

Children and Young People Board

Agenda

Thursday 25 October
3.45pm – 4.35pm

Gold Room
Devonshire Park Centre
14 Compton Street
Eastbourne
BN21 4BP

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

LGA Children and Young People Board

25 October 2012

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

3.45pm on Thursday 25 October 2012 in the Gold Room, Devonshire Park Centre, 14 Compton Street, Eastbourne, BN21 4BP

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: Group Office: 020 7664 3235 email: libdem@local.gov.uk
Independent: Group Office: 020 7664 3224 email: independent.group@local.gov.uk

Location

Maps showing the location of the Devonshire Park Centre and the venue are printed on the back cover.

LGA Contact

Lucy Ellender Tel: 020 7664 3173 Fax: 020 7664 3232;
e-mail: lucy.ellender@local.gov.uk

Carers' Allowance

As part of the LGA Members' Allowances Scheme a Carer's Allowance of up to £6.08 per hour is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

Children and Young People Board

Date: 28.08.12

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	Lancashire CC
Liz Hackett Pain	Monmouthshire CC
John Osman	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

LGA Children and Young People Board Attendance 2012-2013

Councillors	05.09.12					
Conservative Group						
David Simmonds	Yes					
Paul Carter	Yes					
David Pugh	Yes					
Derrick Murphy	No					
Robert Light	Yes					
Susie Charles	Yes					
Liz Hacket Pain	No					
John Osman	Yes					
Labour Group						
Rita Krishna	Yes					
John Merry CBE	No					
Paul Lakin	No					
Anne Burns	No					
Nick Forbes	Yes					
Jude Robinson	Yes					
Lib Dem Group						
David Bellotti	Yes					
Liz Green	Yes					
Kath Pinnock	Yes					
Independent						
Apu Bagchi	Yes					
Substitutes						
Roy Perry	Yes					
Peter Evans	Yes					
Dominic Gilham	Yes					
Richard Watts	Yes					
Rachel Heywood	Yes					

Agenda

Children and Young People Board

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3.45pm

Gold Room, Devonshire Park Centre, 14 Compton Street, Eastbourne, BN21 4BP

	Item	Page
1.	Education and Children's Services funding	3
2.	Sector-led improvement	9
3.	The Council Role in Education	15
	For information	
4.	Note of the last meeting	31
	Close	

Education and Children's Services Funding

Purpose of report

For discussion.

Summary

This report updates members on the key issues on education and children services funding including:

1. The new schools funding formula;
2. The Replacing Local Authority Central Spend Equivalent Grant (LACSEG) consultation;
3. Early Intervention Grant;
4. Pressures on children's services;
5. Schools Capital.

Recommendation

Members are asked to discuss the information in the report.

Action

LGA Officers to proceed as directed.

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Education and Children's Services Funding

Overview

1. Schools and children's services are funded through the following main sources:
 - 1.1 the ring fenced Dedicated Schools Grant funds the Schools Budget;
 - 1.2 non-school education and children's services are funded through council tax, business rates, and the non-ring fenced Early Intervention Grant;
 - 1.3 capital is funded through a mix of capital grants, contributions from authorities from capital receipts.
2. Funding issues reflect:
 - 2.1. the Government's concentration on the academies programme, which is driving changes in the local formulae used for distributing the Dedicated Schools Grant and the funding of academies' central functions through LACSEG;
 - 2.2. the overall deficit reduction programme of the Government, where non-schools funding for local government is being cut by 28% in real terms over the period of the Spending Review;
 - 2.3. the changes which we expect to see enacted in the Local Government Finance Act – business rates retention and the localisation of council tax support;
 - 2.4. particular Government priorities such as expanding education for two year olds which are part of the coalition agreement.

Schools' Funding

3. Previous Boards have received updates on the new local formulae which DfE have insisted should be introduced in April 2013. We have recently, through the political group offices, received updates on the situation. The following remain the main issues of concern:
 - 3.1. 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 or a factor relating to service children, this can lead to large shifts in funding for individual schools.
 - 3.2. A single lump sum – not more than £200,000 - which must be the same for all schools irrespective of phase, currently authorities tend to have different lump sums for primary and secondary.
 - 3.3. The new requirements to delegate more place a question mark over those services currently centrally provided, with Schools Forum agreement. Under the

Item 1

new arrangements, representatives of maintained schools at the Schools Forum can 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. In practice this seems to be leading to more delegation of services such as behavioural support.

- 3.4. 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 are be able to keep existing arrangements but will not be able to enter into any new arrangements.
- 3.5. Less choice for the authority to use its own deprivation factors – authorities have to use free school meals data or the Income Deprivation Affecting Children Index (IDACI) – again this leads to turbulence.
- 3.6. The fact that the DfE have only guaranteed that the minimum funding of -1.5% per annum will last until the end of the current spending review. DfE have now written to Directors of Children's Services (DCSs) to indicate that the MFG arrangements are likely to continue beyond April 2015 into at least the next Spending Review period.
- 3.7. 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. Concerns about the data to be used to establish the new blocks have caused some to wonder whether this will be ready for April 2013; DfE consider that authorities have made progress and officers have indicated that this will be ready.
- 3.8. The DfE have decided on a top-slice for hospital education of £10 per pupil; this will be paid direct to authorities with hospital schools and similar facilities.
- 3.9. The increased role of the Education Funding Agency (EFA), which is increasingly being given a monitoring and compliance role, with authorities having to submit pro-formas to the EFA.

Replacing Local Authority Central Spend Equivalent Grant consultation

4. The Government's consultation on replacing Local Authority Central Spend Equivalent Grant (LACSEG) closed on 24 September 2012. Members are reminded that the DfE propose to remove £1.22 billion from 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 and proposed a rate of £8-£15 per pupil.
5. The LGA has, based on evidence from member councils, replied that the 2012-13 rather than the 2011-12 s.251 returns should be used to establish the appropriate

Item 1

transfer. This would reduce the transfer to £782 million. We also proposed, based on evidence, that the rate for retained functions should be £50 per pupil. Discussions are proceeding with the DfE and a ministerial announcement is expected at the time of the Local Government Finance Settlement in December 2012.

