

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.

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Other business report

Children and Young People Research and Support Commissioning

1. At the last meeting the Board discussed the priorities for CYP research and support commissioning. Subsequently, the LGA was informed by DCLG of a £2 million cut to its RSG funding and the funding to CIB has been withdrawn by DfE. A commitment of £100,000 has already been made to fund further tailored support work by the National Youth Agency. However, beyond that commitment, any new request for additional funding for CYP research or improvement support will have to be considered within the LGA's overall priorities from within a reduced budget, including the funding of any CIB legacy projects. A separate CYP research and commissioning budget is no longer available.

Children and Young People's Health update

Children's Partnership:

2. A Children's Partnership has been set up to replace several Department of Health (DH) Programme Boards for children and young people. This has resulted in a single, co-produced partnership arrangement spanning all key local government, NHS and DH bodies. The Children's Partnership Board will meet on a bi-monthly basis.
3. The core purpose of the Children's Partnership will be "to bring together key national organisations accountable for policy; commissioning and delivery to improve children and young people's health outcomes and to consider and agree system priorities; design resolutions for improvement, working jointly to commission the resources to deliver these".
4. Membership of the Children's Partnership includes: the LGA, the Association of Directors of Children's Services (ADCS), Association of Directors of Public Health, DH, Health Education England, Healthwatch England, NHS England, Public Health England, and Society of Local Authority Chief Executives. Representation is being sought from other departments and a voluntary sector strategic partner.
5. The new Department of Health Director General Jon Rouse has expressed an interest in chairing the Children's Partnership which signals strong leadership from the DH. Discussions about a local government sector co-chair are taking place between local government sector led bodies.
6. A scoping meeting took place on 24 April to identify key priorities. At the meeting members agreed that the following priorities would be taken forward:

Item 3

- 6.1 **Timely/Early prevention, identification and intervention:** developing a shared cross government early intervention strategy. This work will also include the wider public health and prevention agenda.
- 6.2 **Integration:** ensuring that children and young people's health is integral within the work to define and enable integrated care and disseminate a shared narrative.
- 6.3 **Good transitions for children and young people throughout the life course:** this will primarily focus on vulnerable children - e.g. those with special educational needs and/or a disability, mental health and emotional wellbeing needs.
- 6.4 **Operating the new system and ensuring "safe transfers":** Understanding how best to make it work by providing a national and local link; understanding national plans and priorities; feeding back what issues are coming up locally; and developing a common narrative; and planning holistically for the safe transfer of 0-5s commissioning from the NHS to local government in 2015 (the Healthy Child Programme).
7. The Children's Partnership will commission task and finish groups to take forward work on the above priorities. Within this, a number of cross cutting themes and common set of principles have been identified. The next meeting will be held in June and will focus on identifying the key pieces of work to be taken forward by task and finish groups.
8. Other ongoing work on children's health includes:
 - 8.1 Delivery of two public health events and resource sheets on the councils' role in tackling mental health (March) and teenage pregnancy (April).
 - 8.2 Publishing a joint LGA and Public Health England briefing for elected members on the National Child Measurement Programme.
 - 8.3 Publishing a joint LGA and DH briefing for Lead Members for Children's Services on the School Nursing Offer; and
 - 8.4 Continuing to share knowledge and information about children's health issues on the Knowledge Hub for Health and Wellbeing Boards and on the LGA's dedicated webpage for children's health.

Child Poverty

9. The Child Poverty Needs Assessment Toolkit has been refreshed and will be available on the CYP web pages shortly. Under the Child Poverty Act 2010, local authorities have a duty to prepare and publish child poverty needs assessments. The toolkit helps child poverty leads in providing the underpinning information and insights to develop strategies that can reduce and mitigate against child poverty.
10. The Government's support to councils through the Child Poverty Unit (CPU) is to be scaled back. The CPU will no longer attend regional child poverty network meetings, or

Item 3

convene the Core Offer of Support and Local Delivery Advisory Groups. It will continue to maintain and publish the Core Offer of Support to councils, and to provide councils with data through the local basket of indicators. The CPU will focus instead on national strategies on child poverty and strengthening and refreshing the data offer. Council officers have expressed concern about losing an avenue through which to reach national policy-makers. LGA officers are looking at how the Knowledge Hub and existing LGA networks could be used as communications channels.

