

# Children and Young People Board

## Agenda

Thursday, 3 July 2014  
11.00 am

Smith Square 3&4, Ground Floor, Ground Floor, Local Government House, Smith Square, London, SW1P 3HZ

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

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This meeting is



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Children & Young People Board  
3 July 2014

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There will be a meeting of the Children & Young People Board at **11.00 am on Thursday, 3 July 2014** Smith Square 3&4, Ground Floor, Ground Floor, Local Government House, Smith Square, London, SW1P 3HZ.

A sandwich lunch will be available at 1.00pm

**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.

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<b>Labour:</b>	Aicha Less: 020 7664 3263	email: <a href="mailto:aicha.less@local.gov.uk">aicha.less@local.gov.uk</a>
<b>Conservative:</b>	Luke Taylor: 020 7664 3264	email: <a href="mailto:luke.taylor@local.gov.uk">luke.taylor@local.gov.uk</a>
<b>Liberal Democrat:</b>	Group Office: 020 7664 3235	email: <a href="mailto:libdem@local.gov.uk">libdem@local.gov.uk</a>
<b>Independent:</b>	Group Office: 020 7664 3224	email: <a href="mailto:Vanessa.Chagas@local.gov.uk">Vanessa.Chagas@local.gov.uk</a>

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**LGA Contact:**

Joseph Cormack  
MeetingContact\_2

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## Children & Young People Board – Membership 2014/2015

Councillor	Authority
<b>Labour ( 6 )</b>	
Cllr Nick Forbes (Vice-Chair)	Newcastle upon Tyne City Council
Cllr Paul Lakin	Rotherham Metropolitan Borough Council
Cllr John Merry CBE	Salford City Council
Cllr Richard Watts	Islington Council
Cllr Anne Western	Derbyshire County Council
Cllr Nicky Williams	Plymouth City Council
<b>Substitutes</b>	
Cllr Dora Dixon-Fyle MBE	Southwark Council
<b>Conservative ( 7 )</b>	
Cllr Mrs Patricia Bradwell	Lincolnshire County Council
Cllr Paul Carter CBE	Kent County Council
Cllr Paul McLain	Gloucestershire County Council
Cllr John Osman	Somerset County Council
Cllr Liz Hacket Pain	Monmouthshire County Council
Cllr Roy Perry	Hampshire County Council
Cllr David Simmonds (Chairman)	Hillingdon London Borough Council
<b>Substitutes</b>	
Cllr Peter Evans	West Sussex County Council
Cllr Thomas Garrod	Norfolk County Council
<b>Liberal Democrat ( 2 )</b>	
Cllr David Bellotti	Bath & North East Somerset Council
Cllr Liz Green (Deputy Chair)	Kingston upon Thames Royal Borough Council
<b>Substitutes</b>	
Cllr Peter Downes	Cambridgeshire County Council
<b>Independent ( 2 )</b>	
Cllr Apu Bagchi (Deputy Chair)	Bedford Borough Council
Cllr Helen Powell	Lincolnshire County Council
<b>Substitutes</b>	
Cllr Neil Burden	Cornwall Council

## Agenda

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### Children & Young People Board

Thursday 3 July 2014

11.00 am

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**Date of Next Meeting:** Thursday, 30 October 2014, 3.15 pm, National Adult and Children's Services Conference, Manchester



## Improving education and children's services

### Purpose of report

For discussion/direction

### Summary

This report covers the LGA response to recent events in Birmingham schools; the early results from the new Ofsted children's services inspection framework; and the Le Grand Review of capacity for delivering children's services. It summarises the current LGA support offer for education and children's services and members are asked to consider how that offer needs to be developed in response to recent developments.

### Recommendations

Members are asked to consider:

- The LGA response to the events in Birmingham schools and whether a specific LGA improvement offer relating to the changing council role in education should be developed and what it should cover.
- The Julian Le Grand review which aims to develop "capacity for the delivery of children's services, including outside of local authorities" and how the LGA can further support councils to improve children's services.

### Action

Officers to take action arising out any discussion, as directed by members.

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## **Improving education and children's services**

### **Education**

1. There has been substantial coverage in the media of allegations of extremism in Birmingham schools and reviews have been established in connection with the allegations by Birmingham City Council, the Department for Education and Ofsted. The results of Ofsted inspections in 21 schools saw four academies and one maintained school put into special measures. Eleven schools – nine maintained schools and two academies - were judged to require improvement.
2. In a summary report to Education Secretary Michael Gove, HMCI Sir Michael Wilshaw said that “a culture of fear and intimidation has developed in some of the schools since their previous inspection” and “some head teachers reported that there has been an organised campaign to target certain schools in Birmingham in order to alter their character and ethos”. His recommendations included the suggestions that the government should:
  - 2.1 Consider urgently how it can provide greater public assurance that all schools in a locality, regardless of their status, discharge the full range of their statutory and other responsibilities.
  - 2.2 Ensure that local authorities and those responsible for academies and free schools carry out their statutory responsibility for safeguarding all children, including protecting children from radicalisation.
3. The LGA has responded by calling for stability to be restored to the education system by returning to councils the power to intervene in all underperforming schools, including academies. This reflects our concern about the unclear and overlapping accountability for schools demonstrated by events in Birmingham. Parents, governors and staff need to know who to turn to if they have concerns about a school. Councils are best placed to perform this local oversight role and they already have accountability for the 82% of schools that are still maintained.
4. Councils need powers they can use swiftly, without opportunities for underperforming schools to delay the process and without asking permission from the Secretary of State or Ofsted. This should include the power to broker new sponsors for failing academies. However, the powers local authorities currently have to intervene in maintained schools have become increasingly limited by bureaucratic ‘protections’ for schools. They usually have to wait until Ofsted puts a school into special measures to act. They have to get written permission from the Secretary of State to replace a governing body with an Interim Executive Board. The only power they can use on their own initiative is to issue warning notices and schools have a right of appeal to Ofsted, which can delay any action by a minimum of 12 weeks.
5. The LGA has provided support to councils to adapt to the challenges of their changing role in education as schools become more autonomous and increasing numbers become academies. This has included leadership academies and support for the regional networks of Lead Members for children's services; reports, research and case study publications to spread best practice and help define the changing council role;



and seminars and conferences for officers covering school place planning, school improvement and supporting the most vulnerable pupils.

