targeted sector support

10. CIB works directly with any council who is subject to a DfE improvement notice, with a view to helping them make changes and move out of formal intervention as soon as possible. In addition, all regions have been asked to work together to understand which

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councils might be at risk of failing an inspection and to offer early support from within the sector. One of the main challenges for councils and CIB at this point is getting better at understanding which councils might be at risk and reducing the need for intensive support at a later point. Due to changes in Ofsted inspections, the number of councils in intervention – and the pressures on CIB’s budget – may well increase.

Financial Implications

11. Funding for the programme is provided by DfE. The programme is being hosted by the LGA which claims part of this funding as payment for services provided by the organisation. In addition to this, the LGA provides staff time to contribute to the CIB’s work, in support of the LGA’s business plan priority to deliver an effective approach to sector-based support in children’s services.

Special Educational Needs and Disability

Purpose of report

For discussion.

Summary

This paper updates the Board on the reform of the Special Educational Needs and Disability (SEND) system and operational implications for local authorities of school and college funding reform.

At its meeting on 21 May, the Board considered a report outlining the provisions in the proposed Children and Families Bill. We had expected a draft bill to be published in July 2012, but this has been delayed and is now not expected until early September. An oral update on the draft bill will be provided at the Board meeting.

Recommendations

That members discuss the issues set out in the paper and comment on :

1. the current LGA position on SEND, and reputational issues (**paragraphs 4 – 6**)
2. operational implications of high needs funding (**paragraphs 7 - 15**)
3. sharing best practice from the SEND pathfinders (**paragraphs 16 –18**)

Action

Officers take forward in the light of the Board's comments.

Contact officers

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Special Educational Needs and Disability

Background

1. The Board has received regular updates on the proposed reforms to special educational needs and disability since the publication of the Government's green paper 'Support and aspiration: a new approach to special educational needs and disability' on 9 March 2011. The green paper proposed the biggest reform programme to improve the approach to special educational needs and disability (SEND) for over thirty years.
2. A short report to the Board in May 2012 outlined the expected provisions of a Children and Families Bill which was announced in the Queen's Speech on 9 May 2012. This was followed by the Government's detailed response to the formal public consultation on the SEND green paper setting out the next steps, which the LGA summarised in an 'On the day briefing' on 15 May. The Board has also been informed about the significant changes to the funding for SEND and high needs pupils and students. The July meeting of the Board received a report on the LGA and Department for Education's (DfE) action research into the evolving role of the council in education. This highlighted concerns about how the changes to the SEND system, including changes to funding, will impact on a system where schools have greater autonomy and responsibility.

Children and Families Bill

3. Michael Gove MP, Secretary of State for Education, confirmed the Government's intention in a written Ministerial statement on 15 May to publish a draft Bill 'in the summer' for consultation and pre-legislative scrutiny, and subject to Parliament's approval, to implement the reforms from 2014. Lessons learned from 20 local pathfinders involving 31 local authorities and their local pathfinders are expected to inform how the reforms are implemented. The draft Bill is now expected to be published in September and to include provision for:
 - 3.1. replacing SEN statements and Learning Difficulty Assessments (for 16- to 25-year-olds) with a single, simpler 0-25 assessment process and Education, Health and Care Plan;
 - 3.2. requiring local authorities to publish a local offer showing the support available to disabled children and young people and those with SEN, and their families;
 - 3.3. ensuring that services for special educational needs and disabilities are planned and commissioned jointly by local authorities and clinical commissioning groups with clear duties on all the agencies involved;
 - 3.4. offering parents of young people with Education, Health and Care Plans the right to a personal budget for their support;

- 3.5. giving parents the right to express a preference for any state funded school, including academies and free schools and have their preferences considered under the same criteria as for maintained schools; and
- 3.6. introducing mediation for disputes before they appeal to a SEND tribunal and giving children the right to appeal (on a trial basis) if they are unhappy with their support.

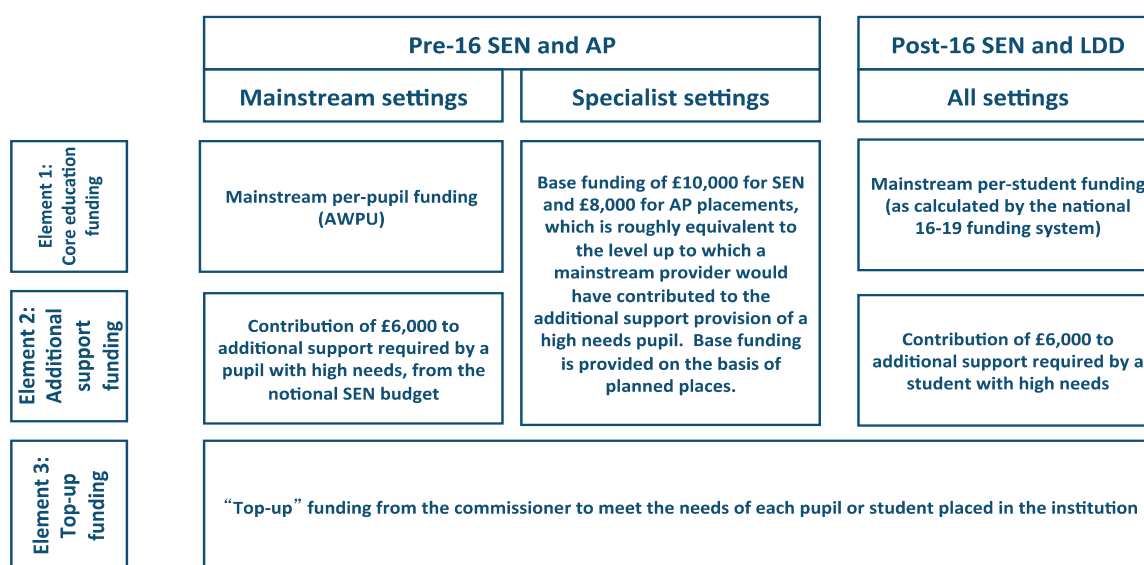
LGA position on SEND reforms and reputational issues

4. The LGA supports the principles outlined the Government's proposals for changes to the approach to SEND, in particular the role of local authorities in strategic planning for services to meet the needs of local communities, securing a range of high quality provision for children and young people aged up to 25, enabling families to make informed choices and exercise greater control over the services that they receive. Many councils have made significant progress in improving SEND support, and we have welcomed the recognition of the key role that councils play. But in a time of reduced budgets, we have continued to express concern that the detailed implementation of the reforms does not create unmanageable shifts in funding (see paragraphs 7– 11 below for more detail about funding reform).
5. There have also been a number of comments in the press and elsewhere that suggest that the consensus that followed the Government's publication of the SEND Green Paper is weakening, as parents, lobby groups and providers consider the detail of the Government's proposals. Anecdotal evidence from local councils shows that there seems to be a rise in the number of parents seeking SEN statements due to uncertainty over the funding changes and a subsequent rise in the number of cases being referred to the SEN Tribunal. Many local areas have established mediation services to deal with post-16 complaints, but it appears that the proposal to extend the right to seek redress through the tribunal system for those aged 16-25 has prompted a number of complaints to be referred to the Local Government Ombudsman for this age group for the first time. The challenge for councils is managing the expectations of young people and their parents in the current system whilst the new models are developed – and legislated for – at a time of financial constraint.
6. There are a number of key issues requiring legislative change and we will be looking in detail at the drafting of the clauses in the forthcoming draft Children and Families Bill in order to consider the implications for member councils. These are likely to include: the scope of the 'local offer' to provide information on the services that can be expected to support children and young people in each area; the rights of parents to appeal and challenge decisions; the legal duty of health services; and choice of education provider. An oral update will be provided on the draft Bill at the meeting and **Board members' views will be invited** on specific policy issues where an LGA position has to be agreed.

