

Other business report

Purpose of report

For information.

Summary

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

Recommendation

That the Board note the update.

Action

LGA officers to action as necessary.

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Other business report

Residential children's homes

1. The LGA has been represented on two of the Department for Education (DfE)-convened working groups on children's homes which were announced in summer 2012 – on out-of-area placements and quality. The work was informed by DfE market analysis and has drawn out the sheer complexity of the way that the current system operates. A confidential report from the groups was put to Ministers over the Christmas break and the Government is expected to respond early in 2013. The report makes recommendations on areas where improvements need to be made including for example workforce, behaviour management, commissioning, out of area placements, location of homes, the role of inspection. Due to the timescales of the work, the output from the group focused predominantly on what should be improved, rather than the detail of how. It is likely that an implementation group will be formed to maintain momentum in achieving reform. The LGA will seek representation on any such group, to influence the implementation of changes which will affect local government and the young people in its care.
2. In addition and in line with the Board's recommendations, the LGA has contracted with OPM to deliver an action research project to support councils strategic commissioning and market shaping role in relation to children's homes which will run January to June 2013. Cllr Robert Light will be chairing an advisory group comprised of key stakeholders to oversee the project and regular updates on progress will be provided to the Children and Young People Board.

Child Sexual Exploitation

3. The Office of the Children's Commissioner published its interim report on child sexual exploitation in November, highlighting the prevalence of the crime across the country. The second year of the inquiry, to autumn 2013, will focus on what further action needs to be taken.
4. The LGA has produced a range of materials to support councils including an on the day briefing of the report sent to all Leaders, Lead Members and Chief Executives; a 'key questions' document for lead members for children's services to support them have discussions about the issue locally; and an effective practice briefing produced jointly with Barnado's. The Children's Improvement Board is also offering bespoke support to a number of councils who have requested it.
5. Councillor John Osman attended a Ministerial roundtable on child sexual exploitation on 18 December, chaired by Edward Timpson MP. The importance of local political leadership was a key theme in the discussions, as was multi-agency working. Achieving greater awareness of the issues was also agreed as key to effectively tackling the problem. The LGA is organising a national conference on 13 February and planning additional support for councils. If members have ideas about what would be useful or of existing materials that could be shared, please contact Cassandra

Harrison. Details of the LGA's work so far can be found on our website at www.local.gov.uk/cse.

Raising the Participation Age

6. This year councils will be responsible for supporting all 16 year olds into some form of compulsory learning, be that full time learning, part time learning with a job, or a formal apprenticeship. This is known as Raising the Participation Age (RPA), and by 2015, this will increase to all 17 year olds. Last November the LGA and Association of Directors of Children's Services held a roundtable, attended by over sixty RPA lead officers. At that event a range of common challenges were identified which are hindering councils' preparatory work on RPA locally. The LGA Chairman highlighted these challenges to Rt Hon David Laws MP at a recent meeting. These include:
 - 6.1. Councils are not afforded the levers to commission sufficient and appropriate learning given the role – this is increasingly the role of the Education Funding Agency. Where provision needs to be commissioned in a specific local area, councils should lead their own procurement exercise based on local intelligence and using a proportionate process rather than it being nationally commissioned. Aligning the Study Programmes with the local partnerships' skills priorities will also be important to ensure future skills address the needs of the local economy.
 - 6.2. National reengagement provision commissioned and deployed in local areas is limiting councils' ability to bring NEET numbers down. We suggest local partnerships, with councils at the heart of them, commission it. This would enable them to identify, plan, target and tailor provision to the needs of young people locally, coordinate it into a single easy to understand offer, and integrate it with RPA.
 - 6.3. Councils are thinking innovatively about alternative solutions to support young people into some form of learning. Some young people employed by large companies receive effective, but non accredited training, which would not count as 'participation' under RPA, and the suggestion would be to flex this thereby increasing young peoples' prospects in participation; councils could offer to quality assure this through a process of robust local accreditation.
 - 6.4. Effective recording and tracking is crucial to establish where young people are at any given time in the education and training system. While councils' financial resources have been significantly squeezed, councils have to develop separate local data sharing agreements with each and every local partner to enable data to be securely shared on the local tracking system. The development of one data sharing agreement at national level would avoid duplication of effort locally. DfE is looking into this.
 - 6.5. Rural areas cite transport as a barrier for many young people to continue into learning despite councils doing a lot to overcome this by subsidising or co-funding local schemes. The LGA is keen to find out from Government what impact the changes to the upcoming 16-19 Bursary Fund will have on local areas' ability to target support at young people who are most in need of financial assistance.