6. A number of councils have suggested that the LGA should develop a specific improvement offer to support councils in their education role. **Members are asked to consider whether the development of such an offer would be helpful and which kinds of support should be included.**

### **Children's services**

7. Ofsted introduced a new single inspection framework for local authority child protection and looked after children services in November 2013. The single inspection framework brings child protection, services for looked after children and care leavers and local authority fostering and adoption services into a single inspection framework. All 152 local authorities in England and the associated LSCBs will be inspected within three years.
8. To date 22 inspections have been completed and the results of 16 have been made public. Of these, 5 have been rated "good", 8 as "requires improvement" and 3 as "inadequate". No councils have yet been rated outstanding. Under the previous inspection regime, which rated all councils between 2009 and 2012, almost one in five councils (17 per cent) were found "inadequate" for child protection. A further 44 per cent were judged "adequate" (rebranded as "requires improvement" under the new framework) and just 36 per cent were rated "good". With only 3 per cent (5 councils) achieving an "outstanding" rating. It is clear that those inspections set a high bar and from the early SIF results suggests that the bar has been raised further.
9. A review of the first 11 inspections was published this month and was led by Professor Eileen Munro. The review found that the framework is looking at the right aspects of work and could therefore be driving improvement. However widespread concerns were expressed about the demands the framework puts on both inspectors and local authorities and about the reliability and validity of the judgments reached.
10. Edward Timpson MP, Parliamentary Under Secretary of State for Children and Families, wrote to Sir Merrick Cockell on 27 March 2014 to outline the government's future plans for children's services improvement and intervention. This included a commitment to a wider review, to be commissioned by Professor Julian Le Grand, aimed at "developing capacity for the delivery of children's services, including outside of local authorities". The contract to undertake the review will be issued on 30 June, with a final report expected by 31 October.
11. The scope of the review, which will have a significant impact on the work of councils, is as follows:
  - 11.1 "Describe and illustrate the present extent of diversity of provision at all levels of the delivery of children's social care in England;

- 11.2 Identify existing organisations in any sector which could, solely or in partnership with one another and with local authorities, provide children's social care services or expand their current provision of children's social care services;
- 11.3 Identify barriers which exist to the entry of new providers or new partnerships to this market;
- 11.4 Identify the potential for establishing new organisations and partnerships for the provision of children's social care services, between local authorities or with local authorities or outside local authorities, in order to increase capacity and choice in the delivery of children's social care; and
- 11.5 Outline a small set of options for delivering increased capacity and diversity in the system, with recommendations for action".

**The LGA children's services improvement offer**

12. Following the withdrawal of the DfE grant and cessation of all Children's Improvement Board activity at the end of July 2013, the LGA has continued to provide sector-led support for children's services. At the last CIB meeting elected members agreed that there was value in a regular meeting to discuss children's services improvement at the national level and the LGA has been working to get these going again with partners from SOLACE and ADCS.
13. Children's Improvement Associates have been appointed by the LGA to work with our Principle Advisers in each of the regions along with a prime associate with strategic overview to pull together learning from each of the regions and advise on the best support to councils.
14. The improvement offer direct to councils includes:
  - 14.1 Providing nationally accredited and quality assured courses for practitioners and associates engaging in peer review, challenge or diagnostic activity and maintaining an availability register of the same;
  - 14.2 Running a series of Leadership Essentials (formerly Leadership Academies) residential course for lead members; and
  - 14.3 Developing and/or brokering, where need is evidenced, a flexible and responsive offer of bespoke diagnostic or peer review tools either to individual authorities or as part of a regional offer or as may be commissioned by DfE for authorities in intervention. These may be offered on a whole cost, subsidised or free basis.
15. Members are asked to consider how the LGA can further support councils to improve children's services in the context of the new Ofsted inspection framework and the possible impact of the Julian Le Grand review.

**Financial implications**

16. Any additional support offer in relation to education or children's services will need to be considered in the context of the limited resources available to support additional activity.



## Participation of young people in work and learning

### Purpose

For discussion and direction.

### Summary

This paper a) updates and seeks steer on taking forward the *Our Ambition for Children* commitment to ensure all young people 'are well-prepared for adulthood and the world of work', and b) updates on the impact and progress of Government's 16 to 24 Review.

### Recommendation

That members consider the report and steer next steps.

### Action

To be taken forwarded by officers as directed by members.

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## Participation of young people in work and learning

1. This paper a) updates and seeks steer on taking forward the *Our Ambition for Children* commitment to ensure all young people 'are well-prepared for adulthood and the world of work', and b) updates on the impact and progress of Government's 16 to 24 Review.