School and college funding reform

7. As reported to the July meeting of the Board, the DfE confirmed on 28 June 2012 that it is to proceed with reforms to school and college funding, including provision for

children and young people with high needs as outlined in the consultation document “School Funding Reform; Next Steps towards a Fairer System” which was issued in March. This approach defines high needs pupils and students as those who require provision costing more than c. £10,000 per year in total. This threshold will distinguish between needs that are expected to be met through mainstream funding, and the point at which additional high needs funding is provided. For post-16 provision there will be a transfer of responsibilities and funding from the Education Funding Agency for those aged 16 - 24. The new funding model is shown below:



This diagram appeared as Figure 1 (p.43) of *School funding reform: Next steps towards a fairer system*.

LGA officers have assisted local councils in understanding the proposed changes, through regional conferences and other events.

- In July the DfE wrote to councils informing them: a) how their dedicated schools grant will be changed to, amongst other things, create a high needs block; and b) the ways in which post-16 funding will be allocated to councils for high needs learners. Following returns from councils in August and September the DfE will finalise allocations later in the year.

Implications for Councils

- Councils welcome the integration of the pre and post-16 funding systems for children and young people with high levels of need. The pre-16 model builds on the existing SEN system but with significant changes in the ways special schools, including those in

the independent sector, receive their funding. Councils that benefitted from inter-authority recoupage for children with special schools have expressed concern about the possible loss of income. Many councils are concerned about the possible turbulence that the planning of places in special schools will cause to school budgets and that local councils' ability to respond to any unexpected consequences through using the Dedicated Schools Grant has been constrained.

10. Regarding post-16 funding, the Education Funding Agency (EFA) has provided each council with a list of the number of high needs learners aged up to 24 resident in their area and the institution they attend, whether a maintained school, academy, free school, further education college or independent school or college. The EFA will provide funding to local authorities for every agreed high needs learner aged over 16 and councils have been asked to provide their estimates of how many high needs learners they anticipate having to fund in 2013/14 by the end of September 2012. LGA officers have underlined the need for EFA and councils to identify the number of high needs learners accurately so that the EFA properly funds councils for this purpose.
11. The funding system for further education is changing significantly from 2013/14 and the impact of these changes upon local provision is not yet clear. In light of this, some providers may take a more cautious approach, reducing the availability of provision for high needs learners. In future these learners will be partly funded by local councils, not the Skills or Education Funding Agencies. Most councils are already working closely with their local further education colleges and with other councils on how the new system will work. All councils will need to consider how best to include post-16 providers in discussions with the Schools Forum around high needs learners.

Contracting and commissioning

12. As noted above, the new funding arrangements mean that the ways in which institutions are commissioned and contracted will change. The Education Funding Agency will provide funding based on the number pupils in academies, free schools, and independent colleges as at present. From 2013, individual placements in non-maintained special schools and independent special schools, currently directly contracted by local authorities, will be contracted by the EFA. All institutions will receive 'top up' funding for individuals with high needs from the council where the young person resides.
13. The DfE has convened a High Needs Implementation Group to consider the accreditation of organisations wishing to deliver education for those aged up to 24 with special needs and the subsequent contracting, audit and monitoring of these bodies. It is due to have its first meeting in September 2012 and LGA officers, together with senior council officers, will join the group, which needs to conclude its work by April 2013.

14. In the meantime, LGA officers are considering the potential need for additional support to review the current national contracts and the process for agreeing a model contract for councils to use in order to avoid duplication at local level. This would build on the existing arrangements in place for non-maintained special schools, where around 80 councils work to a nationally agreed model contract. Members will be kept informed of progress and invited to comment as appropriate.

Local council high needs funding ‘must do’ list

15. After requests from councils, the LGA has produced a list of key implementation tasks for councils to undertake before April 2013 issues local councils should address in the coming months. A copy is attached in **Appendix A**.

SEND Pathfinder projects

16. The Government has established 20 SEND pathfinder projects which involve 31 local councils and their local health partners and a number of them are working in partnerships of two or more (in one case up to seven) other councils. A list of the SEN pathfinders is attached at **Appendix B**. The LGA is represented on the DfE’s Pathfinder Advisory Group, which has recently been established. The DfE has appointed Mott Macdonald to provide support to the pathfinders and, the research group, SQW to evaluate the pathfinder programme. An evaluation of progress to March 2012 was published in August.
17. Understandably the more complex partnerships have taken longer to set up protocols and governance arrangements, but all are now established. Each project is working with a group of families, recruited through events and individual referral. The key issue for all pathfinders is creating new assessment structures to integrate education, health and care plans to replace SEN statements and Learning Difficulty Assessments. This is now underway in all pathfinders, initially by integrating various forms of assessment used by education, health and care agencies. The development of personal budgets for SEND is much less well developed, not least because of the uncertainty caused by changes to funding being introduced from April 2013. Some of the Pathfinder projects are focusing on post-16 learners, supported by the organisation *Preparing for Adulthood*. In these areas good links are being established between children’s services and adult social care. Given the legislative timescale, local councils involved in Pathfinder projects are seeking clarification from the Government regarding the continuation of project contracts and their role in sharing learning with other councils.
18. LGA officers are discussing with colleagues in the Association of Directors of Children’s Services and Children’s Improvement Board how best to provide support to all councils on SEND developments, including spreading the learning from the Pathfinder projects. This links with the wider issue of the council role in education and the potential role of sector-led improvement in sharing best practice which was discussed by the Board at the July meeting. The Children’s Improvement Board leads major sector led

improvement for councils. It will need to take a view as to where support for councils on SEND fits with its work programme. CIB meets on 13 September and will consider whether to support some preliminary work in this area during this year leading into more substantial support in 2013-14. Both Cllrs David Simmonds and Rita Krishna are members of CIB **and the views of the Children and Young People Board are invited to inform the LGA's input to CIB's discussions.**

Alternative Provision (AP)

19. Following a review by the Government's behaviour expert, Charlie Taylor, the arrangements for the placement of pupils from mainstream school in alternative provision (including pupil referral units) will be revised in the next year to ensure that pupils are able receive the appropriate challenge and support. In preparation for this change, revised statutory guidance is being published which will include the safeguards that commissioners are expected to put in place when commissioning AP for their pupils. These safeguards have been agreed by Ofsted, whose inspectors will use them when inspecting schools on their use of AP.
20. The Exclusion Trial, which sees schools, rather than local authorities, placing excluded pupils in alternative provision, has been set up and there are now 11 local authorities and 300 schools involved.
21. Funding for Alternative Provision is included in the High Needs Block but base funding for AP placements is £8,000 rather than £10,000 for SEND placements.

