

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

Transfer of Public Health commissioning responsibilities for 0-5 year olds to local authorities in 2015.

1. The Children's Health and Wellbeing Partnership (CHWP) met on 19 June for its first official meeting. The LGA is represented by Sally Burlington on this partnership which includes representatives from key bodies in the health sector and local councils. The Department for Education has now joined the CHWP and membership from the body representing Clinical Commissioning Groups is still in progress.

2. Work has begun on 3 of 5 priority areas, set out below:

Effective commissioning:

3. A task and finish group focusing on the safe transfer of 0-5 commissioning to councils has been set up under the CHWP. Membership includes; LGA, SOLACE, ADCS, Department of Health (DH), Public Health England and NHS England. The group is responsible for developing a transition plan and assurance process for Ministerial consideration.

4. The key elements of the transition plan will focus on early planning with local government including:

4.1 a two stage process with a 'light touch' assessment in 2014 to enable early identification of struggling areas and time for local government to respond;

4.2 joint sign off between NHS England, local government and independent parties;

4.3 joint and early communications to both sectors; and

4.4 work by the task and finish group to establish a narrative for the future development of health visiting over the next few years, to ensure services are sustainable.

5. Health Visiting is an extremely high priority for the Government, therefore Ministers will seek a robust assurance process which gives them confidence in a safe transfer of the commissioning of these services to councils in 2015.

6. The issue of whether funds will be available to local authorities for 2014/15 to cover new burdens will be discussed bilaterally between DH and the LGA. A proposition paper will be brought to the next task and finish group meeting in July for consideration and sign off, with a view to taking the proposition to the Minister before summer recess.

7. There are a number of key issues that will need to be taken into consideration to ensure the transition and assurance plans are robust for local authorities. The LGA is working to ensure these issues are considered, these issues include:

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- 7.1 early joint planning with local government through Health and Wellbeing Boards and Children's Partnerships is essential so that commissioning plans for 2013/14 are developed in light of the planned transition in April 2015 to minimise risks;
- 7.2 using the opportunities from the transfer of 0-5 public health services and commissioning for Health Visitors to improve early intervention by linking up more holistically to wider local systems and ensuring services are sustainable; and
- 7.3 ensuring that there is sufficient funding transferred to local authorities from NHS England and that this is communicated early to local authorities so they can plan effectively, especially at a time when some local authorities may be undergoing service reconfiguration as a result of funding cuts.

Early Intervention, Identification and Prevention:

8. A full work programme is being developed. However, partners agreed a cross departmental approach on early intervention issues will be taken by the CHWP and it will engage with the Early Intervention Foundation (EIF) to help define this work programme.

Integrated care and support for children and young people:

9. Work will focus on outcome measures for children and young people with long-term conditions and a series of case studies of children and young people with particular conditions will be developed to track where the issues are and what happens next.

Next Steps

10. In addition to continuing work on the priorities listed above, future meetings will identify the key pieces of work to be taken forward by task and finish groups for the remaining two priorities:
 - 10.1 good transitions throughout the course of life; and
 - 10.2 operating the new system and understanding how best to make it work.

Children and Families Bill

11. The Children and Families Bill has now completed its passage through the House of Commons Stage and has progressed to the House of Lords. It received its Lords Second Reading on 2 July and is not expected to move to Committee Stage until October. The LGA has been briefing at every stage of the Bill's progress and has been meeting a large number of MPs and Peer to get our messages across.
12. 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:
 - 12.1 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. It is the wrong solution and risks making things worse for children and adopters.

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12.2 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. The complaints system for redress needs to be improved so that it actually delivers effective accountability for children with SEN and their parents.

13. The LGA has been working extensively with MPs and other stakeholders to ensure that our concerns are addressed and will continue to do so as the legislation progresses through the Commons. We are seeking amendments to a number of clauses, which we will continue to press in the House of Lords.