### Background

2. Councils have statutory duties to ensure all young people up to 19, and up to 25 for those with learning difficulties, are engaged in high quality education and training. But councils have very few formal levers over provision to meet these duties, which has become increasingly centralised and fragmented.
3. The LGA's *Hidden Talents* programme, jointly led by the CYP Board with the Economy and Transport Board, has made the case for simplifying, joining up and devolving support for young people to ensure that it is locally coherent and meeting the needs of individuals and employers<sup>1</sup>.

### Revitalising youth transitions

4. Building on *Our Ambition for Children* strategy, this section seeks Member steer on the development of a set of detailed, evidenced and costed proposals for enabling locally determined partnerships to have the lead accountability and levers to ensure all young people 'are well-prepared for adulthood and the world of work'.
5. To deliver this we propose developing an initial *Youth Transitions* report with key recommendations planned for launch in August 2014, followed by a programme of activity adding further detail and evidence. The recommendations and planned supporting activity include:
  - 5.1 Make councils the default commissioners for all re-engagement and NEET reduction programmes in line with their statutory duties. To support this, the LGA is continuing to work closely with councils running devolved elements of the Youth Contract (including Leeds City Region and Newcastle and Gateshead) to demonstrate how they are delivering significantly stronger outcomes compared to the national programme. A Department for Education evaluation of the Youth Contract is expected to report in the Autumn 2014.
  - 5.2 Complete the transfer of further education funding to local partners and re-invest in an independent careers advice offer, locally commissioned to align advice and skills training with local labour market need. To support this, the Chair is holding a roundtable bringing together key partners on 14 July to discuss options. The LGA is working with the Centre for Economic and Social Inclusion (CESI) to evidence the impact of poor post-16 choices on young people's participation and achievement, and to estimate the costs of this for young people and for the Exchequer. The project is planned to report at the NCAS annual conference in October 2014.

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<sup>1</sup> More information and detail at [www.local.gov.uk/hidden-talents](http://www.local.gov.uk/hidden-talents)

- 5.3 Support and enable councils to revitalise apprenticeships as a genuine high quality post-16 destination for young people leaving school. To support this, the LGA is scoping out work with the Institute of Public Policy Research (IPPR) to demonstrate and assess the drivers behind poor national apprenticeship outcomes for 16 to 18 year olds, the impact of innovative council-led apprenticeship initiatives, and recommendations for Government's reform of apprenticeships to give all councils the flexibility and levers to shape provision in their area. The project is planned to report in November 2014.
- 5.4 Strengthen and enshrine the role of councils in a reformed service offer for 18 to 24 year olds, including reforming Jobcentre Plus and enabling local commissioning of the Work Programme and job subsidy schemes for the long-term unemployed young people. To explore and support this, the LGA is working with the National Institute of Economic and Social Research (NIESR) to undertake an independent qualitative and quantitative assessment of the performance of 7 local employment initiatives, with a view to demonstrating the added-value of local models and the scope for what could be achieved by rolling them out nationally. This project is conducted jointly with the LGA City Regions Board, and will report in December 2014.
6. Members are asked to consider and respond to the proposed LGA activity, which would be developed with councils and their key partners, including schools, colleges, employers, employment and skills providers, and young people themselves.

### **Government's 16 to 24 Review**

7. In 2013 the Deputy Prime Minister (DPM) announced a review of services for 16 to 24 year olds in response to calls for a simplification of services for young people. The outputs of the review have emerged over time since February 2014, and include:
- 7.1 Proposals for a council-run UCAS style application offer for young people not going to university. Ministers are currently considering options, including piloting the initiative. The Chair of the CYP Board has written to the DPM expressing some support for the principle whilst seeking assurances that any new responsibilities on councils be fully funded following a new burdens assessment.
- 7.2 Jobcentre Plus pilot working with disengaged 16 and 17 year olds. The LGA is working closely with DWP and has had some success in ensuring the initiative is locally led, and not imposed upon places. The DPM has announced council-led pilots in Lewisham, Norfolk, and Hertfordshire, with an expectation to roll out to 25 more councils in the Autumn.
- 7.3 A new Youth Engagement Fund and Fair Chances Fund worth £30million over three years. The funding will be delivered through social impact bonds, with local partners needing to contribute funding and government only paying out if the initiatives are successful. The LGA has warned of fragmentation and the current difficulty for local partners to find additional funds with which to draw down investment, and has promoted the opportunities across the sector.

- 7.4 The devolution of £50 million of Youth Contract underspend to councils through City Deals, to run local youth employment programmes. The LGA is working with councils to test and understand the benefits of local innovations and inform proposals for public service reform. Initiatives such as Youth Jobcentre in Suffolk, one-stop careers advice in Reading, and local wage incentive programmes in Hartlepool, are included in the *Councils Supporting Youth Transitions* case study report launched in June and covered widely by the national press.

### **Financial Implications**

8. There are no financial implications arising from this report.



## Children's Social Care

### Purpose of report

To seek member views on three potential areas of future work in children's social care, covering adoption, corporate parenting and local safeguarding children boards.

### Summary

This report updates members on the work of the Adoption Leadership Board, and asks members to consider a proposal to run a nationwide Corporate Parenting week in October 2014. It also provides an update on work to examine whether current arrangements for the funding and operation of LSCB's are fit for purpose.

### Recommendation(s)

Members are asked to consider proposals for the LGA to:

- Identify Members Champions in each region for adoption
- Hold a national Corporate Parenting week in October 2014
- Examine whether current arrangements for the funding and operation of LSCBs are fit for purpose.

### Action

Officers to take action arising out of any discussion, as directed by members.