Financial implications

22. The focus on SEND reforms for is a key task for the Children and Young People team and this is reflected in the LGA business plan.

2013-14 funding reform for high needs learners- checklist for councils

The Department for Education (DfE) operational guidance for councils¹ identifies a number of key tasks that councils need to do by April 2013 to adapt to new thresholds for funding for special educational needs (SEN) and learning difficulties (LLDD) for those aged 0 – 25. Schools and colleges will be provided with core 'per pupil/student' formula funding and an identified budget for special needs or learning difficulty. Institutions are expected to provide SEN or LLDD support to individual learners up to £6,000 above their core allocation. In special schools the DfE is recommending that the per pupil formula funding for each learner is set at £10,000 and £8,000 for Alternative Provision settings. Above these levels, councils will provide 'top up funding' from the High Needs Block of the Dedicated Schools Grant. Councils will need to consider how to involve independent and other providers in School Forum discussions– including FE colleges. The **key tasks** are as follows:

Places in specialist SEN, LDD and AP settings - by end September 2012

- ✓ Identify the number of children resident in their area who will require high needs SEN support and estimate the number and location of places required in mainstream and special schools, including those attending institutions outside of their area;
- ✓ Identify the number of their residents aged between 16-24 who require high needs support which institution they attend or plan to attend in 2013/14. Use this data to check the figures provided by the Education Funding Agency;
- ✓ Confirm with the EFA the number of places in specialist SEN, AP and hospital education settings that will be funded in 2013-14.

Mainstream formula funding - by October 2012

- ✓ Decide on the level up to which mainstream schools and academies will contribute to the needs of high needs pupils - DfE's strong recommendation is £6,000 of additional education support per high needs pupil or student;
- ✓ Identify the notional SEN budget mainstream schools and Academies will receive for meeting high-incidence SEN and for contributing to the provision of high needs pupils;
- ✓ Define the financial contribution that mainstream providers will make for high needs pupils and students in terms of the provision that they will offer.

Reworking providers' budgets to set top-up rates for 2013-14 - by April 2013

- ✓ Work with schools that they maintain or used to maintain to agree and confirm the rates of per-pupil top-up funding that will be used in 2013-14;
- ✓ Recalculate the budgets of the specialist SEN and AP settings that they maintain or used to maintain as base funding and top-up funding;
- ✓ Put in place arrangements for pupil referral units (PRUs) to have delegated budgets;
- ✓ Honour existing financial commitments in relation to pupils of any age who are part-way through a course of study, in calculating rates of top-up funding to be paid in 2013-14.

1

Special Educational Needs and Disabilities Pathfinders

Council/Lead Council/Consortia	Joint with
South East	
South East 7	Brighton and Hove
	East Sussex
	Hampshire
	Kent
	Medway
	Surrey
	West Sussex
Southampton	
South West	
Cornwall	Isles of Scilly
Devon	
Wiltshire	
London	
Bromley	Bexley
Greenwich	
Lewisham	
East of England	
Hertfordshire	
East and West Midlands	
Northamptonshire County Council	Leicester City Council
Nottinghamshire County Council	
Solihull	
North West	
Northwest Consortia	Trafford
	Oldham
	Rochdale
	Wigan
	Manchester
North East	
Gateshead	
Hartlepool	Darlington
Yorkshire and Humber	
Calderdale	
North Yorkshire	

Raising participation in learning and LGA Hidden Talents campaign for wider reform

Purpose of report

For discussion.

Summary

Significant changes are being made to national education and skills policy which will impact on councils' existing duties to support young people in learning and their new duty to promote Raising the Participation Age in compulsory learning, which is now one year off. This forms a key strand of the LGA's Hidden Talents campaign, jointly developed by this Board and the Economy and Transport Board.

This paper provides a basis for Board members to discuss the main issues in this workstream.

Recommendation

Members are asked to comment on the main issues within this workstream.

Action

To take forward members' recommendations, and keep Board members updated on developments.

Contact officer: Jasbir Jhas
Position: Senior Adviser
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Raising participation in learning and LGA Hidden Talents campaign for wider reform

Raising the Participation Age

1. In September 2013, 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 either through full-time education (school, college or home education); work-based learning (Apprenticeship) or part-time education or training if they are employed, self-employed or volunteering for more than 20 hours a week. It requires schools, councils, colleges and employers to come together to work towards full participation in each local area. A key challenge will be engaging young disengaged people - not in education employment and training (NEET).
2. The Department for Education (DfE) has developed pilot schemes for councils to test what works in local areas. It is now in its fourth and final year. A recent DfE commissioned report of councils' RPA preparedness revealed that:
 - 2.1. 67% had developed RPA strategies.
 - 2.2. Good engagement levels with schools and FE, but engaging employers, Job Centre Plus, parents and carers has been challenging.
 - 2.3. 43% believe a lack of work based learning is a challenge.
 - 2.4. 33% identified tracking of young people as a problem.
 - 2.5. 37% feel identifying appropriate provision for vulnerable groups is a challenge.
3. Under original RPA proposals, employers were required to check a young person is enrolled on a course before employing them, and arrange work to fit around training. Councils would have had to enforce this, and could fine employers if they failed to discharge these duties. Following a DfE consultation, Ministers decided not to commence the employer obligation. It remains in statute, and its introduction may be reviewed at a later stage but this decision makes councils' engagement with employers more challenging.
4. The LGA will seek to influence guidance (expected in autumn) and regulations before they are laid before Parliament in early 2013.
5. Underpinning RPA are other council duties these include; 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.** This is likely to raise media attention to councils' efforts to work towards full participation.

Youth Contract

6. Despite councils' statutory duties on RPA and to reengage disengaged young people, the Government decided to nationally contract the £126m 16-17 year old NEET Youth Contract provision to private companies and charities, instead of enabling councils to locally commission it. The LGA and Association of Directors of Childrens Services (ADCS) challenged their proposals calling for the provision to be locally commissioned and enable it to be integrated with RPA activity. The devolved Youth Contract into some City Deals was a welcome step, but the approach should have been adopted across all areas. We continue to engage with DfE to ensure that they encourage successful providers to work closely with councils.