Launch of resource to help councils raise awareness of child sexual exploitation

14. Child sexual exploitation (CSE) has gained an increasingly high public, political and media profile. There is broad consensus that raising awareness of this type of abuse is essential to preventing it and stopping it early when it does happen. It is an important part of an effective approach to tackling CSE, alongside using evidence and information to understand what is happening locally, developing a strategic response, supporting victims and facilitating policing and prosecutions.
15. The LGA ran a successful conference on tackling CSE in February, at which we launched a 'National Conversation' consultation exercise, supported by a number of national organisations including the Children's Commissioner, the Children's Society and the Association of Chief Police Officers. This sought views on how councils, using their links with partners and communities, can best raise awareness of CSE, what the barriers are and how those could be overcome. Responses were received from a range of organisations and these informed the development of a set of resources to support councils, which was launched at a well-attended workshop at the LGA Annual Conference on 2 July.
16. Recognising that councils will have different approaches and circumstances, the online resource does not set out a 'one size fits all' approach that all councils should follow. Instead it shares a set of materials, both new ones produced by the LGA and existing ones from the sector, in order to help provide councils with ideas on how to raise awareness of CSE and materials that can be adapted to suit local circumstances.
17. The resource contains sections on raising awareness: within your council; with partners; and with the wider community (children and young people; parents and carers; faith and community groups). It includes case studies, briefings, communications support and training materials, some of which were produced in conjunction with other organisations such as the Islamic Society of Britain, Parents Against Child Sexual Exploitation (PACE), the Office of the Children's Commissioner and the CSE charity NWG Network. It can be accessed through the LGA website at www.local.gov.uk/cse.

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Schools' Funding Update

School Funding for 2014-15

18. As previously reported to the Board, following concerns about recent changes to schools funding expressed by the LGA and a number of authorities, DfE published a review document on 12th February. On 4th June 2013 DfE published their response.
19. DfE has moved to some extent in response to the concerns raised by LGA and councils – for example
 - 20.1 Authorities will be able to include a sparsity factor in their formulae
 - 20.2 They will be able to have separate lump sums for primary and secondary schools – previously only one lump sum was allowed
 - 20.3 They will allow authorities, with the support of schools forums, to keep back a small sum to support schools with falling rolls
 - 20.4 There will be some protection of lump sums for schools that agree to merge.
21. However, in some ways the factors have become more restrictive; e.g.
 - 21.1 The maximum allowable lump sum will be reduced from £200,000 to £175,000
 - 21.2 At least 80% of funding must be delegated through pupil led factors – although admittedly all but two authorities adhered to this level this year
 - 21.3 Schools will be expected to pay for high needs funding of up to £6,000 through their delegated budgets as opposed to through additional central support – this was recommended this year but will become mandatory
 - 21.4 Any mobility factor will have to be more targeted – it can only be applied if it affects more than 10% of pupils.
22. The document also confirms that the minimum funding guarantee will remain at -1.5% per pupil in 2014-15

LACSEG refund 2012-13

23. At the same time DfE announced the LACSEG refund for 2012-13. 101 authorities got to share £94.16m. This followed the legal action taken by 29 authorities; it means that of the original £265m top-slice around 35% will have been repaid.
24. This can be counted as an LGA win for authorities; although we were not formally involved in the legal action we co-ordinated it with the authorities and acted as an informal channel for DfE and the authorities.

Spending Round 2015-16

25. The announcement on 26 June confirmed that schools funding and the pupil premium will continue to be protected in real terms. However Local Government DEL

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(Departmental Expenditure Limit), which includes funding for children's services and early intervention will be cut by 10% in real terms. In addition the Education Services Grant, which replaced LACSEG from 2013-14, will be cut by £200m; the details of this will be consulted on in the autumn. The chancellor also pledged that a new national schools funding formula will be introduced from 2015-16.

26. The £200m cut in the Education Services Grant is 20% of the total grant but 25% of the proportion that went to authorities in 2013-14.
27. The LGA commented in our on the day briefing that in our submission for the Spending Round, we called for schools to contribute to towards early intervention; nothing was said on this in the statement. Although schools' spending has been protected, the disproportionate cut in the Education Services Grant will affect spending on school improvement, management of school buildings and tackling non-attendance. We said it would be essential that the sector engages robustly in the consultation to make the case for local authorities' positive contribution to school delivery and improvement and to ensure Government policy and OfSTED's expectations on LEAs are aligned.
28. We also commented that we have supported the introduction of a fairer funding formula for schools, but would like to see local flexibility retained to allow any nationally determined formula to be flexed to respond to local needs and priorities of schools .

Schools Capital

29. The announcements on capital funding made on 27th June contained details on schools capital. The Government committed to invest more than £21 billion of capital in schools for the next six years, until the end of the next Parliament. They said that this would be sufficient to over 275,000 new primary school places; 245,000 new secondary school places; open up to 180 new Free Schools; 20 University Technical Colleges and 20 Studio Schools a year; as well as addressing all essential schools maintenance needs. We understand that DfE officials intend to discuss allocation methodologies with ministers and then consult with the sector in the autumn.
30. The announcement included a promise to rebuild 150 schools in very poor condition by 2017 – two years earlier than planned – as part of the Priority School Building Programme. This means that the PSPB will now be mainly delivered through traditional capital – design and build contracts – rather than private finance. This might be an issue for some authorities which didn't bid because of the private finance nature of PSBP, but DfE officials have made it clear that they will not reopen the bidding process.
31. There has not yet been any announcement of the targeted basic need programme; this was the £982m announced in the 2012 Autumn Statement. Officers understand that this is likely to fund around 100 schools, with a presumption that these will be academies.