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## Adoption

- 1 Adoption has become an increasingly high profile issue in recent years, with a number of initiatives now underway aimed at improving the adoption system and making it easier to find permanent, loving homes for children who need them.
- 2 Councils have already made significant progress in this area, leading to a 15% rise in the number of children adopted in the last year and a 34% increase in the number of approved adopters, but it is clear that there is still more work to do. DfE estimates that around 3,100 more adopters are needed to meet the needs of 6,000 children who had been cleared by the courts for adoption but were still waiting to be adopted at the end of March 2013.
- 3 In recognition that improvement is most effective when driven locally, the national Adoption Leadership Board (ALB) has agreed to establish a series of Regional Adoption Boards. These Boards will mirror the objectives of the ALB, with a particular focus on supporting and challenging the adoption system to maximise the likelihood that:
  - 3.1 Children for whom adoption is the best way of achieving permanence are adopted without unnecessary delay;
  - 3.2 there are enough prospective adopters to provide homes for all the children approved to be adopted; and
  - 3.3 adoptions do not breakdown through the right adoption support being readily available to all people who need it.
- 4 Regional Adoption Boards will be led by a designated Director of Children's Services for the region, and will include representation from local voluntary adoption agencies. Each board will be sponsored by a member of the national Adoption Leadership Board, and supported by a designated council Chief Executive from the region.
- 5 **Members are asked to consider whether the LGA should establish a system of regional "Member Champions" to support these arrangements, and to advise on how best to identify them.** The LGA could identify volunteers for these posts in a number of ways:
  - 5.1 Through existing regional networks of lead members for children's services
  - 5.2 Through a call for volunteers in future CYP bulletins
  - 5.3 By designating leads for each region to members of the CYP Board.

## Corporate Parenting week

- 6 The LGA organised the UK's first ever Corporate Parenting week in June 2012, with councils across the country running events to highlight some of their local initiatives to improve outcomes for children in care.

- 7 We would welcome Members' views on repeating this event in October 2014, with potential for tie in with the National Children and Adult Services conference (week commencing 27 October).
- 8 The 2012 event was successful on a number of levels, with several councils taking the opportunity to raise the profile of corporate parenting locally and the LGA producing and disseminating a good practice toolkit to councils across the country.
- 9 However, the initiative lacked a strong national profile, with Ministerial involvement largely absent. Initial conversations with DfE officials have indicated that Ministers may be keen to have a greater role in a 2014 event, with corporate parenting an area of particular interest to the current Children's Minister, Edward Timpson MP.
- 10 This would be a valuable opportunity to highlight the importance of this work, and promote the excellent work that councils already do to support the children in their care.
- 11 **Members are asked to consider whether the LGA should arrange a Corporate Parenting Week in October 2014, and to advise on the best way to encourage strong buy-in from councils across the country.**

#### **Local Safeguarding Children Boards (LSCBs)**

- 12 The expectations placed on LSCBs have increased substantially in recent years, largely as a result of their regular identification as the lead body for virtually any child protection initiative that carries a partnership element.
- 13 Funding for local boards has generally not increased in line with these expectations. LGA analysis of 127 LSCB annual reports from across the country found significant variation in overall budgets, ranging from £53,554 to £663,332. Councils currently provide 55% of the average LSCB budget, but this figure was as high as 95% in one area. On average, the police contributed just 7% while health partners made up just under 24%.
- 14 Financial constraints have left many LSCBs reliant on a single Business Manager to run the Board and progress its workplan, raising the question of whether the current arrangements are fit for purpose. LSCB Chairs are generally contracted for around 28 days per year to fulfil an oversight and challenge role, so it is difficult to see how an LSCB can be expected to fulfil the increasingly demanding expectations placed upon it by policy makers.
- 15 With Ofsted now inspecting LSCBs as part of its new Single Inspection Framework, it is likely that their performance will come under increased scrutiny over the coming months. Sixteen reports had been published by the end of May 2014, with six LSCBs judged to "require improvement" and four rated "inadequate". Just over a third had been rated good, and none were outstanding.

- 16 Although the LSCB grading is not designated as a limiting judgement under the new framework, it will be of concern to councils that inspections in this area may reflect poorly on the overall performance of the child protection system.
- 17 **Members are asked to consider whether the LGA should commission further research into the current operation of LSCBs. This would explore funding, capacity, workload and the potential for joint boards, which some areas have considered.**

## **End of year review 2013/14**

### **Purpose of report**

For information.

### **Summary**

All Boards have been asked to take an end of year report to their July meeting, looking at the key Board achievements of the year and reflecting on the big issues ahead. The report will also be considered by the LGA Executive on 17 July.

### **Recommendation**

That Members note the key achievements of the year and propose 2 or 3 innovative projects or campaigns they consider would best support councils in the coming year.

### **Action**

Officers to take forward the recommendations.

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## **End of year review**

### **Introduction**

1. Below is an outline of the key areas of activity and success by the Children and Young People Board over the year and a look to the future priorities for next year.

### **Our ambition for children and young people**

2. As part of the 'rewiring public services' campaign launched in July 2013, we published a specific set of proposals for children's services. Since then we have consulted widely with councils, partners and with 300 young people on how to make a reality of the proposals. This result of this work will be launched at LGA annual conference. The report aims to provide a starting point for local discussions about joining up services for children and young people and provide a framework for commissioning of children's services by councils and partners.