Council role in education

7. The final meeting of the Ministerial Advisory Group on the council role in education was held on 8 November and at that meeting it was announced that Schools Minister, the Rt. Hon. David Laws MP would Chair a new, much smaller, 'Local Authority Reference Group' to ensure regular dialogue between DfE Ministers and the local government sector. It is envisaged that this will meet every two months and representatives from LGA, the Association of Directors of Children's Services (ADCS) and the Society of Local Authority Chief Executives (SOLACE) have been invited to attend. The Minister has invited one 'standing' representative to attend from each organisation and an additional representative as required. He has signalled his intention to limit the numbers attending each meeting to 10, including DfE representatives.
8. The Children and Young People Board Office Holders have identified the council role in driving school improvement as a key area for focus this year and have asked officers to collect examples of best practice by councils in this area which demonstrate the range of models that are being developed. The members of the Board are asked to identify any councils they feel should be included in the evidence-gathering exercise.

Children and Young People's Health

9. 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.
10. Children's health is a Board priority for the Children and Young People Board, the work is overseen and co-ordinated jointly by the office holders of the Children and Young People and Community Wellbeing Board. Over the past 18 months 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.
11. Since the update given at the September Children and Young People Board meeting a series of conferences to help councils tackle their public health responsibilities has been developed and delivery is underway. To date conferences on the council role for reducing obesity and smoking have been delivered, a resource sheet focusing on each public health issue and looking at the key questions to ask, ideas for success, case studies and policy information have been produced and launched at each conference. Conferences on the council role in tackling drug and alcohol issues, mental health and teenage pregnancy will be delivered between January and April.
12. We are working with SOLACE and ADCS to align and raise our shared concerns with the Department of Health (DH) and DfE.

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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13. As part of the work with SOLACE and ADCS we are engaging with the DH and DfE on safeguarding issues. In particular we are working with DH to produce a safeguarding accountability document for the health sector and local government to ensure there is clarity about roles and responsibilities for safeguarding and that there is a shared understanding about how safeguarding will operate in the new health system.
14. We are working with SOLACE, ADCS, DH, NHS Commissioning Board (NHS CB) and other relevant stakeholders to address the key transitional issues facing children and young people's health services. For example we are working with DH and the NHS CB to mitigate the risks of fragmentation of commissioning services for 0-5 year olds which will transfer from the NHS CB to local authorities in 2015.
15. The Government is due to publish its response to the Children and Young People's Health Outcomes Forum report. The Government has committed itself to providing a system wide response to the Forum's recommendations. The strategy will detail what each body in the new health system will do to address the Forum's recommendations. We are working with the DH to ensure the Government's response adequately reflects the role of local government.
16. We are continuing to share knowledge and information about children's health issues on the Knowledge Hub for Health and Wellbeing Boards. We are also continuing to use the dedicated children's health webpage on the LGA's website to host children's health related resources from across the LGA.

Special Educational Needs

17. A Children and Families Bill is expected to be published later this month which will set out the biggest programme of reform to special educational needs and disabilities support for over thirty years. The Government paved the way for these proposals in its 2011 Green Paper, followed by the Next Steps document in May 2012 and draft legislation which was published in September 2012 for pre-legislative scrutiny by the House of Commons Education Select Committee. The Committee received written and oral evidence and published its recommendations on the draft legislation in December 2012. The reforms are being tested in twenty pathfinder areas, covering 31 local authorities and their health partners.
18. In our submission on the draft clauses we welcomed the proposed single system for 0 – 25, to bring about a real change in the way that the needs of children and young people with disabilities and learning difficulties are addressed but we highlighted a number of concerns. We therefore support the following recommendations of the Select Committee:
 - 18.1. We are pleased that the Committee recognises that the active involvement of the NHS—in commissioning, delivery and redress—is critical to the success of the legislation and welcome their recommendation that the Government must ensure that the NHS is obliged to participate fully.
 - 18.2. We share the view that the entitlement to education health and care provision should include all disabled children, not just those with special educational needs.