16-19 reforms

7. Shifts in Government policy make councils' ability to discharge these duties difficult. For instance for councils to effectively plan for RPA in local areas, they must provide sufficient places for 16-19 year olds. Yet they have little influence on how provision is commissioned in local areas. Further still, funding on a lagged learner model passes directly from the Education Funding Agency to providers. Councils are keen to have an increased role to allow them to effectively discharge their statutory duties.
8. In July, the Secretary of State announced that from September 2013, a new Study Programme will be introduced for all 16-19-year-olds in post-16 education, the aim being that they follow a richer mix of study to maximise their progression into work and further/higher education. This will be accompanied by reforms to the associated funding formula, whereby institutions would be funded 'per student' rather than per qualification. **A Ministerial working group will consider how the reforms should be implemented. The LGA will be represented on this group.**

Education Select Committee inquiry into careers guidance

9. Schools' new duty to secure careers education information advice and guidance for Year 9-11 commences in September. This role was previously undertaken by councils, and so they are supporting them to take on this duty. The LGA has commissioned the National Foundation for Educational Research (NFER) to work with a range of councils and schools to capture how this is working in local areas, and findings will be available in October.
10. Councils retain the duty to support those not in education, employment or training as they will not be in receipt of careers guidance from a learning institution. Guidance suggests they will also support the "most vulnerable young people" and those at risk of disengagement, funded through Early Intervention Grant.
11. The LGA submitted written evidence to the Education Select Committee's inquiry into careers guidance for young people, and will aim to give oral evidence to the Committee. Our response, approved by lead members, focuses on the following:

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- 11.1. LGA work to influence the statutory guidance to schools support for impartial CEIAG, and the extension of it, to enable all young people to navigate through, and make decisions about learning pathways in their local area;
- 11.2. council led approaches to support schools take on their new CEIAG duty;
- 11.3. councils' NEET re-engagement strategies including use of careers guidance;
- 11.4. the wider contribution made by councils to support raising the participation age.

Hidden Talents Campaign

- 12. One of the LGA's priorities is to ensure councils are recognised as central to economic growth. As part of this, our Hidden Talents campaign seeks to demonstrate that councils are best placed to identify and support the most disengaged young people, not in education, training or employment focusing on ways in which we can improve the offer to young people from early years to young adulthood with the importance of place. The campaign is jointly managed by the Economy and Transport and Children and Young People Boards. Our work on RPA and post-16 education and training fits in directly with this work.

The challenge

- 13. Our research shows the number of young people not in employment, education or training for more than 12 months is growing at a faster rate than any other and has doubled in four years to 260,000. While some national approaches work for young people, too many address spikes in youth unemployment, without effectively reaching the most vulnerable group who are getting left further behind. In addition, action must be taken to address the skills mismatch. Last year more than 94,000 people completed hair and beauty courses despite there being just 18,000 new jobs in the sector. At the same time, fewer than 40,000 people trained to fill around 72,000 new jobs in the building and engineering trades.

The solution

- 14. The LGA is calling for a community budgeting approach to bring services together around the most disengaged young people. From the 33 current funding streams, the LGA has identified the six most suitable for pooling, creating a budget of £1 billion a year. Councils and their local partners to be enabled to support 260,000 "core - needs" back into work and learning, at a potential contribution of almost £4,000 for each person. We will seek a greater role for councils in commissioning school, further education, and apprenticeship provision.

Campaign activities

- 15. The LGA is working with councils to demonstrate innovative work taking place to bring together services around the most disengaged young people. This activity has been developed over the summer, and will culminate in a report, to be launched in the autumn.

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16. Other activity under the campaign not covered elsewhere in this report includes:
- 16.1. ongoing publicity through national and trade media;
 - 16.2. written and oral evidence to the Work and Pensions Select Committee into youth unemployment and the Youth Contract;
 - 16.3. cross-party Parliamentary roundtable jointly with the Prince's Trust, bringing together local authorities and Parliamentarians;
 - 16.4. ongoing meetings and events to engage with Ministers, parliamentarians and partners, business groups and the third sector;
 - 16.5. LGA conference *Raising ambition, achieving potential: the council role in education and training* on 4 December 2012 and a Hidden Talents session during the National Children and Adults Services Conference on Thursday 25 October.

Children and Young People's Health work programme

Purpose of report

To provide an update on the work programme and the priorities for the year ahead to inform the Board's discussion.

Summary

The report outlines the direction for the future work of the LGA's Children and Young People's Health Programme.

Recommendation

Members are asked to discuss the priorities and identify any additional issues.

Action

LGA staff to action as necessary.

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Children and Young People's Health work programme

Background

1. Children's health services have traditionally received a 'disproportionately low priority' with international comparisons of outcomes suggesting that the NHS in England does not do as well as it should for children and young people¹. 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.
2. Children's health is an agreed Board priority for the Children and Young People Board. The work is overseen and co-ordinated jointly by the Children and Young People Board and Community Wellbeing Board.
3. Over the past year the LGA has worked with Government, the health sector and local government during the transition phase to ensure councils and health bodies understand their statutory duties and responsibilities.
4. The first phase of the children and young people's health support offer was delivered to councils in 2011-12. This included a conference on reducing health inequalities for children and young people, a toolkit for Health and Wellbeing Boards, a report on Children's Trusts and how they are working with emerging health structures and updating LGA products to ensure they reflect the health reforms.
5. The second phase of the support offer to councils has been agreed jointly by the Board's office holders, delivery is scheduled for August 2012 – April 2013.
6. We are working with partners and the Government to raise the profile of children's health issues, in particular we are engaging with the Department of Health and Department for Education on the health reforms and safeguarding issues. We have also submitted our views to the Children and Young People's Health Outcomes Forum to contribute to the development of the forthcoming Children and Young People's Health Outcomes Strategy.

Priorities for the year ahead

7. The priorities for the LGA that we believe will help to improve children and young people's health outcomes and prioritise children's health services in the new health system are:
 - 7.1. **Safeguarding:** Greater clarity is needed on how safeguarding arrangements will function in the new health system; there is a danger that safeguarding functions

¹ 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

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will be lost during the transitional phase. In particular we are concerned about the delay in the publication of the Safeguarding Accountability Framework; Clinical Commissioning Groups (CCGs), the NHS Commissioning Board and the wider system need to fully understand their role and responsibilities for safeguarding children and young people. The delay in the framework has implications for CCGs' authorisation process.

- 7.2. **Children and Young People's Health Outcomes Strategy:** The Government is due to announce its response to the Children and Young People's Health Outcomes Forum's report in September. This will include a new children and young people's health strategy. The LGA will seek to ensure the strategy optimises the impact that local government can make, and will help local authorities to understand how the strategy will affect them.
- 7.3. **Commissioning:** Transitional arrangements need to be in place to ensure a safe transfer of commissioning responsibilities for 0-5 year olds from the NHS Commissioning Board to local authorities in 2015. Local authorities will need to understand the arrangements and be prepared for the transfer.
- 7.4. **Transition:** A local public health system is being established in which all local partners will be an integral part of delivering health improvements to the local community. This is an opportunity for partners to take children and young people's health and wellbeing needs into account when designing the new local public health system.