### **Education**

3. We have continued to highlight the changing council role in education through events, publications, research and work with the press, MPs and Peers. We launched case study publications on the council role in school improvement in June 2013 and the council role in place planning in March 2014. In a submission to the Education Select Committee in December we argued for restoration of decision-making on the provision of new schools to local level; for councils to be given a greater role in judging and approving free school proposals; and for councils to be given stronger powers to intervene in all underperforming schools, including academies and free schools.
4. Our analysis of the looming shortfall in school places as a result of sharply increasing demand in many areas received widespread press coverage in September 2013 and March 2014. In December 2013 the Government announced additional schools capital funding of £2.35 billion for 2015-17, in addition to the £5 billion allocated over the lifetime of this Parliament. The announcement also provides 3-year allocations for new places, which the LGA had called for to allow councils to plan ahead and provide cost-effective solutions.
5. We lobbied during the passage of the Children and Families Act 2014 to ensure a stronger and clearer role for councils in promoting the interests of children with Special Educational Needs and Disabilities in their areas. We won concessions to make sure that there is a single system for assessment and support from 0 -25 for these children and young people. Support for councils to implement the reforms included a highly successful conference in December and commissioning case studies of the work being done by pathfinder councils.
6. We strongly supported the proposals for a fairer funding system for schools, to reform the current system which is largely based on historic spending patterns and sees wide variations in levels of funding between children in different council areas. Unfortunately, the Government decided to delay the reform until after the General Election, but announced an additional £350 million of funding for the 62 councils that they judged to be the lowest funded.

### **Post 16 participation**

7. We influenced the announcement and development of the Government's review of schemes for 16 to 24 year olds. This led to the devolution of the £50 million Youth Contract underspend to council youth employment through City Deals, and recognition of the council role in developing a UCAS style post-16 system for young people not going to university.
8. We maintained a high profile for councils' ambitions in helping young people into work and learning, including the publication of *Totalling Hidden Talents*, which assessed youth unemployment and underemployment across the country, and *Councils Supporting Youth Transitions*, which showcased innovative council approaches. Both documents were widely covered in national press.
9. We supported councils, in collaboration with Government, to improve how they identify and track young people not in education or work which helped councils reduce the number of young people 'unknown' to them by 25,000 over one year.

### **Children's social care**

10. We have influenced government proposals to allow councils to delegate children's social care functions to third party providers, with the introduction of a specific restriction on profit-making companies delivering these services.
11. We worked with the national Adoption Leadership Board to drive a 15% rise in the number of children adopted and a 34% increase in the number of approved adopters over the past year alone.
12. We successfully lobbied to significantly curtail proposals in the passage of the Children and Families Act 2014 to allow the Secretary of State to remove all local authorities from adopter recruitment. The implementation of the clause will now be delayed until March 2015, and the power can only be used following an active debate and vote in both Houses of Parliament.
13. We secured local government representation on the Home Office's National Group on Sexual Violence, driving policy change and practice improvement on issues such as child sexual exploitation and female genital mutilation.

### **Improvement**

14. For 2013/14, we have held one new lead member induction and 3 political leadership academies for lead Members for children's services. Working directly with councils, we have delivered 10 children's services peer reviews, 11 safeguarding practice diagnostics and 4 care practice diagnostics. We have delivered 4 nationally accredited and quality assured courses for practitioners and associates engaging in peer review, challenge or diagnostic activity providing 61 new peers recruited for the delivery programme.

### **The year ahead**

15. The LGA's business plan for 2014/15 includes three broad areas for the Children and Young People programme.

- 15.1 **Future spending reviews deliver fair, timely and flexible local government finance settlements** – we will lobby for fair financial settlements for local government and ensure that the financial consequences for local government of central government reforms are understood and adequately funded, in particular in the areas of welfare reform, adult social care and children, including 0-5 public health, social care and education.
- 15.2 **Councils play a lead role in improving educational standards and working with businesses to match education, training and skills with employer need** – we will support councils to improve standards for all children and young people from their early years, through school and into post 16 education, training and employment. We will continue our Hidden Talents campaign to ensure all young people are supported to participate in quality skills, training and employment, including support for the transition to adulthood and work. And for more vulnerable learners we will support councils to deliver on the reforms for children and young people with special educational needs and disabilities.
- 15.3 **Councils have the flexibility and resources they need to deliver services that meet the needs of individual children and young people** – we will work to ensure that policy reforms enable councils to meet their ambitions for children and young people in their areas, as well their statutory duties in a climate of increased demand for children’s social care. We will raise awareness to ensure councils are effective in tackling child sexual exploitation and support councils to build their capacity and achieve a confident and skilled children’s workforce.
16. This provides significant scope for the Children and Young People Board to identify innovative projects or campaigns to be delivered over the next year, particularly in the run up to a General Election. **Members are asked to discuss the priorities and propose 2 or 3 innovative projects or campaigns they consider would best support councils in the coming year.**

#### **Financial Implications**

17. All work programmes are met from existing budgets and resources.



## 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 updates on:

- i. Schools Funding
- ii. Special Educational Needs
- iii. Powers to delegate children's social care functions
- iv. National Children and Adult Services Conference 2014
- v. Social work task and finish group

### Action

LGA officers to action as necessary.

**Contact officer:** Joseph Cormack  
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## Other Business Report

### School Funding update

#### Minimum Funding Levels

1. The DfE consultation on Minimum Funding Levels for 2015-16 closed on 14 May 2014. The DfE propose to distribute £350m to authorities which they consider to be below a minimum funding level set on a variety of characteristics. According to preliminary data 62 authorities would benefit from the uplift.
2. The LGA reply said that schools and councils in the 62 authorities would welcome this additional money, for which they have long been campaigning, but that there are issues over precisely how the minimum funding levels have been derived since the DfE had not shared its detailed modelling with the LGA and colleagues from local authorities. We have also heard concern that the uplift affects only the Schools Block – not the Early Years or High Needs block.
3. The Government is expected to indicate the way forward in a statement in July.