Term Dates

32. The government intend to amend section 32 of the Education Act 2002 so that the governing bodies of all schools are responsible for setting their own term dates. Currently, around 70 per cent of secondary and 30 per cent of primary schools

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including academies, free schools and voluntary-aided (VA) schools already have responsibility for their term dates. This change would mean community, voluntary-controlled and community special schools, and maintained nursery schools would no longer have their terms dates set by the local authority. All maintained schools will still be required to open for a minimum of 190 days per year.

33. In the past, the LGA worked with the teaching unions to propose term dates, which could be adopted (or not) by councils and by academies and VA schools. As the number of academies increased, and with an increasing policy emphasis on school autonomy, fewer and fewer councils chose to follow this recommendation and so the proposals were ended. We have suggested that councils should work together with their local schools – both council maintained schools and academies - to set dates that suit local parents and teachers. It is important for parents (and teachers with children in schools that they don't work in) to have sensible local arrangements to coordinate term dates.

Raising the Participation Age (RPA)

34. The first phase of Raising the Participation Age (RPA) commences this summer. It means all young people must continue in education or training until the end of the academic year in which they turn 17. The second phase applies to all 18 year olds from summer 2015. Young people have a choice for what this means for them: full-time, work-based learning or part-time education or training (if employed, self-employed or volunteering for more than 20 hours a week).
35. Councils have a range of duties to support young people into post 16 education, employment and training. Broadly this means they must promote RPA and encourage, enable and assist young people to participate, provide an education and training offer, record and track young people's progress and identify those not participating. They are taking lead on RPA locally, building a coherent strategy for young people, around which all relevant partners (schools, colleges, employers and training providers) can engage.

Youth Contract

36. As part of the three year Youth Contract, the Government committed £126m to support the 55,000 most disengaged 16-17 year olds NEETs to participate and stay in education, apprenticeships or a full time job with training. The Education Funding Agency (EFA) commissioned this nationally and awarded contracts, in the main, to national providers. Leeds-Bradford-Wakefield, Newcastle-Gateshead, and Liverpool negotiated devolved Youth Contracts as part of City Deals.
37. The national approach sidelined councils despite their statutory duties to increase the rate of 16/17 year olds into education and training (RPA) and support NEETs. We lobbied for the devolved approach to apply to all areas across England, arguing that a locally commissioned YC would have secured a coherent local offer to young people, rather than too many national programmes let locally which are uncoordinated, and compete for the same clients.
38. In June, the EFA released performance data for nationally commissioned provision across England. Available data is September 2012 to 31 March 2013. It revealed that

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the national approach had 4,364 starts (those recruited on to YC), and 1,202 progressed into education, work or training (27.5%).

39. In contrast, the devolved approach performed better. An average of the devolved data from Leeds-Bradford-Wakefield (694 starts / 398 progressions), and Newcastle-Gateshead (137 starts / 65 progressions), led to 55.7% young people were supported into work or education. This supports the LGA view that councils should take the lead in commissioning and joining up provision for young NEETs in order to create a more coherent offer.

European Social Fund 2014-2020

40. European Social Fund (ESF) is an EU fund which adds values to existing provision to help people improve their skills and job prospects, including support for young people who are at risk of, or who are already NEET.
41. Funded in seven year stages, the current 2007-2013 ESF programme, worth £2.5 billion (£5bn when match funded) has been managed centrally. This has made it difficult for councils to influence when and how it is spent, and target it towards local need (NEET reduction, developing skills for unemployed etc).
42. This is set to change with the new 2014-2020 programme. As part of the spending review, the Government announced that the majority of spending decisions for England's £5.3bn allocation (includes ESF and European Regional Development Fund) will be devolved locally through Local Enterprise Partnerships. This is extremely positive, and one that councils and the LGA (European and International Board) have long campaigned for.
43. Councils are working with LEPs and partners to plan how these EU funds will add maximum value to deliver more intense, locally integrated provision to boost growth, employment, skills and support the most vulnerable. Since all EU funds need to be match funded, local areas' are looking at options including local and national money. They will submit strategies in September outlining how they will make use of the funds locally. The LGA will be taking discussion forward with Whitehall on next steps.

National Foundation Economic Research (NFER)

44. Since the last report to the Board, the NFER reported their work on the impact of the safeguarding children peer reviews and the survey exploring waiting times for CAMHS and alternative service provision. The longitudinal study exploring the longer term impact of safeguarding children peer reviews, jointly funded by LGA and CIB has been reinstated and will continue into the third and final phase of data collection in July.