Early Intervention Grant

6. The Early Intervention Grant was paid to councils as a separate non-ring fenced grant in 2011-12 and 2012-13. In 2011-12 it was £2.235 billion and in 2012-13 it was £2.370 billion. The EIG replaced a number of previous sources of funding, both ring-fenced and non-ring fenced. EIG represented a 32% cut when compared with the previous grants to local authorities (including those that were ended without being replaced) when compared with the originally announced amounts.
7. Additional money to expand early education to more disadvantaged two year olds was announced in the Autumn Statement in 2011. The Government announced that the money for this would rise from £291 million in 2012-13 to £534 million in 2013-14 and £760 million in 2014-15. The 2012-13 money was within the Early Intervention Grant.
8. The consultation document on business rates retention which came out in July 2012 proposed that EIG would no longer be paid as a separate grant from 2013-14 onwards.
 - 8.1. £1.726 billion in 2013-14 and £1.632 billion in 2014-15 is to be incorporated into the business rates baseline – this will not be ring-fenced;
 - 8.2. £534 million in 2013-14 and £760 million in 2014-15 is to be taken into the ring-fenced Dedicated Schools Grant – to be used to expand provision for disadvantaged 2-year olds
 - 8.3. £150 million in each of 2013-14 and 2014-15 to be retained by DfE for central purposes.
9. This means that non-ring fenced resources will fall by 27%.
10. The LGA has heard considerable concern from member authorities at both the £150 holdback and the simultaneous reduction in the non-ring fenced resources at the same time as the increase in the money for the two year old offer which will now be funded through the Dedicated Schools Grant. Directors of Finance have expressed the view that this could well lead to a fall in the number of children's centres being funded.

Spending Pressures

11. The LGA has been working on spending pressures on children's services, in the run-up to the next Spending Review. We have heard considerable concern from member authorities, particularly in the North East, about the pressures on looked after children. At the same time we have heard from some counties that budgets such as home to school transport (which is funded from general resources – in essence council tax and business rates) remain high.

Item 1

12. LGA officers are working with both the ADCS and the DfE to collect information on the up to date position from authorities. The ADCS is currently working to update its research on pressures on safeguarding.

Capital

13. 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.
14. 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. The first two batches are expected to come to market before the end of the calendar year; DfE has not yet confirmed where they will be. LGA officers understand that this is coming from savings on Building Schools for the Future. DfE is working on procurement models and on standardised building designs. Separately from this 42 schemes, concentrating on special schools will be prioritised for capital grant,
15. The LGA understands that capital grant figures for 2013-14 will be confirmed towards the end of the year. It seems likely that overall resources will remain around the same as this year: £1.2 billion for condition and maintenance for councils, academies and the voluntary sector (not distributed through a single capital pot) and £800 million for basic needs funding for councils. However these figures have yet to be confirmed by ministers.

Financial Implications

16. None specific to this report.

Sector-led improvement

Purpose of report

To provide an update on sector-led improvement and the work of the Children's Improvement Board (CIB), and to highlight current challenges.

Summary

The Children's Improvement Board works with councils to support a programme of sector-led improvement for children's services. This report gives highlights of the work programme including the important work being led by regions in England.

Recommendation

That members of the Board and Lead Members for Children's use the report as a basis for discussion.

Action

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

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Sector-led improvement

Background

1. Supporting sector-led improvement is a priority for the LGA and for the Children and Young People Board. This report summarises highlights of sector-led improvement in children's services and sets out some of the current challenges facing councils.
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 Children's Improvement Board (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. Sector-led improvement in children's services is led by the CIB which is a partnership between the LGA, the Association of Directors of Children's Services (ADCS) and the Society of Local Authority Chief Executives (SOLACE). Sector-led improvement depends heavily on donated time and expertise from councils themselves but 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 role of regions

4. The regional element of sector-led improvement is crucial and each region has a lead Councillor, lead Director of Children's Services and lead Chief Executive to take ownership of as well as champion the work. Each region also has a programme manager for its work programme. Regions are expected to work on a number of common priority areas but also have their own regional priorities. Some regions have brought their CIB work together with other improvement activity in the region and with the succession planning work which supports the leadership of DCSs. The governance and management of this work is for regions themselves to decide and regions have come to different arrangements depending on what other structures might already be in place to support improvement.
5. A key element of sector-led improvement in children's services is the development of mutual peer challenge between councils, based on gifted time from the DCS or others in the council. Every council is expected to have received a challenge by the end of this year and regions have responsibility for developing a suitable approach to meet this target. As with the governance arrangements the models being used for this challenge vary and are not prescribed. CIB will be carrying out an evaluation of peer challenge towards the end of 2012 and the beginning of 2013 to get a better understanding of the variety of approaches and how effective these are. The development of peer challenge is crucial to creating a culture where councils are confident both about challenging

Item 2

each other in a systematic way and about asking colleagues in the sector for help where needed.

Work programme and challenges

6. 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 due to the high profile and high level of risk involved in this work for councils.
7. CIB leads sector-led improvement in an area of particularly high profile and high risk. Particular challenges at present are:
 - 7.1. the need to establish ownership of sector-led improvement by councils, including chief executives and leaders;
 - 7.2. understanding how the work programme is making a difference and demonstrating impact;
 - 7.3. the pressure of supporting councils subject to DfE intervention which diverts resource from the broader ambition to help every council raise its game.
8. A summary of current work supported by the Children's Improvement Board is given below:
 - 8.1. Development demonstrators for Munro and early and foundation years – just launched this month, sixteen councils (nine for Munro and six for early years) are sharing learning as part of a national network as they respond to these significant policy and practice challenges.
 - 8.2. Early support for councils – all regions have been asked to prioritise offering "early support" to any councils who may be at risk of poor performance and to improve their collective capacity to identify risk.
 - 8.3. Targeted sector support – CIB works directly with councils who are subject to Government intervention, working with the LGA's principal advisers.
 - 8.4. Leadership – CIB funds free places for Lead Members for Children's Services at the LGA leadership academy and supports the regional lead member networks. CIB also works closely with the Virtual Staff College (VSC) which provides leadership programmes for Directors of Children's Services. A number of regions have chosen to integrate their CIB supported work programmes with regional work on succession planning supported by the VSC.
 - 8.5. Safeguarding peer reviews – CIB supports the well established programme of safeguarding peer reviews. These are available to councils free of charge.