#### Education Services Grant

4. A consultation on £200m savings to the Education Services Grant (around 20%) closed on 19 June 2014. The DfE consultation document notes that councils have made savings on services covered by the ESG grant and have increasingly moved to a model of charging both maintained schools and academies.
5. The LGA responded jointly with Solace and a copy of the response is attached at Annex A. It sets out our opposition to the proposed cut, arguing that as councils have already made, and continue to make, cuts and efficiencies in their education services additional cut of 20% will put further pressure on the ability of councils to support schools to improve and hold them to account for their performance. It highlights the difference in expectations on councils between that set out in the consultation document and the Ofsted expectation that councils should hold academies, as well as maintained schools to account. It suggests that the best way forward would be to end the additional ESG funding given to academies and establish the actual costs and spending on central services in academies and councils to see whether savings can be found through this route.

#### Universal free school meals and schools capital

6. Members will be aware that the policy of universal free school meals for children in reception and years 1 and 2 comes into effect in September 2014. The government is funding this at a rate of £2.30 per meal for each newly eligible child (i.e. those not already eligible for free school meals) and through an allocation of £130m capital, distributed on the basis of pupil counts for the relevant age group, in addition to £22.5m for small schools (roll up to 150).

7. The LGA has heard concerns that this is not enough and that councils and schools are having to supplement this out of their own resources to meet the full cost. In response we have sent out a survey to all councils to establish whether there is a shortfall is and how it is being funded.
8. The survey also asks questions about the sufficiency of basic needs allocations and the priority schools building programme and how any shortfalls are being funded.
9. It should also be noted that a second round of the Priority Schools Building Programme was announced on 1 May 2014, with a total value of £2bn. Expressions of interest from councils, dioceses and academy trusts are currently being sought. The expression of interest system is expected to go live in early June. The deadline for submission is 18 July.

#### **Special Educational Needs and Disabilities update**

10. The Children and Families Act 2014 gives councils the overall responsibility for children and young people with SEN and disabilities in their area. The new law extends the rights that parents of children with SEN statements currently have (to express a preference for the school they wish their child to attend) to young people, and widen the institutions for which they can express a preference to include Academy schools, further education and sixth form colleges, non-maintained and independent special schools and independent special colleges approved for this purpose by the Secretary of State. Councils commission and fund all high needs provision requiring 'top-up' funding over £10K. Reciprocal duties to co-operate are placed on all schools including academies and post-16 institutions, including the duties;
  - 10.1 To admit a young person if the institution is named in an Education Health and Care (EHC) plan.
  - 10.2 To use their best endeavours to secure the special educational provision that the young person needs.
  - 10.3 To review the provision that is available locally and in developing the Local Offer.
11. However, it is not clear what powers local authorities have if schools fail to fulfil those duties or whether they have any specific powers of intervention over academies if they do not cooperate.
12. School and college readiness has also been raised as a potential risk to the successful implementation of the reforms from September. A new system called SEN support is being brought in for those with less complex needs to replace School Action and School Action Plus. It will also be available in colleges. The process will be similar but it will be less about counting the hours or resources given to children and young people and more about what they are achieving as a result. Schools (but not colleges) will also have a new legal duty to make arrangements for supporting pupils with medical conditions.

13. The delay in publication of the new code of practice (which runs to over 250 pages) until well into the summer term has caused some concern, particularly from teachers' unions and parents' lobbying groups. The code was laid before Parliament on 11 June and is awaiting approval from both Houses. Transitional guidance and regulations about the process for transferring statements and learning difficulty assessments to plans have also been published to support the phased implementation to 2018.
14. The DfE's summer readiness survey of councils carried out in May had a response rate of 93% (143 councils) which reported very good progress overall - 96% of respondents are "reasonably" or "very" confident that new entrants would be offered the new legal system from September.
15. Stakeholder engagement is also very positive: 94% reported engaging schools and SENCOs as making "good progress" or complete; and a lower number, 72% reported engaging FE and post-16 providers as making "good progress" or complete.
16. The DfE has recently announced £45million new burdens funding for councils in 2014-15 and an indicative amount of £31.7 million for 2015-16. Councils will receive two instalments of the new funding together at the end of August 2014; and the other instalments at the end of November 2014 and at the end of February 2015.
17. For further detail about the new law, the LGA has published 'Get in on the Act: Children and Families Act 2014' and 'The council role in special education' will be published in July as a brief guide to the reforms with 20 pathfinder case studies.

#### **Powers to delegate children's social care functions**

18. On 17 April 2014, the Department for Education launched a consultation on new freedoms for councils to delegate children's social care functions to third party providers. The LGA welcomed the flexibility for councils to deliver services in the way that works best for local children and young people, highlighting the social enterprise model in Richmond and Kingston as an example of the type of provision that would be made possible by these regulations.
19. However, we expressed concern that allowing commercial organisations to deliver these functions could risk undermining public confidence in child protection services by introducing a perceived profit motive into decisions about vulnerable children and young people. We stressed that any decision to commission out all or part of a service must only be taken by democratically accountable councils, and that councils must continue to oversee and be held accountable for the delivery of those services.
20. Ministers accepted our argument, and have now stipulated that only bodies working on a not-for-profit basis will be able to take on delegated children's social care functions. The draft regulations will now be considered in both the House of Commons and the House of Lords, with DfE hoping to have approval for councils to be using the new freedoms from October onwards.