11. The LGA's welfare reform programme will include elements addressing child poverty. A research project has been commissioned that will look at impact and typologies for those most affected (including children and families), and potential local responses. It will be used as a basis for further work on how councils are responding to the reforms in the short, medium and long terms and will contribute to an developing evidence base for future lobbying / policy work. A specific event on poverty in the context of welfare reforms is also being considered and members' input to the shape and content would be welcome.

Children and Families Bill

12. The Children and Families Bill has completed its commons Committee Stage and will progress to Report Stage in early June. The Bill is then expected in the House of Lords at the end of the summer sitting.
13. Councils want the very best for children and young people and will have a central role to play in implementing many of the provisions in the Bill. We therefore want to make sure the Bill secures the best outcomes for all our children and young people. Whilst the LGA welcomes many of the provisions in the Bill, we still have a number of concerns about measures in the legislation. In particular:
 - 13.1 We think that the provisions in clause 3 which could allow the Secretary of State for Education to remove councils from the recruitment and assessment of adopters are unnecessary, heavy-handed and risky.
 - 13.2 We are also concerned that the Bill may not maximise the opportunity to reform the Special Educational Needs (SEN) system because it does not put measures for sufficient accountability in place. As it stands, the Bill means that local authorities will be held to account for organisations over which they have no control, particularly health bodies. We also want to ensure that provision surrounding the local SEN offer remain flexible without an increase in central prescription by Whitehall, which would stifle innovation and responsiveness. To make the local SEN offer as effective as possible, we want areas to be free to include the full range of services that help children and young people, including those offered by voluntary and community sector organisations.
14. The Government has already listened to the concerns of the LGA and many other organisations and introduced some duties on health bodies. However, we are concerned that these do not go far enough, particularly in relation to SEN tribunals. The LGA has been working extensively with MPs and other stakeholders to ensure that our

Item 3

concerns are addressed and will continue to do so as the legislation progresses. We are seeking amendments to a number of clauses, which we will continue to press in the House of Lords.

Changes to the local authority role in early years education and childcare

15. The Department for Education (DfE) has consulted on proposed changes to the local authority role in early years education and childcare, including limiting councils' role in quality improvement and their ability to make local funding arrangements. In the LGA's response to the consultation we outlined a number of concerns including the adverse impact of removing councils' ability to work with providers to drive up quality and reducing their ability to carry out a market enabling role to ensure sufficient childcare to meet local needs.
16. As part of our lobbying work we held a joint roundtable with the National Day Nursery Association to discuss the proposed changes. The roundtable was well attended with representation from the Department for Education (DfE), Cabinet Office, ADCS, think tanks, local authorities and providers. There was widespread agreement that councils play a valuable quality improvement role in working with providers. There were real concerns from both providers and councils that removing this role would adversely affect quality and sufficiency of provision, especially with smaller or weaker providers.
17. Providers and local authorities shared concerns around the capacity of Ofsted and their ability to offer on-going quality improvement support, especially without the on-going relationship that councils currently have with providers. There was a debate about funding and it was clear that a simple system was favoured by all, with varied views on whether to achieve this locally or nationally. Providers were very clear that they need to be funded at higher rates; coupled with potentially removing councils' support to them, they are concerned smaller organisations may well be untenable as a business.
18. The LGA also responded to Ofsted's current "good early years for all" consultation which set out proposals to strengthen inspection in early years and give Ofsted a stronger role in driving improvement in Early Years provision. We clarified that councils do not carry out an inspection role but work with providers to drive up quality. We set out our concerns around Ofsted's capacity and experience to deliver both a new inspection framework and cycle, as well as taking over new responsibilities for working with providers on quality improvement. Furthermore, if local funding arrangements are to become so heavily linked to funding as proposed, we made clear the importance of Ofsted strengthening their dialogue with councils in their role as local commissioner.