Item 2

- 8.6. Safeguarding practice challenge – supported by CIB, London is piloting a safeguarding practice challenge which will provide an external challenge to councils focused on the detail of safeguarding practice.
- 8.7. Adoption – CIB jointly commissioned a diagnostic assessment with DfE to provide a fuller picture of those councils where DfE had raised concerns following the publication of adoption scorecards. Following these assessments, a number of councils have additional support in place facilitated by CIB. It is likely a number of other councils will take part in diagnostic assessments when new adoption scorecard data is published in November. Some regions are also reviewing data on adoption to get a better understanding of improvement needs on their area. Other groups of councils are carrying out work to improve relationships with family courts.
- 8.8. Commissioning and productivity – a number of products designed to support effective commissioning are available on Knowledge Hub.
- 8.9. Data – CIB has developed a data tool for councils which draws on a range of indicators for children's services and is currently available on Knowledge Hub. CIB is working with colleagues in the LGA to develop a more comprehensive data tool which will be part of LGInform.
- 8.10. Family Justice Review – following a series of workshops, CIB will shortly be publishing a toolkit signposting councils to good practice and useful resources. CIB will also be working with the Family Justice Board and Research in Practice to run action learning sets focused on local authorities interaction with family courts.
- 8.11. Integrated working - CIB hosts a set of resources on integrated working between agencies previously owned by the Children's Workforce Development Council. These are available on Knowledge Hub.
- 8.12. Payment by results – CIB is working with DfE to support 27 councils who are testing payment by results measures.
- 8.13. Serious case reviews – CIB is working with the Association of Independent Local Safeguarding Children Board (LSCB) Chairs and DfE to pilot the use of peer challenge in supporting learning from serious case reviews.
- 8.14. Youth innovation zones – CIB is supporting 12 youth innovation zones which are looking at innovative ways of delivering services for young people. These zones will be linked to the development demonstrators to support national learning.
9. In addition to this national work, regions are using CIB funding to supporting a number of workstreams on different issues which include: child poverty, early years, health, joint work with LSCBs, schools and educational attainment, troubled families and youth offending.

Item 2

10. More information on CIB is available at: www.local.gov.uk/cib and:
knowledgehub.local.gov.uk/group/childrensImprovementBoard

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.

Item 3

The Council Role in Education

Purpose of report

For discussion.

Summary

Following the General Election the new Secretary of State for Education, the Rt Hon Michael Gove MP, convened a Ministerial Advisory Group (MAG) on the council role in education, with representation from the LGA, the Association of Directors of Children's Services (ADCS), the Society of Local Authority Chief Executives (SOLACE) and representatives of academies and academy chains. The Board has received regular reports on the evolving LGA position on the council role in education.

The MAG will meet on 8 November and the intention is that the Group will move towards a final conclusion of its deliberations about the council role in a more autonomous school system. Attached in **Appendix A** is a draft report setting out the LGA's contribution to that discussion, for comments and approval by the Board and the Lead Members attending the Board meeting.

Recommendation

Members are asked to discuss and approve the draft paper in **Appendix A** for submission to the Ministerial Advisory Group.

Action

Any comments made to be incorporated in the final draft of the report.

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Position: Senior Advisor, Children and Young People
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E-mail: Ian.Keating@local.gov.uk

The Council Role in Education

Background

1. Following the General Election the new Secretary of State for Education, the Rt Hon Michael Gove MP, convened a Ministerial Advisory Group on the council role in education, with representation from the LGA, the Association of Directors of Children's Services (ADCS), the Society of Local Authority Chief Executives (SOLACE) and representatives of academies and academy chains. The Group have been meeting under the Chairmanship of the Secretary of State to discuss schools capital and revenue funding; the promotion of educational excellence; sufficiency of school places and fair access; and the council role in supporting vulnerable children and young people.
2. The Group commissioned *action research into the evolving role of the local authority in education*¹ which was funded jointly by LGA and DfE and was launched at the LGA Annual Conference on 26 June 2012. The aim of the action research was to move away from a theoretical debate about the council role in education and focus on how councils are actually adapting to the rapid increase in the number of academies maintained by central Government rather than local councils. The report shows the 8 councils involved as very positively engaged in partnership working with local schools to respond to the challenges of greater school autonomy. It contains case studies of excellent practice from across the country, not just the participating authorities,
3. The research will be discussed by the Ministerial Advisory Group on 8 November and the intention is that the Group will move towards a final conclusion of its deliberations about the council role in a more autonomous school system. Members are asked to discuss and approve the draft paper in **Appendix A** for submission to the Ministerial Advisory Group.

Summary of the draft report

4. The draft report identifies the challenges facing education and training as being to:
 - 4.1. Improve education and training to support growth and to make sure that all children and young people are given the opportunity to fulfil their potential and achieve their ambitions.
 - 4.2. Secure sufficient new school places to meet the trend of sharply increasing demand. A substantial investment in a national school building programme also has the potential to contribute to growth in local economies.
 - 4.3. Make sure that the most vulnerable children and young people, including those with special educational needs have fair access to educational opportunities to narrow the gap in attainment between these groups and their peers.
 - 4.4. Successfully implement the Raising of the Participation Age (RPA) to improve the skills and employment prospects of our young people and reduce youth unemployment.

¹ <http://bit.ly/MOvGJJ>

Item 3

5. It sets out the wide range of statutory duties that mean that councils have an absolutely central role in meeting these challenges and argues that councils also have a democratic mandate to promote and protect the interests of local children, young people and their families. It makes a number of proposals and recommendations, which members are invited to comment on and approve:
 - 5.1. We propose that cost savings should be realised by eliminating the duplication by the Education Funding Agency (EFA) of functions already being carried out by councils for the schools they maintain. This would include allowing councils to take over the roles of the EFA in funding academies and providing financial assurance for academies. Eliminating this duplication will allow the DfE to disband the EFA's regional structure, close its 10 regional offices and allow it to become a lean and focused national funding agency.
 - 5.2. We propose that responsibility for commissioning and funding of post-16 education and training should revert from the EFA to councils, as was the intention of the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009. This will allow them to effectively support RPA by commissioning new provision that is suitable to meet the needs of local learners that currently disengage from education or training at the age of 16.
 - 5.3. We believe that that sustainable school improvement is best achieved by a self-improving system based on school-to-school improvement. Improvement partnerships are likely to be more effective when they are sharply brokered and robustly held to account by someone external to the two schools involved. A number of partners in the schools system will have an important part to play in bringing this accountability, including academy chains, school improvement partnerships and teaching schools. But it is not clear who will play this support role and brokerage role for the majority of academies which do not have a sponsor. We believe that councils are best placed to ensure that all schools are held accountable in this way, including stand-alone converter academies.
 - 5.4. We propose that in council areas where more than half of secondary schools are academies (currently 72 councils), 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. However, the DfE has indicated that this proposal would require a change to primary legislation.
 - 5.5. We ask for reassurance that the new role of the Secretary of State in making decisions about all new school proposals will not introduce unnecessary bureaucracy and delay into the process of bringing forward new schools to meet rising demand.
 - 5.6. We would like to see more transparency in the decision-making process within DfE for agreeing new school proposals, including the publication of information about the way in which decisions will be taken and the criteria against which new schools proposals will be judged. We would also ask for reassurance that if the Secretary of State does not agree the recommendation made by a council, the reasons for his decision will be published and there will be an opportunity for the council to make further representations before a final decision is taken.