**National Children and Adults Services Conference (NCAS) 2014**

21. This year's NCAS conference will be taking place from the 29 to 31 October at Manchester Central conference centre. The LGA Chair, Cllr David Sparks, will open the conference and other confirmed plenary speakers include Jeremy Hunt, Norman Lamb, Edward Timpson, Andy Burnham and Tristram Hunt. To date there are approximately 300 delegates registered (a similar number to this stage in 2013), including representatives of over 60 local authorities.
22. A total of 119 bids were received for sessions and representatives from the LGA, ADCS and ADASS worked together to confirm bids, while leaving a small number of 'hot topic' sessions which can be allocated nearer the time. The following LGA sessions were proposed and have been selected to feature on the conference programme:
  - 22.1 Early years education and childcare
  - 22.2 Implementing special educational needs and disabilities reform
  - 22.3 Raising the participation age- one year on
  - 22.4 Our ambition for children
  - 22.5 What is the Councillor Role in Education?
23. There will also be a meeting of the LGA's Children and Young People Board at the conference with Edward Timpson that will be open to all children's lead Members at the conference. It will take place on Thursday 30 October at 3.15pm, and members of the Board who are not attending conference will be able to access the meeting room if they confirm their attendance in advance.

**Social Work task and finish group**

24. The Children and Young People and Workforce Boards agreed in January to establish a joint task and finish group to consider the issues of children's social worker recruitment and retention. The group met on 1 May and agreed to map existing good practice across the sector, and in the longer term develop a bid for funding from the DfE's Innovation Programme to support new ways of working.



**Note of decisions taken and actions required**

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**Title:** Joint Children and Young People and Community Wellbeing Board  
**Date:** Wednesday 5 March 2014  
**Venue:** Westminster Room, Local Government House, Smith Square, London SW1P 3HZ

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**Attendance**

<b>Position</b>	<b>Councillor</b>	<b>Council / Representing</b>
Chairman	David Simmonds	Hillingdon LB
Vice-Chair	Nick Forbes	Newcastle City
Deputy-Chair	Apu Bagchi	Bedford BC
<b>Members</b>	Roy Perry	Hampshire CC
	John Osman	Somerset CC
	John Merry CBE	Salford City
	Nicky Williams	Plymouth City
	Anne Western	Derbyshire CC
	Richard Watts	Islington BC
	David Bellotti	Bath & NE Somerset Council
	Patricia Bradwell	Lincolnshire CC
	Helen Powell	Lincolnshire CC/South Kesteven DC
<b>Substitutes</b>	Ivan Ould	Leicestershire CC
	Tony Hall	North Yorkshire CC
	Peter Evans	West Sussex CC
	Paul Cullen	Richmondshire DC
<b>Apologies</b>	Liz Green	Kingston upon Thames RB
	Paul Carter CBE	Kent CC
	Paul McLain	Gloucestershire CC
	Liz Hackett Pain	Monmouthshire CC
	Rita Krishna	Hackney LB
	Paul Lakin	Rotherham MBC

**Officers:** Helen Johnston, Sally Burlington, Verity Sinclair, Steven Service

**Guests:** Paula Lavis – Development Officer for the Children and Young People’s Mental Health Coalition, Amanda Allard – Assistant Director of the National Childrens Bureau, Andrew Webb – ADCS,

Item	Decisions and actions	Action by
<b>Joint Children &amp; Young People's and Community Wellbeing Board</b>		
<b>Welcome and introductions</b>		
Cllr Katie Hall welcomed members and noted apologies from Cllrs Green, Carter, Bradwell, McLain, Hacket Pain, Krishna and Lakin on the Children and Young People's Board.		
<b>1.</b>	<b>The transfer of 0-5s public health commissioning to local authorities in 2015 (internal discussion)</b>	
Sally Burlington, Head of Programmes for Community Wellbeing introduced this item. She asked members to contribute to the LGA's negotiating stance on this issue by commenting on the questions within the report and on whether they felt that the key issues had been adequately identified in Paragraph 7.		
Members advocated building in flexibility over how outcomes were achieved rather than a prescription-based approach to mandation, as local areas were best placed to understand the way services needed to be delivered to achieve outcomes within their specific communities. In particular, members cited local issues such as the added complexity of service requirements in some rural areas and the demographic differences between local child populations as factors running against a "one-size-fits-all" approach.		
The Boards felt that significant integration risks needed to be recognised in the following areas:		
<ul style="list-style-type: none"><li>• On information-sharing, members commented that NHS England were unlikely to bring Child Health Information systems up to a gold standard before the transfer took place. They identified a need for partners to drive up standards in the interim.</li><li>• Potential legacy issues, such as historic underspend or overspends on funding.</li><li>• Overlapping timescales were considered to present a potential risk, with some members identifying a danger of going through budget and service transition at the same time.</li><li>• Members highlighted that those areas already involved in high levels of integration were finding the amount of prescription from the NHS difficult. Health and Wellbeing Boards were seen to have an important role in commissioning a new approach to public health.</li><li>• On the transfer of Public Health responsibilities, some members also expressed scepticism that the October 2015 date named by</li></ul>		



Government would remain fixed, particularly in view of the forthcoming general election. However, Sally responded that it was likely the Government would want to ensure the transition had occurred before the election took place.

While members debated the extent to which NHS England would sufficiently improve CHIS, the Joint Board agreed that CHS and CHIS should remain the responsibility of, and be commissioned nationally by NHSE.