Outline of scheduled work

8. The second phase of the support offer for councils has been scheduled for delivery in 2012-13. It includes:
 - 8.1. A series of public health conferences scheduled for Nov – March to assist Health and Wellbeing Boards to reduce health inequalities for children, young people and adults. The themes will focus on local authorities' public health responsibilities for obesity, mental health, tobacco, drugs treatment services and sexual health services including teenage pregnancy. The conferences will be accompanied by a toolkit for local authorities and partners; identifying key success factors and case studies.
 - 8.2. We will continue to press Government for clarity around safeguarding roles and responsibilities and how they will function in the new health system. We will develop a response to the consultation on the statutory guidance 'Working Together to Safeguard Children' and will ensure the roles and responsibilities of the wider health sector is reflected in the guidance. We will develop tools for councils and CCGs and other partners explaining and promoting their safeguarding roles and responsibilities.

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- 8.3. We will work with the NHS Commissioning Board to mitigate the risks of fragmentation of commissioning services. We will also produce case studies and contribute to the jointly organised LGA and NHS Commissioning Board conference on integrated commissioning scheduled for October 2012.
- 8.4. Working with the Department of Health to ensure the Government's response to the Children and Young People's Health Outcomes Forum's Report is sufficient and reflects the role of local government. We will update existing LGA products to reflect new policies and will work with local authorities to help them understand their role and responsibilities for delivering the strategy.
- 8.5. Over the coming months we will work with the Department of Health and key stakeholders to raise and address key transitional issues affecting children and young people's health services.
- 8.6. We will continue to share knowledge and deliver online discussions with relevant speakers on the children and young people's forum on the Knowledge Hub for Health and Wellbeing Boards. We will also continue to use the dedicated children's health webpage on the LGA's website to host children's health related resources from across the LGA and partners.

Schools funding update

Purpose of report

For information.

Summary

This report updates members on recent developments in schools funding issues, including

- The new schools funding formula
- The replacing LACSEG consultation
- Schools Capital

Recommendations

That members:

1. Note this report; and
2. Agree to receive further reports on any future developments.

Action

Officers to continue to provide updates to the Board.

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Phone no: 020 7664 3265
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Schools funding update

Background

1. As was reported to your last Board, the Department for Education (DfE) confirmed on 28 June that it is to proceed with reforms to local funding formulae as outlined in the consultation document “School Funding Reform; Next Steps towards a Fairer System” which was issued in March. From April 2013 local authorities will only be able to use a maximum of 12 factors in their local funding formula, which will apply to both maintained schools and academies.
2. As authorities and schools forums work through what it means for them the following are emerging as key issues:
 - 2.1. The restricted number of factors and the lack of flexibility on, for example, small schools; the new rules will not permit a specific small schools factor.
 - 2.2. The new requirements to delegate more place a question mark over those services currently centrally provided, with Schools Forum agreement. Under the new arrangements, representatives of maintained schools at the Schools Forum will be able to agree de-delegation (ie allowing the authority to provide centrally and to fund from the Dedicated Schools Grant) for a small number of services such as insurance, staff cover, behavioural and ethnic minority support services, but this will not apply to academies.
 - 2.3. Less flexibility for the Schools Budget, going forward, to fund support for redundancy costs, capital expenditure and contribution towards combined budgets for children’s services. Councils will be able to keep existing arrangements but will not be able to enter into any new arrangements.
 - 2.4. The new funding arrangements for High Needs Pupils, where there will be new ‘place plus’ arrangements for settings such as special schools. These are based on a split between an element which goes straight to the provider (the place element, which for special schools is £10,000 per place) and a top-up element, with funding going to the responsible local authority as commissioner. Although many can see the logic and welcome the end of SEN recoupment there is concern that:
 - 2.4.1. Different authorities will be affected in different ways due to the baseline adjustment to give providers the £10,000 base funding.
 - 2.4.2. The baseline adjustment locks in historic funding, which may be seen as inequitable in a fast-changing demand scenario. In some circumstances this could also involve central provision of previously delegated High

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Needs pupil funding, which may be seen as counter-intuitive to the main direction of travel for the reforms.

2.4.3. The baseline will also include substantially underfunded elements, such as the post-16 SEN Block grant.

2.4.4. There is particular concern from authorities who have traditionally been net importers of SEN pupils.

2.5. The increased role of the Education Funding Agency (EFA), which is increasingly being given a monitoring and compliance role, with authorities having to submit proformas to the EFA.

Academies top-slice

3. **2011-12 and 2012-13:** On 17 July the Government issued its response to the consultation on the proposed recovery arrangements for the Academies Funding Transfer for 2011-12 and 2012-13. This has involved DfE paying a grant to authorities with low numbers of academies. This amounts to £58 million in 2011-12 – payment was made at the end of July, and potentially around £100 million for 2012-13, although it will not be paid until the January 2013 academy pupil numbers are known. This follows contacts between the DfE and LGA officers with a view to settling the legal case pursued by 29 councils, with the LGA officers acting as a sounding board for the authorities involved in the legal action. The LGA welcomed the decision to repay around 40 per cent of the 2011-12 top-slice, whilst noting that the new methodology was likely to benefit councils with fewer academies and that the costing mechanism for working out the grant, whilst better than the original proposal, remained flawed.
4. **2013-14 and following** On the same day the Government issued a consultation document on replacing LA LACSEG. This will lead to £1.22 billion being taken out of the baseline for the business rates retention scheme in 2013-14 and £1.19 billion in 2014-15. DfE will pay the amount to authorities and academies as a non-ring fenced grant, proportionate to the number of pupils for which each is responsible. The consultation recognises that local authorities will retain responsibilities for pupils in academies – for educational welfare services, asset management and statutory and regulatory duties. The document does not set out a proposed amount but based on responses to a consultation last summer it thinks it is in the range of £8-£15 per pupil. The consultation closes on 24 September 2012.
5. Officials have made clear that any changes in the amount to be taken out or in the proportion of the new grant paid to authorities for continuing services would have to be based on convincing evidence. The LGA has therefore written to all Directors of Children's Services and Directors of Finance of LGA member councils with responsibility for education, asking them (through a simple proforma) how much of the relevant services (such as school improvement, statutory and regulatory services like the role of the Director of Children's Services and education welfare) relate to continuing responsibilities and also how expenditure on the relevant services differs in 2012-13 to that in 2011-12. This is to inform our own response and to provide

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evidence. The LGA's response will be circulated to the Office Holders of the Board for sign-off for submission by the closing date of 24 September.

Capital

6. There has still been no Government response to the consultation on the James Review into schools capital; which reported in April 2011. The key issues remain the scope of any single capital pot to distribute funding locally and how new school building is to be procured.
7. Allocations for the Priority Schools Building programme were announced on 24 May; it was confirmed that 261 schools, of the 587 which applied, will be rebuilt, with the first schools opening in 2014. However it has become clear that the programme will be phased with schools procured in batches over a number of years.
8. The LGA's response to this announcement quoted Cllr Simmonds as saying that the funding was the result of councils' pressure on DfE and will go some way to addressing the problems facing some of our most dilapidated schools, but that we were still in a situation where more than 300 run-down schools had been left in limbo after lengthy delays in Government decision making. This was reported by the 'FT Online', 'Times Online', 'Independent Online' and 'BBC Online' as well as dozens of regional and trade publications.