Item 3

- 5.7. Given the urgent need to respond to sharply increasing demand for school places we urge the Government to announce its response to the James Review and move forward quickly with reform to schools capital funding based on a 'single capital pot' based on local authority areas.
- 5.8. Councils have a proven capacity over many years to deliver cost effective, well-designed and efficient school buildings on time and to budget. Recent experience of Government procurement at a national level suggests that it is inefficient and introduces delay, so we believe that school procurement should be carried out at the local authority level.
- 5.9. An announcement on when the Priority Schools Building Programme will commence; how it will work in practice; and how it will be phased is urgently required to allow urgent work to start to bring school buildings up to an acceptable state of repair.
- 5.10. We believe that if councils are to effectively discharge their duties to secure sufficient places for young people over compulsory school age and realise the ambition of RPA, the commissioning model needs significant change. Funding, planning and commissioning need to be carried out a more local level and responsibility should be devolved to local partnerships which include representatives from councils, providers and local employers rather than being run by the EFA. These partnerships would have the local knowledge and connection to effectively commission provision for young people which matches the needs of local employers and provides a better match with local labour markets.
- 5.11. The system to re-engage young people in learning to support RPA and reduce the number of young people not in education, employment or training is complex and fragmented. A variety of providers offering multiple interventions are competing at a local level to target the same group of young people. We believe that all the funds that seek to support young people to stay in learning or re-engage them, should be brought together into one reengagement programme, planned and commissioned at a local level, to allow councils and their partners to identify, plan, target and tailor provision to meet the needs of local young people.

Financial Implications

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

The council role in education and training

1 Introduction

Following the General Election the new Secretary of State for Education, the Rt Hon Michael Gove MP, convened a Ministerial Advisory Group on the council role in education, with representation from the Local Government Association (LGA), the Association of Directors of Children's Services (ADCS), the Society of Local Authority Chief Executives (SOLACE) and representatives of academies and academy chains. The Group have been meeting under the chairmanship of the Secretary of State to discuss schools capital and revenue funding; the promotion of educational excellence; sufficiency of school places and fair access; and the council role in supporting vulnerable children and young people.

The Group commissioned *action research into the evolving role of the local authority in education*¹ which was funded jointly by LGA and DfE and was launched at the LGA Annual Conference on 26 June 2012. The aim of the action research was to move away from a theoretical debate about the council role in education and focus on how councils are actually adapting to the rapid increase in the number of academies maintained by central Government rather than local councils.

The report shows the 8 councils involved as very positively engaged in partnership working with local schools to respond to the challenges of greater school autonomy. It contains case studies of excellent practice from across the country, not just the participating authorities,

The research will be discussed by the Ministerial Advisory Group on 8 November and the intention is that the Group will move towards a final conclusion of its deliberations about the council role in a more autonomous school system. Set out below is the LGA's contribution to the discussion.

2 The challenges facing education and training

The debate about how to improve education and training to allow our children and young people to fulfil their potential and achieve their ambitions has been raging since the General Election. A variety of reforms have been implemented to improve standards, including encouraging schools to become academies to free them from centrally-imposed restrictions on the curriculum they can teach; what they pay teachers; and on the length of the school day and the timing of school holidays. National minimum standards for attainment and progress have been raised and the Ofsted inspection framework has been changed so that 'satisfactory' is no longer an acceptable outcome. A significant reform of the examination system is now underway to make it more academically rigorous.

As the economic outlook has worsened, the need for the country to improve its skills base and to tackle the cyclical and structural problems of youth unemployment has thrown the challenges into sharper relief. Promoting growth is a key priority for both central and local government. Reform of the education and skills system is central to this aim.

A significant increase in the birth rate in recent years has led to a sharp increase in the demand for primary school places, which will in turn require a rapid expansion of

¹ <http://bit.ly/MOvGIJ>

Item 3

Appendix A

secondary school provision in coming years. Councils forecast that the number of primary pupils will increase by 454,800 between 2010/11 and 2015/16 - a 12% increase over the five-year period.

The national figures understate the much higher growth that is being experienced in many areas. Bristol has seen a 20% increase in the number of children starting school in the city over the last four years and needs an extra 3,000 primary school places by 2015. Barking and Dagenham has seen a 50% growth in the number of 0 - 4 year olds since the last census. In Manchester 34 primary schools have been expanded since 2008 and by 2014 there will be a shortage of secondary school places.

Councils have so far responded by encouraging existing schools to expand – this is usually the most cost-effective way to bring forward new places. But in many areas new schools are now required. A major new school building programme is urgently needed, but it could also play an important part in stimulating growth in local economies.

With the introduction of the pupil premium, the Government has continued the focus on ‘narrowing the gap’ in attainment between children and young people from disadvantaged backgrounds and their peers. Major reforms are planned to the system for supporting pupils with Special Educational Needs and Disabilities (SEND). New ways of dealing with school exclusions are being piloted to reduce the numbers of permanent exclusions and improve provision for children and young people at risk of exclusion.

The Leitch Review of Skills in 2006 found that the UK’s skills base remains “weak by international standards, holding back productivity, growth and social justice”. It identified the comparatively low levels of post-16 participation in the United Kingdom as a key contributory factor². In response, the previous Government legislated for the raising of the participation age (RPA) by young people in some form of education or training to 17 in September 2013 and 18 in September 2015. The Coalition government has supported this aim. So a key challenge with the first stage of RPA less than a year away is ensuring that the right sort of provision exists to encourage young people who currently leave school at 16 to continue in full-time education or in a job with training.

To summarise, the challenges are to:

- Improve education and training to support growth and to make sure that all children and young people are given the opportunity to fulfil their potential and achieve their ambitions.
- Secure sufficient new school places to meet the trend of sharply increasing demand. A substantial investment in a national programme of school building and expansion also has the potential to contribute to growth in local economies.
- Make sure that the most vulnerable children and young people, including those with special educational needs have fair access to educational opportunities to narrow the gap in attainment between these groups and their peers.

² http://www.hm-treasury.gov.uk/d/leitch_finalreport051206.pdf

Item 3

Appendix A

- Successfully implement the Raising of the Participation Age to improve the skills and employment prospects of our young people and reduce youth unemployment.

3 The council role in responding to these challenges

Councils have an absolutely central role in meeting all of these challenges. They have a statutory duty to promote educational excellence in their areas and a central role in challenging and supporting schools that are underperforming. It is their responsibility to ensure that there is an adequate supply of schools to meet local needs. They have a range of statutory duties to ensure fairness in admissions and to protect the interests of the most vulnerable children and young people. And they have important statutory duties to support the raising of the participation age.

In addition, they have general duties to work with local partners to improve the well-being of children in their area and to exercise their education duties with a view to safeguarding children. They have a specific duty to promote the educational achievement of children they are looking after. Directors and Lead Members for Children's Services have a range of specific responsibilities for discharging the education and children's services functions of the local authority.