. National Foundation for Educational Research (NFER)

19. Since the last report to the Board, the National Foundation for Educational Research reported on projects including: an analysis of Academy schools by local authority; GCSE analysis of Academy and other school types; local authority use of intervention powers; how Ofsted measures relate to academic progress between key stage 2 and

Item 3

key stage 4 in English schools; a review on the longer term impact on life chances for looked after children; and the evaluation of sector-led improvement and support peer challenge. It continues to work on the local impact of EFA 16-19 commissioning which is due to report in the autumn and will begin work on the 2013 Councillor Census in August 2013. The longitudinal study exploring the longer term impact of safeguarding children peer reviews, jointly funded by LGA and CIB, will draw to an early close at the end of May with the closure of the CIB.

National Youth Agency (NYA)

20. The NYA is delivering eight packages of consultancy through the extension of the Routes to Success programme. Areas involved are: Cornwall; Blackburn; Bury; Enfield; Oldham; Kirklees; Isle of Wight and the North West Region. Local authorities have indicated that they want assistance in a number of areas including evidencing the impact of services, the involvement of young people in commissioning as well as assistance in a review of services offered. It continues to maintain the Supporting Services for Young People community on the Knowledge Hub which has over 550 members.
21. In the light of changes to the funding arrangements with the LGA, the NYA is exploring ways in which it can continue to maintain the strategic relationship. Two LGA-nominated trustees continue to sit on the NYA Executive Board and discussions are in progress about how the excellent relationship, built over two decades, can continue.

Adopter recruitment

22. In January the Government published 'Further Action on Adoption: Finding more loving homes'. This set out the adopter shortage challenge and the Government's proposed solution: removing adopter recruitment, assessment and approval from local government. The paper called on the sector to present alternative proposals. However, in parallel a clause has been included in the Children and Families Bill giving the Secretary of State the power to remove adopter recruitment from an individual authority or all of local government. The LGA is also lobbying strongly against the clause in the Bill as it progresses through Parliament
23. The LGA, in partnership with the Society of Local Authority Chief Executives (SOLACE) and ADCS, developed a set of actions to remove disincentives in the system and support councils to improve adopter recruitment. This includes encouraging councils to raise the inter-authority adoption fee to the same as the fee paid to voluntary adoption agencies, in order that councils can better recover their costs when recruiting adopters that are then used by another authority. The LGA has also committed to a series of actions to support elected members.
24. In April the ADCS has published the results of a survey of its members which provided more up-to-date information than that held by the Department for Education. This

showed that the number of children placed for adoption has nearly doubled in the last year, demonstrating the progress being made by local authorities..

Child Sexual Exploitation (CSE)

25. CSE remains a high profile issue, with further cases coming to court receiving a lot of media and public attention. The LGA has provided support to the sector, including briefings, an effective practice publication and a 'key questions' document for lead members for children's services. In February, we ran a successful conference on CSE, at which we launched a 'National Conversation'. This invited councils, voluntary organisations and others to feed in views about how councils could best raise awareness of CSE. This is informing an online resource for councils, which will be launched at the LGA Annual Conference in July. It will share and signpost existing materials to help raise awareness, such as training packs and leaflets alongside new case studies.

Commissioning of children's homes

26. The LGA has commissioned the Office of Public Management (OPM) to carry out action research to help councils understand how to achieve more effective commissioning of children's homes. OPM will work with a group of local authorities to identify the challenges around analysing need, matching need and supply, and quality assurance and monitoring and then provide them with support to develop solutions.
27. The local authorities involved represent a range of types of authority including different types of market place and those who are net exporters and importers. They are: Bradford, Darlington, Derbyshire, Shropshire, Lincolnshire, Kent, Haringey, Hertfordshire, Salford and Bury. A final report and analysis of findings will be launched late Summer.