Financial Implications

9. None specific to this report.

Membership and Terms of Reference for 2012/13

Purpose of report

To ask the Children and Young People Board to note its Membership and Terms of Reference for 2012/13.

Summary

The Board's Membership (**Appendix A**) and Terms of Reference (**Appendix B**) are attached to this report.

Recommendation

That the Children and Young People Board notes its Membership and Terms of Reference for 2012/13.

Action

No further action necessary.

Contact officer:

Lucy Ellender

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Programme Officer, Member Services

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Children and Young People Board - Membership 2012/2013

Councillor	Authority
Conservative (8)	
David Simmonds [Chairman]	Hillingdon LB
Paul Carter	Kent CC
David Pugh	Isle of Wight Council
Derrick Murphy	Norfolk CC
Robert Light	Kirklees MBC
Susie Charles* [substitute 2011/2012]	Lancashire CC
Liz Hackett Pain*	Monmouthshire CC
John Osman* [substitute 2011/2012]	Somerset CC
Substitutes:	
Roy Perry	Hampshire CC
Patricia Bradwell**	Lincolnshire CC
Peter Evans **	West Sussex CC
Dominic Gilham**	Hillingdon LB
Labour (6)	
Rita Krishna	Hackney LB
John Merry CBE [Vice Chair]	Salford City
Paul Lakin	Rotherham MBC
Anne Burns	Cumbria CC
Nick Forbes*	Newcastle City
Jude Robinson*	Cornwall CC
Substitutes:	
Richard Watts**	Islington LB
Liberal Democrat (3)	
David Bellotti	Bath & NE Somerset Council
Liz Green [Deputy Chair]	Kingston upon Thames RB
Kath Pinnock	Kirklees MBC
Substitutes:	
Peter Downes OBE	Cambridgeshire CC
Independent (1)	
Apu Bagchi [Deputy Chair]	Bedford BC
Substitutes	
Gillian Ford	Havering LB
Paul Cullen	Richmondshire DC
Neil Burden**	Cornwall Council

* new member

** new substitute

LGA Children and Young People Board

Terms of Reference

The purpose of the Children and Young People Board is to engage with and develop a thorough understanding of the issues within its brief and how legislation does or could affect councils and their communities.

Boards should seek to involve councillors in supporting the delivery of these priorities (through task groups, Rural and Urban Commissions, Special Interest Groups (SIGs), regional networks and other means of wider engagement); essentially operating as the centre of a network connecting to all councils and drawing on the expertise of key advisors from the sector.

Each Board has its own Terms of Reference but responsibilities include:

1. Ensuring the priorities of councils are fed into the business planning process.
2. Developing a work programme to deliver the business plan priorities relevant to their brief, covering lobbying campaigns, research, improvement support and events and linking with other boards where appropriate.
3. Sharing good practice and ideas to stimulate innovation and improvement.
4. Representing and lobbying on behalf of the LGA including making public statements on its area of responsibility.
5. Building and maintaining relationships with key stakeholders.
6. Involving representatives from councils in its work, through task groups, Commissions, SIGs, regional networks and mechanisms.
7. Responding to specific issues referred to the Board by one or more member councils or groupings of councils.

The Children and Young People Board may:

- Appoint members to relevant outside bodies in accordance with the Political Conventions.
- Appoint member champions from the Board to lead on key issues, with responsibility for liaising with portfolio holders on key issues that require rapid response/contact with councils.

Other business report

Purpose of report

For information.

Summary

This section provides reports on other business relevant to the Board.

Recommendation

That the Board note the update.

Action

LGA officers to action as necessary.

Contact officer: Lucy Ellender
Position: Programme Officer
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E-mail: lucy.ellender@local.gov.uk

Other business report

National Youth Agency (NYA)

1. The NYA has continued to promote and support the Supporting Services for Young People Knowledge Hub (KHub). The total number of users on the NYA's KHub site are now 360. They are continuing to provide resources and materials from the sector free to download for all members.
2. The NYA's conference on the troubled families agenda on 12 September in Birmingham is now fully subscribed. Speakers include Robert McCullough Graham (Associate Director of the DCLG Troubled Families Team), Councillor Ken Meeson (one of the current Children and Young People Board's representatives for the NYA) and Fiona Black, NYA's Chief Executive.

Tailored Support strand

3. The NYA are currently advertising for the remaining support packages. Of the 40 councils that they are intending to work with, 17 Councils commenced work in the Spring 2012 – Wolverhampton; Walsall; Reading; Herefordshire; Ealing; Manchester; Ipswich; Derbyshire; East Cheshire; Luton; Hillingdon; Norfolk; Sheffield; Rotherham; North East Lincs; Bristol; Hounslow. 5 Councils have started work on the pilot for the new cost calculator and testing some of the outcomes toolkits. These are; Staffordshire, Norfolk, Reading, Solihull and Oxfordshire. There are currently 7 Councils with a September/October start date for tailored support: Telford; Salford; Kirklees; Lancashire; Nottingham City; Enfield; Cornwall.

Emerging Themes strand

4. The three areas of focus for this year - troubled families, business involvement with the sector and measuring outcomes on the value of youth work are all progressing on schedule. The NYA are in the process of analysing the results of a national survey of heads of youth services to examine their involvement with the troubled families agenda. The results will be launched at the conference next month.
5. The business engagement programme of work is ongoing, with the aim of producing a strategy for councils for brokering support from businesses into the youth sector.
6. The third area of work on evidencing the value of youth work and the NYA are working with the Young Foundation to test their calculator within Norfolk and Staffordshire councils. Through our tailored support programme they are working with five councils to test practical tools for measuring the impact of their services.

National Foundation for Educational Research (NFER)

7. Since the last Children and Young People Board update, NFER has completed two projects as part of toplice funded activity - Local Authority approaches to Children's Trust arrangement and a statistical review of destinations of young graduates to support the LGA Hidden Talents campaign. Ongoing projects include analysis of numbers of academy schools by local authority, best practice examples of effective

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transition of Careers education information and guidance (CIEAG) from local authorities to schools, an evaluation of the NYA tailored support offer to local authorities and two projects jointly funded by LGA and the Children's Improvement Board (CIB) on the longer term impact of safeguarding children peer reviews and an evaluation of sector led improvement and peer challenge. NFER looks forward to new commissions coming from the Children and Young People Board and areas suggested include home to school travel and the impact on schools of the revised OFSTED inspection categories.