As well as their wide-ranging formal statutory powers councils also have a democratic mandate to promote and protect the interests of local children, young people and their families. As directly elected representatives of their local communities, councillors will always have an interest in improving the outcomes for local families. So making sure that the children and young people in their areas have fair access to a good local school is always going to be near the top of every council's agenda.

However, the way that councils exercise their education role is changing as increasing numbers of schools become academies. The number of academies – schools directly funded and maintained by the Secretary of State – has increased from approximately 200 at the time of the General Election to nearly 2,400 on 1 October 2012. More than half of secondary schools are now open as academies, or have agreement to convert and they form the majority of secondary schools in 72 council area.

There are more than 24,000 schools in England, so the overwhelming majority are still maintained by councils. But increasing autonomy within the education system, combined with significant cuts to council budgets, means that councils have had to adopt a more strategic role in the education system and work in partnership with schools and colleges to fulfil their statutory duties.

4 The funding of education and training

The funding of education and training has seen a marked degree of centralisation since the General Election. The key change in pre-16 education has been the introduction of an additional bureaucratic tier between local authorities and central Government by the expansion of the functions of the Education Funding Agency (EFA). The EFA's predecessor agency, the Young People's Learning Agency, was only responsible for post-16 education funding and, latterly, the direct funding of academies.

Item 3

Appendix A

When it was established, the EFA's remit was extended to cover pre-16 schools funding, interposing a new layer between councils and DfE. The LGA was assured that the EFA would be a lean and efficient funding body, focusing on its core business of funding. But in reality, its remit has grown since it was established in April 2012, extending now to having a seat on all local schools forums; restricting the number of factors that can be taken into account in local funding discussions between councils and schools; and most recently, issuing advice about the design of new schools.

Post-16 education funding is the responsibility of the EFA (like its predecessor bodies the Young Persons Learning Agency and the Learning and Skills Council). The intention of the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009 was to transfer responsibility for the commissioning and funding of post-16 provision to councils to support the Raising of the Participation Age. However, following the General Election the funding of post-16 provision was transferred back to the EFA and it now directly funds almost 350 colleges, almost 200 specialist SEN providers, and hundreds of private training providers who offer apprenticeships

The funding divide between pre- and post-16 education funding is a divide that the LGA would like to see broken down. Councils are the most efficient part of the public sector. We believe that councils can more efficiently and effectively fulfil the functions of the EFA at a local level without the need for an additional intermediate funding tier.

We propose that cost savings should be realised by eliminating the duplication by the EFA of functions already being carried out by councils for the schools they maintain. This would include allowing councils to take over the roles of the EFA in funding academies and providing financial assurance for academies. Eliminating this duplication will allow the DfE to disband the EFA's regional structure, close its 10 regional offices and allow it to become a lean and focused national funding agency.

Under current arrangements, where councils identify a mismatch between local provision and the needs of learners (as they are legally required to do), they have to apply to the EFA for funding for the new education and training places needed. Last year only half of the additional places councils applied for were funded. The inability of councils to directly commission new provision to match the needs of learners that currently disengage from education and training means that they cannot effectively fulfil their statutory duty to support the Raising of the Participation Age.

We propose that responsibility for commissioning and funding of post-16 education and training should revert from the EFA to councils, as was the intention of the ASCL Act. This will allow them to effectively support RPA by commissioning new provision that is suitable to meet the needs of local learners that currently disengage from education or training at the age of 16.

5 School improvement and promoting educational excellence

The role of councils in school improvement is probably the most contested area in the debate within the Ministerial Advisory Group. There have been many contributions about the role of the 'middle tier' in education, including thoughtful and helpful contributions from ADCS³ and SOLACE⁴. These focus on how school-to-

³ The Missing Link: The evolving role of the local authority in school improvement:

Item 3

Appendix A

school improvement can be supported and who should be responsible for driving improvement and holding school improvement partnerships to account.

A variety of candidates have been suggested to take the lead in this area, including councils, academy chains and elected or appointed local schools commissioners. It is widely accepted that other partners such as Ofsted, teaching schools and the National College for School Leadership will have an important role to play.

The LGA has argued strongly for 'sector-led' improvement for councils, believing that will deliver better results than a target driven top-down approach. So we have also supported a greater role for 'school-to-school' improvement in driving up educational standards. The international evidence bears out the thesis that sustainable school improvement is best achieved by a self-improving schools system based on school-to-school improvement. But the evidence also shows that the most improved schools systems also benefit from a 'mediating layer' that acts between the centre and schools. It acts to provide targeted hands-on support to schools; as a buffer between the school and the centre; and as a channel to share best practice across schools.⁵

There was widespread agreement among the participants in the LGA/DfE action research, including academy representatives, that school-to-school support mechanisms are far more effective when they are sharply brokered and robustly held to account by someone external to the two schools involved. Many councils are proactively promoting and supporting local school improvement partnerships in this way and we have argued that convening and holding school improvement partnerships to account should continue to be a key part of the council role in education, backed by a continuing council role in tackling underperforming schools.

Other candidates for this 'mediating layer' role have been proposed, including academy chains. We agree that strongly-performing chains will have a crucial role to play because they have an interest in their 'brand' and a clear incentive to tackle underperformance. However, there is no guarantee that academy chains will always perform well and chains are not a completely disinterested 'external party' in relation to the schools that form part of their chain.

The other weakness with relying on academy chains to provide the mediating layer for school-to-school improvement is that the majority of recently-converted academies are not part of a chain – 1,339 of the 2373 academies open at 1 October 2012 fall into this category. The LGA/DfE action research highlighted concerns about the monitoring of these 'stand-alone' academies for early signs of declining performance and who will intervene early to broker appropriate improvement support.

DfE have been clear that the EFA has no improvement role, so it is unclear who will be performing this monitoring and early intervention role for academies that are not sponsored. Councils have a statutory duty to intervene in maintained schools that are

<http://www.adcs.org.uk/schoolscausingconcern/>

⁴ Filling the Gap: the championing role of English councils in education: SOLACE 2012
http://www.solace.org.uk/library_documents/Filling_the_Gap_Councils_championing_role_in_education_SOLACE_Call_to_Action_April_2012_FinishedFinalVersion_word.pdf

⁵ *How the world's most improved school systems keep getting better*, McKinsey & Company 2010:
http://mckinseysociety.com/downloads/reports/Education/Education_Intro_Standalone_Nov%2026.pdf

25 October 2012

Item 3

Appendix A

'causing concern'. There will be no parallel arrangements for stand-alone academies that are placed in an Ofsted category of concern. And under the new Ofsted framework, where maintained schools and sponsored academies are judged to 'require improvement' councils and academy chains will be inspected on their performance in supporting the school to improve. Again, it is not clear who will be responsible for performing this role for 'stand alone' converter academies.