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- 18.3. We welcome the Committee's recommendation that the responsibilities of Free Schools and Academies for pupils with SEN need to be spelled out more clearly in the legislation.
- 18.4. We agree with the Committee that it is vital that the responsibility, funding and, where appropriate, access to advocacy for young people aged 19-25 is clarified so that all those involved know what they can expect from the new provisions and who is accountable for providing it. If the purpose of the legislation is to extend education as a right to 25, then the Government needs to make that clear and fund that; if not, then that should also be made clear.
- 18.5. We welcome their recommendation that young people not in education, employment or training and those in apprenticeships should be entitled to Education Health and Care (EHC) Plans.
- 18.6. We agree with the Committee about the importance of getting the Local Offer right and that the Pathfinders should be used to inform what should constitute minimum standards, particularly to address the provision that will need to be made available in schools to support pupils with low to moderate SEN without EHC Plans.
19. We will be looking in detail at the drafting of the clauses in the forthcoming Children and Families Bill in order to consider the implications for member councils. These are likely to include: the legal duties of health services, the scope of the Local Offer; the rights of parents to appeal and challenge decisions and choice of education provider.

High Needs Funding

20. Ahead of the changes to the legislation (which are not expected to be in place until 2014) new school and college funding for high needs pupils are being brought in from April 2013. The LGA has been discussing with the Education Funding Agency and the Association of Directors of Children's Services proposed changes to the contracting arrangements for both for new and existing high needs learners to reflect the new funding arrangements. Discussions are also underway on financial assurance and the registration of schools and colleges.

National Youth Agency (NYA)

Universal Strand

21. The current membership of the Supporting Services for Young People Knowledge Hub Group stands at 445. It continues to provide resources and materials from the sector free to download for all members.
22. The third annual NYA/LGA free conference took place on 16 January. Speakers included Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families, Karen Buck MP, Shadow Children and Families minister and Maggie Atkinson, Children's Commissioner for England. The conference was chaired by Councillor David Bellotti and was attended by over 80 delegates.

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Tailored Support strand

23. Of the 40 councils the NYA are working with this year they have now completed work with 15 of them. They are delivering a peer review programme with four councils and five councils are involved in the outcomes/informing investment programme. The remaining packages of support will be completed and case studies added to the Knowledge Hub in March.

Emerging Themes strand

24. The NYA have produced a report into the role of youth work in Troubled Families. The report highlights the ways in which youth services are playing a role in this environment and is based on a combination of learning from our Troubled Families conference, a survey of heads of service and illustrated with detailed case studies. The report was launched at their annual conference.
25. Working with Manchester council, the North West Regional Youth Work Unit and the British Chambers of Commerce, the NYA have run a pilot programme designed to produce a strategy for councils for brokering support from businesses into the youth sector. This work will be completed in January.
26. The work with the Young Foundation to test their calculator within Norfolk and Staffordshire councils is now complete. Through the NYA's tailored support programme they have worked with three councils to test practical tools for measuring the impact of their services. A report with case studies was launched at the annual conference.

National Foundation for Educational Research (NFER)

27. In the reporting period August to December, NFER has completed and published their report on the evaluation of the NYA tailored support to local authorities and the careers guidance work which was published and printed ready for the National Children and Adult Services Conference (NCAS) held in Eastbourne. The quarterly analysis of academy schools re-started, after a short period of standstill whilst awaiting a decision from the DfE on whether they could provide the analysis required. The studies looking at safeguarding children peer reviews and the sector-led improvement and support peer challenge programme are now well underway.
28. A new commission in the reporting period provided short (one page) case studies on local authority support to care leavers and fed into LGAs work around care leavers week. In addition, the Winter/Spring 2013 research programme brochure was been signed off and published and work including a rapid review of cost spending pressures on children's services, an additional mapping of NEET statistics and analysis of attainment at GCSE by school type were all approved.