### **Decision**

Members agreed that:

- LGA should support option 4 of the proposals suggested by DH, with an emphasis on mandating outcomes rather than systems and maximising local flexibility.
- CHS and CHIS should remain the responsibility of and be commissioned nationally by NHS England.

### Actions

Officers to reflect the Board's comments in position going forward, adopting sign-off process and updates as outlined.

**Samantha  
Ramanah**

## **2. Children's mental health**

The Joint Board received a presentation from Paula Lavis, Coalition Coordinator for the Children and Young People's Mental Health Coalition on key issues facing Children and Young People's mental health.

Cllr Hall thanked Ms Lavis for her introduction and invited comments from members.

Members made the following points:

- On service demand, members emphasised that increasingly complex cases in the system and increasing levels of self-harm made it difficult to plan in terms of need. Money needed to be allocated more effectively to meet these rising demands.
- Some members felt that child carers were an important omission in the presentation, with evidence that this group were particularly vulnerable to mental health problems and associated factors such as isolation and depression.
- Bullying was identified as a key issue with members commenting that more needed to be done to address its underlying causes. It was also highlighted that children may avoid visiting the CAMHS nurse when they come to their school as they are stigmatized by their peers.
- Timescales were seen as a crucial issue. Members emphasised that a three month wait in some areas to see someone regarding a

mental health issue was unacceptable.

- Members observed that the definition of “intervention” has changed over the years, with this being reclassified as a piece of paper in some instances. This raised questions regarding the value for money offered by the CAMHS service and made it difficult to scrutinise activity which had taken place and whether children and young people’s needs had been adequately served. Councillors asserted that it was time to stop considering outcomes alone and assess what was being done on the ground.
- While agreeing with much of the presentation’s analysis on what was wrong with the CAMHS service, members highlighted that further work was needed to identify what “good” looked like for the service.
- Members commented that the assertion in paragraph 5 of the report regarding groups “more at risk” of mental health problems risked generalising mental health problems across groups. They emphasised that the most vulnerable groups would vary according to area.
- Officers agreed to ensure that the LGA’s position going forward adequately reflects the full range of vulnerable groups at risk of mental health problems across local areas.
- On the issue of funding, members said that it was important to provide background evidence when quoting statistics such as spending £1 to save £84.
- Members requested more information on the terms of reference for the health committee inquiry on CAMHS.

Cllr Hall thanked members for their contributions and said these would be reflected in the select committee response.

### **Decision**

Members **agreed** subject to seeing the terms of reference, that officers submit a response to the Health Committee inquiry on CAMHS.

### **Actions**

LGA officers to:

- |      |  |                         |
|------|--|-------------------------|
| i.   | provide the Joint Board with further information on the terms of reference for the health committee inquiry on CAMHS   | <b>Samantha Ramanah</b> |
| ii.  | incorporate members’ comments in draft response to Health Committee Inquiry on CAMHS. Draft response to be sent to CYP and CWB Board portfolio holders for comment in advance of submission and circulated to members. | <b>Samantha Ramanah</b> |
| iii. | ensure LGA’s position going forward adequately reflects the full range of vulnerable groups at risk of mental health problems across   | <b>Samantha Ramanah</b> |

local areas.

- iv. circulate MHC presentation slides to Board members.

**Steve Service /  
Verity Sinclair**

### **Special Educational Needs and Disability**

3.

Amanda Allard, Principal Officer to the Council for Disabled Children presented to the Joint Board on the SEND reforms.

Following the presentation, Cllr Simmonds thanked Ms Allard and asked members to feedback any comments to LGA officers.

Members requested that the presentation be circulated to them following the meeting.

#### Actions

Members to feedback comments to LGA Officers.

Presentation slides to be circulated to Board members.

**Samantha  
Ramanah  
Steve Service /  
Verity Sinclair**

The Joint CYP and CWB meeting came to a close. Members of the CYP board stayed for the rest of the agenda.

### **LGA Governance Arrangements**

4.

Cllr David Simmonds introduced the report and a discussion on the new arrangements was held. Members argued that with the new committees covering such a wide remit, over less time lead members would have to do more to keep up the work of the board. Therefore the boards would need to have a stricter forward plan and decide which decisions would be left to the board and how these would be organised.

### **Other Business Report**

5.

Helen Johnston introduced the report and invited members to comment. Members discussed amongst other things:

- **Improvement-** It was raised that with the Improvement and Innovation Board taking on all of the responsibility for improvement from September, this work would have to be done collaboratively between the boards where it relates to children's services. It was also important that ADCS and SOLACE were involved in these discussions.
- **Schools** – The letter from Cllr Simmonds to Rt. Hon David Laws MP regarding Free School meals was discussed. One member pointed out his dissatisfaction with the letter arguing that it should have included a thank you to the government for the money they were spending on the scheme. Others suggested the money was not sufficient in certain areas and schools were short on capital. A number of other issues including an increase in the number of

children causing unfair distribution of funding and debates over what was counted as a nutritious meal were also discussed.

**Decision**

Members noted the report.

Action

Officers to take forward this work in light of Members' comments.

**Notes of the last meeting and actions arising**

6.

Cllr Paul Lakin, Cllr Paul McLain, Cllr Anne Western and Cllr David Bellotti all asked for the attendance records from 18<sup>th</sup> October to be amended to say they did attend the meeting. Cllr Neil Burden and Cllr Nick Forbes asked for the attendance records from 9<sup>th</sup> January to be amended to say they did attend the meeting.

The Board **agreed** the note of the last meeting.