We believe that that sustainable school improvement is best achieved by a self-improving system based on school-to-school improvement. Improvement partnerships are likely to be more effective when they are sharply brokered and robustly held to account by someone external to the two schools involved. A number of partners in the schools system will have an important part to play in bringing this accountability, including academy chains, school improvement partnerships and teaching schools. But it is not clear who will play this support role and brokerage role for the majority of academies which do not have a sponsor. We believe that councils are best placed to ensure that all schools are held accountable in this way, including stand-alone converter academies.

Currently, when schools become academies, responsibility for performance management and intervention in cases of underperformance transfers to DfE and EFA. As increasing numbers of schools become academies we do not believe that this is a sustainable position. The primary function of EFA is to be a funding body and DfE have been clear that it does not have a school improvement function.

We propose that in council areas where more than half of secondary schools are academies (currently 72 councils⁶), the functions of the DfE and EFA in relation to funding, financial assurance, monitoring performance and intervention in the case of underperformance should revert to the local council. We believe that in these 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. So these councils should be trusted to take on this role for all local schools, including academies.

6 Ensuring a sufficient supply of school places

The council role in making sure that there are enough school places to meet local demand and take account of parental preferences is not contested. Councils have a clear statutory duty to secure 'sufficient primary and secondary schools' in their areas. Post-16 they have a duty 'to secure that enough suitable education and training is provided to meet the reasonable needs young people over compulsory school age'.

However, decision-making over the building and funding of new schools has increasingly been centralised, with the Secretary of State for Education having the final decision over the building of new schools and the Education Funding Agency seeking to ever more tightly control the funding, procurement and even the design of new schools.

⁶ Hansard. House of Commons (2012). 'The proportions of secondary schools that are open as, or in the pipeline to become academies in each local authority', *Commons Debates*, **582W**, 3 July:
<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm120703/text/120703w0002.htm#120703137000087>

Item 3

Appendix A

The Education Act 2011 introduced the ‘academies presumption’ which means that new schools have to be established as academies or free schools and responsibility for the final decision on proposals for new schools rests with the Secretary of State for Education. The role of councils is to identify the need for new schools and invite proposals from free school and academy sponsors. Although councils may express a preference as between competing proposals, there is no obligation on the Secretary of State to take these into account.

Councils face a major challenge in responding to sharply increasing demand for school places. During the passage of the Education Act 2011 we argued against centralising all final decisions about new school proposals in Whitehall on the basis that councils, with their local democratic mandate and local knowledge are best placed to make such decisions. We do not believe that the DfE has the capacity or the expertise to make judgements about new schools proposals.

We are working with DfE to ensure that their new role in making decisions about new schools proposals does not introduce unnecessary bureaucracy and delay. But we are concerned that there is no clarity or transparency about the process by which decisions will be made by the Secretary of State.

We ask for reassurance that the new role of the Secretary of State in making decisions about all new school proposals will not introduce unnecessary bureaucracy and delay into the process of bringing forward new schools to meet rising demand.

We would like to see more transparency in the decision-making process within DfE for agreeing new school proposals, including the publication of information about the way in which decisions will be taken and the criteria against which new schools proposals will be judged. We would also ask for reassurance that if the Secretary of State does not agree the recommendation made by a council, the reasons for his decision will be published and there will be an opportunity for the council to make further representations before a final decision is taken.

The DfE and EFA have also taken an increasing role in the allocation of capital funding for schools; in commissioning new provision; and even in the design of new schools. The experience of the Building Schools for the Future (BSF) scheme, which the Secretary of State Michael Gove MP characterised as being beset by “massive overspends, tragic delays, botched construction projects and needless bureaucracy”⁷ does not provide a good precedent to suggest that a centralised and top-down approach to funding, commissioning and design will produce optimal outcomes.

The BSF scheme was scrapped in July 2010 and there has been a 2 year delay in the announcement of its replacement, the Priority Schools Building (PSB) programme. There was an announcement about the schools that will benefit from the PSB programme in May this year, but no announcement yet about when work will start. Funding will come in ‘waves’ and many schools will have to wait many years for funding to carry out urgent work to bring school buildings up to an acceptable state of repair but there is no detail about which schools will have priority.

⁷ <http://www.bbc.co.uk/news/10514113>

Item 3

Appendix A

The other announcement that accompanied the scrapping of the BSF scheme in July 2010 was the setting up of the James Review of the DfE's capital expenditure, which was tasked with making recommendations on the future delivery models for capital investment for 2011-12 onwards. The Review reported in April 2011 and the Government made an initial response and launched a consultation on its proposals which ended in October 2011. A year later, the government's final response to the James Review is still awaited.

The key recommendation of the James Review were that there should be a notional 'single capital pot' allocated to local authority areas and a local process hosted by the council, to agree a short local investment plan to allocate the money fairly. The other issue that still needs to be decided is how procurement will be carried out; whether centrally, regionally or locally. DfE has indicated that it would want to see a 'mixed economy' of procurement.

Given the urgent need to respond to sharply increasing demand for school places we urge the Government to announce its response to the James Review and move forward quickly with reform to schools capital funding based on a 'single capital pot' based on local authority areas.

Councils have a proven capacity over many years to deliver cost effective, well-designed and efficient school buildings on time and to budget. Recent experience of Government procurement at a national level suggests that it is inefficient and introduces delay, so we believe that school procurement should be carried out at the local authority level.

An announcement on when the Priority Schools Building Programme will commence; how it will work in practice; and how it will be phased is urgently required to allow urgent work to start to bring school buildings up to an acceptable state of repair.

7 Councils as champions of vulnerable pupils

Councils have a clear and continuing role in supporting and protecting the interests of vulnerable pupils, including children and young people with Special Educational Needs and Disabilities (SEND) from 0 - 25. The LGA has supported the proposed reforms to the SEND system, which arguably give councils a stronger and clearer role in this area. We strongly support the proposal to transfer funding for 16–25 year old 'high needs' learners to councils in April 2013, though the transition to the new system is presenting a number of challenges. We are also pleased that the draft Bill to implement the reforms will apply its provisions to FE colleges and to academies and free schools on a statutory basis, rather than on a contractual basis through funding agreements.

An important element of this role is ensuring fairness in admissions as greater numbers of schools become 'own admission authorities' when they become academies. Again, the council role in this area has arguably been strengthened with the duty placed on councils in the 2011 Education Act to make objections to the Schools Adjudicator if they suspect a school's admission arrangements are unlawful.