Media

8. During the Summer the LGA's media team has responded to a number of media stories around school playing fields, adoption figures and academies.
9. The LGA issued media lines following a DfE announcement that almost £60 million would be returned to local authorities after about 30 threatened to seek a judicial review of the amount of cash the government had taken away in order to expand its academies programme. The story was picked up by the Financial Times. At the root of the controversy was the Government's decision to deduct a uniform amount from each local authority to reflect the growth in academies, which are financed directly by Whitehall rather than via local authorities. Councillor David Simmonds, Chairman of the Children and Young People Board, said councils supported school choice but it had to come hand in hand with fair funding. "We want to see equality of funding across all types of schools, but under the current system that is not the case. Instead, we have two-tier funding with local taxpayers effectively subsidising the roll-out of academies."
10. Cllr Simmonds was quoted in the Telegraph responding to an increase in the number of toddlers and young children being adopted. More than 4,700 children were adopted in England and Wales last year. Of these almost 3,000 were aged between two and four, the highest number in this age group since 1977. In a statement issued to media, Cllr Simmonds said the overall increase was "heartening" but that adoption was not always the best option for children. He said: "Social workers are working with a system that has five times more children waiting for adoption, than we have adopters."
11. The LGA responded to media coverage about the sale of playing fields by highlighting the need for a transparent and objective process that is open to public scrutiny and applies to all schools, including Academies. Cllr Simmonds was widely quoted in the press and appeared on a number of TV and radio programmes, including the Today programme, Five Live, ITV Daybreak, BBC News, Newsnight, Sky News, Channel 4 News, Channel Five News, the Telegraph and Guardian. He said that councils did not support the selling off of school playing fields except when a school is closed or merged or in exceptional circumstances, and then applications have to meet strict agreed criteria. The LGA was concerned that ministers seem to be increasingly disregarding the advice of the independent School Playing Fields Advisory Panel and have approved five cases recommended for refusal in the last 15 months, more than for the whole of the previous nine years. He suggested that it was likely to become more of a problem in years to come as we see more and more schools taking on academy status and becoming exempt from the guidance that applies to other schools.

Note of decisions taken and actions required

Title: Children and Young People Board

Date and time: 16 July 2012, 11.00am

Venue: Leeds Civic Hall

Attendance

Position	Councillor	Council
Chairman	David Simmonds	Hillingdon LB
Vice chair	John Merry CBE	Salford City
Members	David Pugh	Isle of Wight Council
	Robert Light	Kirklees MBC
	Paul Lakin	Rotherham MBC
	Rita Krishna	Hackney LB
	David Bellotti	Bath & NE Somerset Council
	Catharine Grundy	Birmingham City
Substitutes	Susie Charles	Lancashire CC
	Paul Cullen	Richmondshire DC
	Peter Downes OBE	Cambridgeshire CC
In attendance	Professor David Thorpe	Lancaster University
	Cllr Judith Blake	Leeds City
	Cllr Ralph Berry	Bradford MDC
	Cllr Julie Abraham	East Riding of Yorkshire
	Cllr Olivia Rowley	Wakefield MDC
	Cllr Tony Hall	North Yorkshire CC
Apologies	Kath Pinnock	Kirklees MBC
	Paul Carter	Kent CC
	Derrick Murphy	Norfolk CC
	Anne Burns	Cumbria CC
	Apu Bagchi	Bedford BC
	Liz Green	Kingston upon Thames RB

Officers: Sally Burlington, Ian Keating, Cassandra Harrison, Justine Wharton, David Pye, Lucy Ellender

Item	Decisions and actions	Action by
	<p>Cllr Judith Blake, Deputy Leader of the Council and Lead Executive Member Children's Services welcomed members to Leeds Civic Hall for the regional meeting.</p>	
1	<p>Yorkshire and Humber Safeguarding project</p> <p>Professor David Thorpe outlined the work he had undertaken in the region. It was noted that this was a collaborative approach between 14 out of the 15 local authorities in the area and other public services including education, health, the police as well as the voluntary sector. It had produced some significant results in reducing the number of looked after children in the region.</p> <p>Members asked how this approach would be different to the current system. Professor Thorpe said this that was a new way of managing issues collaboratively between agencies. The system the region had implemented changed the manner in which calls to the child safeguarding team were answered. This enabled officers to record as much information as possible in the initial stages and then decide how to react to it. The information was collated to help identify issues raised with a number of agencies about individuals or their wider families. This was continually monitored and then reviewed each week. Professor Thorpe said that this had then led to a reduction in the number of referrals.</p> <p>Members raised concerns about how the new system managed risk. Professor Thorpe said that the system was effective at managing risk due to the initial information gathering, and the constant monitoring – action was taken on every referral and followed up.</p> <p>Members were concerned about the level of outside pressure exerted on social workers to make particular decisions. Members asked what impact this new system had done on the outside pressure felt by social workers. Professor Thorpe stated that the new system helped to support social workers due to the amount of information collated in the initial stages of contact with the safeguarding team.</p> <p>Decision <i>Members thanked Professor Thorpe for his presentation.</i></p> <p>Action Officers to share Professor Thorpe's slides with Members.</p>	<p>Lucy Ellender</p>
2	<p>Children's homes, child sexual exploitation and children missing from care</p> <p>Cllr Simmonds introduced this item saying that two recent reports</p>	

highlighted serious concerns about failings in the current system to protect children who go missing from care and the associated risk of sexual exploitation. Both heavily criticised the residential children's home system, which is now being reviewed by the Government. This had also been heavily featured in the media.

Members discussed the recommendations within the report and highlighted that placing authorities and host authorities face different challenges, but agreed that this should not hinder the LGA advocating reform of the system.

Members agreed that further work needed to be done to support councils to shape the market for children's homes. This would help councils to improve the geographical spread of children's homes, the quality of the service provided and help to provide a mix of accommodation available for children within, or close to, their home authorities. .

Decision

Members agreed the recommendations in the Board paper.

Members requested that an LGA position paper be drafted.

Members also asked for further work around the children's homes market and support to the placing and host local authority.

Action

Officers agreed to draft a position statement and to circulate a further paper to a future Board meeting.

Cassi Harrison

Officers to invite Police representatives to a future meeting to discuss ways of working to effectively safeguard children placed in residential care.

Lucy Ellender

3 LGA/DfE action research into the evolving role of the local authority in education

Ian Keating said that this was an opportunity for the Board to discuss the final report of the action research, which had been jointly funded by LGA and DfE, in preparation for the discussion of it at the Ministerial Advisory Group scheduled for November. Members felt the research was very useful and hoped that it would promote understanding of the importance of the continuing council role in education. Members stressed the need for councils to be funded properly to perform their important roles in place planning, school improvement and protecting vulnerable children and young people.

Members discussed the importance of creating and maintaining a

strong scrutiny role for councils' in education, with academies and other providers actively engaging in the scrutiny process. It was agreed that the LGA should prepare a response to the research, setting out in detail what the continuing council role in education should be.

Decision

Members agreed that an LGA response to the research should be prepared.

Action

Officers to draft a response, for clearance by the Board's Office Holders.