Schools' Funding

28. As previously reported to the Board, following concern expressed by the LGA and a number of authorities about the new schools funding formula, DfE published a review document on 12th February; the closing date for which was 26th March. We understand from DfE that a response is due to be published end of May or the beginning of June. This is expected to focus on more flexibility, such as changes to the factors on prior attainment; pupil mobility, the lump sum and the possible inclusion of sparsity measures which may give more flexibility, for example on small schools.
29. We have also been in touch with DfE with reference to the 2012/13 LACSEG refund; this follows the court case on the 2011/12 top-slice. Members will recall that a refund of £58m was paid in July 2012; with the DfE promising to pay a refund for 2012/13 once pupil numbers for January 2013 were available. Officers understand that DfE do now have the information that they require and that an announcement is expected soon. If there is an update on these items by the time of the meeting, it will be given verbally.

High Needs Funding

30. New figures for the Dedicated Schools Grant (DSG) include over £46 million¹ additional funding for councils for post-16 high needs students, which from 2013/14 brings together the post-16 SEN Block Grant, funding for specialist placements and the costs of high cost students in Further Education.
31. The LGA voiced strong concerns that councils should not face a shortfall because of the changes and kept up the pressure for councils to be allowed to submit bids for funding for high needs students and we stressed the need for the data to be accurate and up to date. The DfE has said that that 124 out of 152 local authorities will see an increase in funding for young people resident in their area compared with 2011/12, and no authority will see a reduction over 2011/12.
32. The High Needs Block is a single block for local authorities high needs pupils/students aged 0-24. For 2013-14, the Block has been calculated in two parts, pre-16 and 16-24 (those aged 19-24 are the responsibility, for funding, of the home local authority where the student has a Learning Difficulty Assessment, or an Education and Healthcare Plan).
33. The pre-16 calculation is based on the amounts agreed in the 2012-13 baseline exercise and reflects the cross-border changes made in order to end inter-authority recoupmnt. It also includes the funding identified as hospital education. We have added the amount for growth in High Needs places in 2013-14 as certified by each local authority.
34. For pre-16 provision, the DSG allocations include all place based funding for maintained schools, academies and Non-Maintained Special Schools (NMSS) . Place funding for special academies, new mainstream academies (those opening from April 2013) and NMSS will be paid direct to the institutions by the EFA from April 2013. Existing mainstream academies will not start on the new placed based system until September 2013. Adjustments have been made to DSG for the places to be funded direct by the EFA as follows:
 - 34.1 £3,333 per place in special academies and resourced provision/ special units in academies for April 2013-July 2013.
 - 34.2 £6,667 per non-post 16 place in special academies and resourced provision/ special units in academies for August 2013-March 2014.
 - 34.3 £8,000 per place in PRU and AP academies; and
 - 34.4 Hospital place budget for hospital places in academies.

¹ *£46,401,716 – (£28,730,298 for data revisions and £17,671,419 for bids)

16-24 High Needs Provision

35. The new system for funding high needs pupils will not be introduced for post-16 students until August 2013. As such, the funding has been added in two parts:
- 35.1 SEN Block Grant for the period April - July 2013. This reflects 1/3rd of the 2012/13 academic year funding for post-16 high needs in schools, currently paid via the SEN Block grant to local authorities. This will enable local authorities to continue funding for these students for the remainder of the academic year.
- 35.2 Funding for the period August 2013 - March 2014. The place led funding (calculated using the post-16 national funding formula plus £6,000) for all institutions will be paid direct by the EFA as part of the post-16 formula. For maintained schools it will form part of the post-16 allocations made to local authorities for their schools. Therefore, this element of the DSG is intended to cover top up funding for ALL 16-24 high needs student placements commissioned by local authorities in maintained schools, academies, NMSS, Colleges of Further Education and Independent Specialist Providers (ISPs). The local authority will also need to fund the full costs of any places it commissions from independent schools or any other provider not directly funded by the EFA.
36. The DSG table of allocations and operational guidance are now available at:
<http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsvenuefunding/a00218077/funding-settlement-2013-14>