However, the LGA/DfE action research flags up concerns that supporting vulnerable pupils will become more difficult with greater school autonomy, including concerns that fair access arrangements are being undermined because councils no longer

Item 3

Appendix A

have the power to direct academies to admit vulnerable pupils – this now rests with EFA. Our proposal for dealing with this issue - that EFA functions in relation to funding and intervention in individual academies should revert to councils – is set out in earlier sections.

8 The council role in raising the participation age

Councils are committed to the Raising the Participation Age (RPA) ambition which aims for full participation in some form of education or training by all 16 year olds by 2013 and all 17 year olds by 2015. That means increasing the participation of those who currently leave learning at 16 and reducing the number of young people not in education, employment and training.

Councils are working with schools, colleges, providers and employers to put plans in place to deliver RPA, beginning next September. They have a statutory duty to secure local provision for young people up the age of 19, but their ability to secure it is not straightforward, and is hampered by the system. This is because commissioning has been taken over by the Education Funding Agency, which funds providers directly, and coordinates commissioning on a national basis.

The rationale for this change was to simplify the funding process. But the effect is that where councils identify gaps in provision locally, having discussed this with local providers, they have to apply to the EFA for funding. If the application is successful, it is the EFA which determines the procurement process and chooses the provider from an EFA-approved list, not the council or its partners. And even if councils have identified gaps, there is no guarantee that the EFA will fund the additional places needed.

We believe that if councils are to effectively discharge their duties to secure sufficient places for young people over compulsory school age and realise the ambition of raising the participation age, the commissioning model needs significant change. Funding, planning and commissioning need to be carried out a more local level and responsibility should be devolved to local partnerships which include representatives from councils, providers and local employers rather than being run by the EFA.

These partnerships would have the local knowledge and connection to effectively commission provision for young people which matches the needs of local employers and provides a better match with local labour markets.

Councils have statutory responsibilities to support young disengaged people and work with schools to support those at risk of disengagement. Funding for councils for the type of provision that re-engages young people in learning, which used to be delivered by Connexions Services, is being reduced, with a 32% cut in the funding going into the Early Intervention Grant at the last Spending Review and further cuts likely in 2013/14.

Other funding is available, most notably through the recent three-year £126 million Youth Contract to re-engage 16-17 year olds Not in Education, Employment or Training (NEET). The LGA argued that the provision funded by the Youth Contract should be locally commissioned, given councils' role in supporting RPA, so that those organisations that are known locally to provide the most effective support could be

25 October 2012

Item 3

Appendix A

used to deliver the service. Councils also argued that local commissioning would allow re-engagement provision to be co-ordinated, so young people would be able to access a single offer of support, rather than multiple schemes based on multiple funding sources, which do not have a lasting impact.

The Government decided instead to manage and commission the Youth Contract nationally through the EFA with large regional contracts let through a national commissioning process, although it did devolve commissioning responsibility in three City Deals – in Liverpool, Leeds-Bradford-Wakefield, and Newcastle-Gateshead. Except in those areas, this decision adds to an already complex funding picture, introducing yet another funding stream supporting a new set of organisations competing to help the same people. Councils are left with the unenviable task of trying to co-ordinate the local offer to help young people access the support they need.

The system to re-engage young people in learning to support RPA and reduce the number of NEET young people is complex and fragmented. A variety of providers offering multiple interventions are competing at a local level to target the same group of young people. We believe that all the funds that seek to support young people to stay in learning or re-engage them, should be brought together into one re-engagement programme, planned and commissioned at a local level, to allow councils and their partners to identify, plan and target and tailor provision to meet the needs of local young people.

Note of decisions taken and actions required

Title: Children and Young People Board
Date and time: 5 September 2012, 11.00am
Venue: Westminster Suite, Local Government House, Smith Square, London, SW1P 3HZ

Attendance

Position	Councillor	Council
Chairman	David Simmonds	Hillingdon LB
Deputy chair	Apu Bagchi	Bedford BC
Deputy chair	Liz Green	Kingston upon Thames RB
Members	Paul Carter	Kent CC
	David Pugh	Isle of Wight Council
	Robert Light	Kirklees MBC
	Susie Charles	Lancashire CC
	John Osman	Somerset CC
	Rita Krishna	Hackney LB
	Nick Forbes	Newcastle City
	Jude Robinson	Cornwall CC
	Kath Pinnock	Kirklees MBC
	David Bellotti	Bath & NE Somerset Council
Substitutes	Roy Perry	Hampshire CC
	Peter Evans	West Sussex CC
	Dominic Gilham	Hillingdon LB
	Richard Watts	Islington LB
	Rachel Heywood	Lambeth LB
Apologies	John Merry CBE	Salford City
	Derrick Murphy	Norfolk CC
	Anne Burns	Cumbria CC
	Paul Lakin	Rotherham MBC
	Liz Hackett Pain	Monmouthshire CC

Officers: Sally Burlington, Ian Keating, Cassandra Harrison, Liz Hobson, Donald Rae, Alison Miller, Sam Ramanah, Jas Jhas, Mike Heiser, Lucy Ellender

Item	Decisions and actions	Action by
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Cllr David Simmonds welcomed returning and new members to the first Board meeting of the new political year.

1 Discussion on the year ahead and the Business Plan

Cllr Simmonds introduced this item saying that it was a chance for members to discuss the Board's priorities for the coming year. It was noted that the high level priorities of the organisation for 2012/13 were:

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. **Growth, Jobs and Prosperity** – councils are recognised as central to economic growth;
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;
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.

Members discussed the priorities of the LGA and how these feed into the Children and Young People Board's own priorities for the coming year. In particular members felt that the priority around "growth, jobs and prosperity" was closely related to the work the Board was already undertaking on Hidden Talents, skills matching and the council role in education.

Members felt that the transition of public health represented an opportunity for local government. However they were keen that the importance of children's health was recognised and promoted within the transition.

Members were eager that councils should be fully supported to manage the impact of public service reform on children and young people and child poverty in particular. Members were particularly concerned about the impact of welfare reform on families.

Members were also keen to ensure that the importance of attracting further foster carers into the social care system was a continued priority for the Board.

Decision

Board members agreed that the Board's priority activities for the coming months would be:

1. *promoting growth and prosperity, including tackling child poverty;*
2. *ensuring children's health is seen as an important part of the transfer of public health to local government;*
3. *the importance of children's social care;*
4. *ensuring that councils are fully supported to address any issues that come out of public sector reform; and*
5. *supporting councils' role in education.*

Action

Officers to action accordingly.

2 The Council role in education

Members discussed the future of councils' role in education. They felt that one of the key roles for councils in the future would be to hold schools to account for academic achievement. They discussed the role of scrutiny in this area and how schools could be held to account for their use of the pupil premium. Members also discussed using the planning system and existing assets to ensure the best provision of education for their communities and how to address concerns around school transport.