4 LGA topslice funded Children & Young People research programme 2012/13

Cllr Paul Lakin introduced this item outlining the potential areas for research as:

- Research on the development of partnerships with Independent Fostering Agencies (IFAs) and adoption agencies to investigate how councils are working with local providers to shape and develop the market;
- Work around the issue of sexual exploitation of children and specifically children in care;
- Exploration of the impact on schools of the revised OFSTED inspection regime categories;
- Review of the extent to which levels of parental drug and alcohol misuse impact on the number of looked after children in an area.;
- Best-practice case studies of home to school travel;
- Review of the unintended consequences of government policy on children and young people;
- A study investigating the perceptions of social workers to the current fostering and adoption processes;
- The impact of the service premium in terms of improving outcomes for children who are part of service families;

Decision

Members agreed that LGA officers should begin to develop research proposals around:

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- *Best-practice case studies of home to school travel;*
- *Exploration of the impact on schools of the revised OFSTED inspection regime categories;*

Some work is already being undertaken by DfE in these areas and so to avoid duplication, officers will monitor outputs from these and

then suggest potential research that could build on the work already completed.

Members agreed that the “Research on the development of partnerships with Independent Fostering Agencies (IFAs) and adoption agencies to investigate how councils are working with local providers to shape and develop the market” could be combined with the research into “sexual exploitation of children and specifically children in care”. However, members were keen that any research on the issue of sexual exploitation should be expanded to include those children not in care.

Members agreed that the research into the “Exploration of the impact on schools of the revised OFSTED inspection regime categories” could also include some work on the pupil premium.

Action

Members should feed in any further comments to Cllr Lakin or David Pye. All

5 Schools funding update

Members discussed the implications of the LACSEG announcements on local authorities budgets and the potential difficulties this may cause for local authorities. Members discussed the possibility of undertaking further work on this area to identify how much money would be top-sliced from authorities.

Decision

Members noted the report.

Action

Officers to proceed as requested.

6 Children’s Improvement Board (CIB) – update on sector-led improvement

Decision

Members noted the report.

Action

Officers to continue to provide updates to the Children and Young People Board.

7 Appointments to Outside Bodies 2012/13

Decision

Board members noted the bodies to which the Board would be appointing for 2012/13 and agreed the nomination process.

Action

Officers to proceed with appointments process.

Lucy Ellender

8 Other Business Report

Decision

Members noted the report.

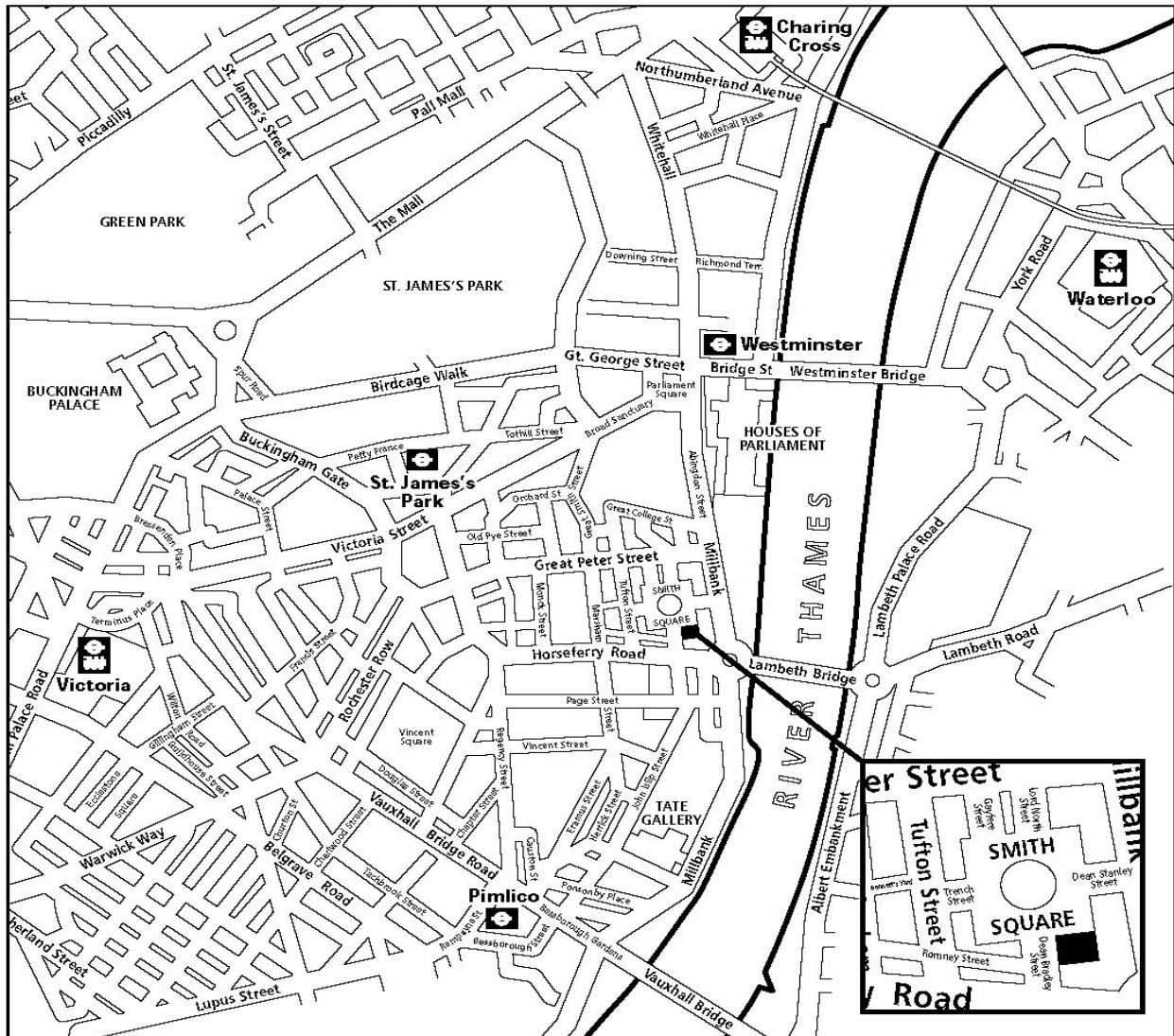
Action

No actions arising.

9 Note of the last meeting – 21 May 2012

Members **agreed** the note of the meeting held on 21 May 2012.

LGA Location Map



Local Government Association

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Public transport

Local Government House is well served by public transport. The nearest mainline stations are;

Victoria

and **Waterloo**; the local underground stations are **St James's Park** (District and Circle Lines); **Westminster** (District, Circle and Jubilee Lines); and **Pimlico** (Victoria Line), all about 10 minutes walk away. Buses **3** and **87** travel along **Millbank**, and the **507** between Victoria and Waterloo goes close by at the end of **Dean Bradley Street**.

Bus routes - Millbank

87 Wandsworth - Aldwych **N87**
3 Crystal Palace - Brixton - Oxford Circus

Bus routes - Horseferry Road

507 Waterloo - Victoria
C10 Elephant and Castle - Pimlico - Victoria
88 Camden Town - Whitehall - Westminster - Pimlico - Clapham Common

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