Members discussed the recent events surrounding the GCSE results, and the changing of the grade boundaries in-year, affecting the results of students. The Board agreed that it was crucial for the examinations system to be both fair and consistent, and that by changing the grade boundaries in-year the system had been neither. The option of re-sits for affected students did not provide adequate redress on the issue, with young people potentially being denied places in apprenticeships or post-16 courses as a result of the situation. The Board agreed that the likelihood is that these results will increase the numbers of young people not in education, employment or training, a trend that we are all working to reverse, therefore this unfairness needed to be addressed.

Decision

Members agreed that the LGA should set out its position on the council role in education.

Members agreed to write to Ofqual to raise concerns about the marking of GCSEs this Summer.

Action

LGA Officers to proceed as directed.

Ian Keating

3 Children's Social Care Policy (3a) and Children's Improvement Board and sector-led improvement for children's services (3b)

Members were pleased with the progress that had been made on sector-led improvement. However, they were concerned about the level of support within Government for this approach and it was agreed that further work should be done to show the value of sector-led improvement.

Decision

Members noted the report.

Action

The LGA to continue working on this issue, particularly following the appointment of new Ministers in the reshuffle.

Cassi
Harrison/Alison
Miller

4 Special Educational Needs and Disability

Decision

Members noted the report and agreed to look at this issue in the future once the draft bill had been published.

Action

Officers to bring back to a future meeting.

Liz Hobson

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

Members agreed that councils had an important role in holding the ring on the requirements and expectations of both local employers and education providers to ensure that pupils were being taught relevant skills.

Members felt that it was also important to engage with small and medium sized businesses on this issue as well as with larger employers.

Decision

Members noted the report.

Action

LGA Officers to action as directed.

Jas Jhas

6 Children and Young People's Health work programme

Members felt that Children's health was not being sufficiently championed within the transition of public health to local government and this needed addressing. Members welcomed the introduction of Health and Wellbeing Boards and their potential to help local government be the driving force for change.

Members discussed what success would look like for children's health services in the transition.

Decision

Members noted the report.

Action

Members to feedback their own key success criteria for children's health services.

All

Officers to report to the meeting again in the future.

Sam Ramanah

7 Schools funding update

Members were concerned about capital funding and the fact that the Government had still not responded to the James Review. This meant that councils had no access to capital funding.

Members also identified a number of other issues in schools funding including:

- the impact of the changes to the local formulae on schools with high numbers of service children.
- The impact on the viability of small schools.
- How schools were using the pupil premium.

Members were keen to push for further local flexibility around the funding formula. It was noted that authorities with a high proportion of academies had been particularly affected by the changes in LACSEG.

Decision

Members noted the report.

Action

Members to submit to the LGA case studies on the effect of the funding formula in their local areas.

All

8 Membership and Terms of Reference

Decision

Members noted the membership and the terms of reference of the Board for 2012/13.

Action

No actions arising.

9 Other Business Report

Decision

Members noted the report.

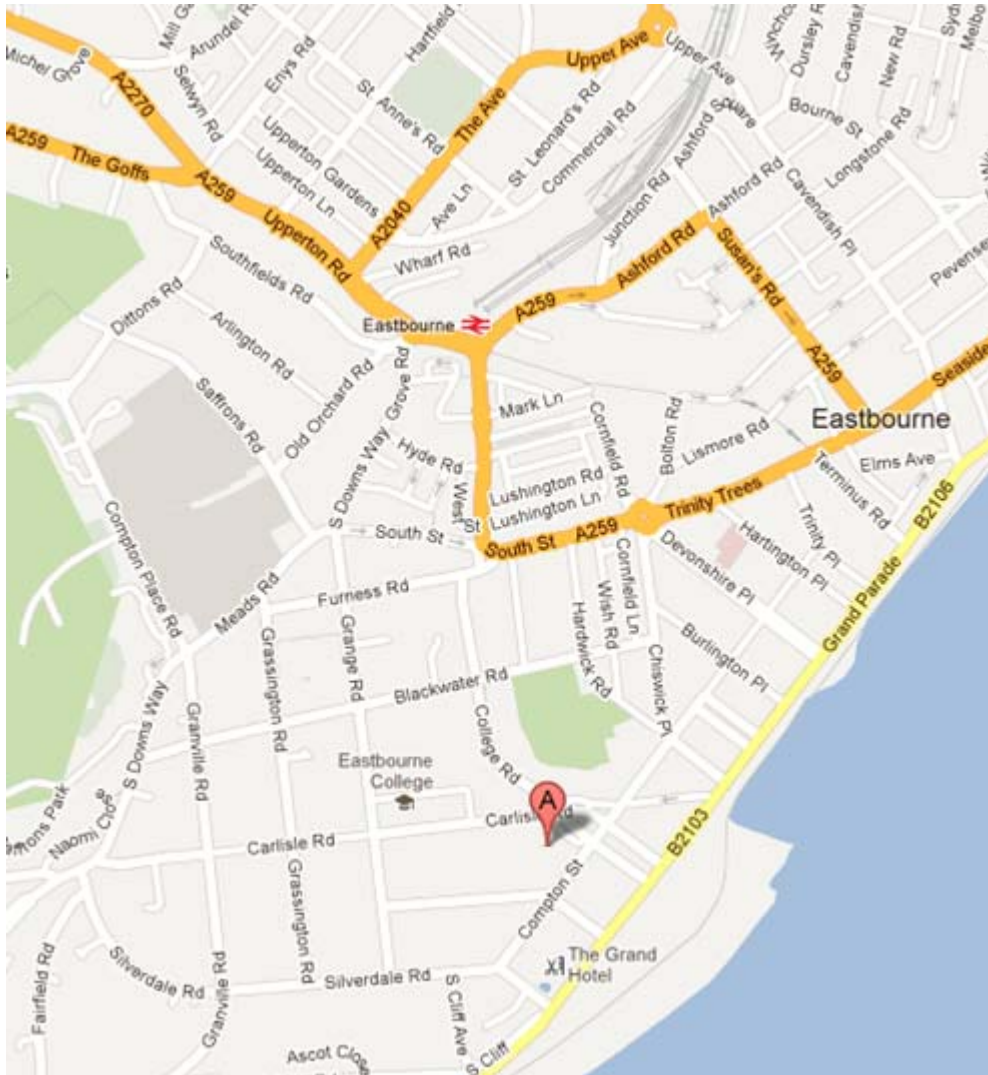
Action

No actions arising.

10 Note of the last meeting – 16 July 2012

Members **agreed** the note of the meeting held on 16 July 2012.

Devonshire Park Centre
14 Compton Street
Eastbourne
BN21 4BP



The National Children & Adult Services Conference 2012

Eastbourne Complex

