

# Children and Young People Board

## Agenda

Friday, 15 January 2016  
11.00 am

Smith Square 3&4, 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  
15 January 2016

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**LGA Contact:**

John Wilesmith  
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## Children & Young People Board – Membership 2015/2016

Councillor	Authority
<b>Conservative ( 7 )</b>	
Cllr Roy Perry (Chairman)	Hampshire County Council
Cllr Laura Mayes	Wiltshire Council
Cllr Paul McLain	Gloucestershire County Council
Cllr Dick Madden	Essex County Council
Cllr Ivan Ould	Leicestershire County Council
Cllr Liz Hackett Pain	Monmouthshire County Council
Cllr Ian Parry	Staffordshire County Council
<b>Substitutes</b>	
Cllr Phillip Bicknell	Windsor & Maidenhead Royal Borough
Cllr Peter Evans	West Sussex County Council
Cllr Thomas Garrod	Norfolk County Council
<b>Labour ( 7 )</b>	
Cllr Richard Watts (Vice-Chair)	Islington Council
Cllr Anntoinette Bramble	Hackney London Borough Council
Cllr Anne Burns	Cumbria County Council
Cllr Bob Cook	Stockton-on-Tees Borough Council
Cllr John Kent	Thurrock Council
Cllr David Mellen	Nottingham City Council
Cllr John Merry CBE	Salford City Council
<b>Substitutes</b>	
Cllr Megan Swift	Calderdale Metropolitan Borough Council
Cllr Bill Turner	Barking and Dagenham London Borough Council
<b>Independent ( 2 )</b>	
Cllr Helen Powell (Deputy Chair)	Lincolnshire County Council
Cllr Paul Cullen	Richmondshire District Council
<b>Substitutes</b>	
Cllr Gillian Ford	Havering London Borough Council
Cllr Anne Hawkesworth	Bradford Metropolitan District Council
<b>Liberal Democrat ( 2 )</b>	
Cllr Liz Green (Deputy Chair)	Kingston upon Thames Royal Borough Council
Cllr Christopher Coleman	Cheltenham Borough Council
<b>Substitutes</b>	
Cllr Jon Hubbard	Wiltshire Council

## Agenda

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### Children & Young People Board

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**Date of Next Meeting:** Thursday, 7 April 2016, 11.00 am, Smith Square 3&4, Ground Floor, Local Government House, Smith Square, London, SW1P 3HZ



## **Spending Review announcements on education**

### **Purpose**

For discussion and direction.

### **Summary**

This report provides some further detail about the announcements in the Spending Review and Autumn Statement on 25 November about the ending of the council role in school improvement and the introduction of a national funding formula for schools, for discussion and comment by the Board.

### **Recommendation**

The Board is asked for initial views on the announcements, which will shortly be the subject of formal government consultation. The future role of councils in education will be discussed by the LGA Executive on 21 January and the Chair will report the outcome of the Board's discussion at that meeting.

### **Action**

Officers to take action as directed by members.

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## **Spending Review announcements on education**

### **Background**

1. The Spending Review and Autumn Statement announcement on 25 November included two significant announcements relating to education and schools:
  - 1.1. “The Spending Review and Autumn Statement represent the next step towards the government’s goal of ending local authorities’ role in running schools and all schools becoming an academy. Around £600 million savings will be made from the Education Services Grant (ESG), including phasing out the additional funding schools receive through the ESG. The Government will reduce the local authority role in running schools and remove a number of statutory duties. The Government will consult on policy and funding proposals in 2016.”
  - 1.2. “The Government will introduce the first ever national funding formula for schools, high needs and early years. A detailed consultation will be launched in 2016 and the new formulae will be implemented from 2017/18. There will be a transitional period to help smooth implementation.”
2. Both proposals will be the subject of formal consultation, possibly as early as February. This report provides some further detail following discussions with government and Members are asked to give their initial views to inform future LGA work in this area. The proposals relating to the future council role in school improvement will be discussed by the LGA Executive on 21 January and the Chair will report the outcome of the Board’s discussion to the Executive at that meeting.

### **The future council role in school improvement**

3. Education Services Grant is paid to councils for the schools they maintain and directly to academies at a current rate of £77 per pupil (but academies receive a higher rate as a result of DfE top-ups to dampen the effect of recent cuts). Councils also receive a rate of £15 per pupil for all pupils in all schools including academies for the duties they retain in relation to all schools. In 2015/2016 councils received £570 million out of a total of £815 million. ESG is not ring fenced, but is intended to support services such as school improvement, education welfare and school place planning.
4. It is understood that the £600 million of ESG savings will not be fully implemented until after the 2016/17 financial year for councils and 2016/17 academic year for academies. This will give time for consultation and for the passage of the legislation needed to achieve the savings by removing duties from councils.
5. Early this year there will be a consultation on the removal of statutory duties and the detail of how the cuts will fall, followed by a Bill. It appears that the main duty the Government is looking to remove is the overarching duty on councils “to exercise their relevant education functions with a view to promoting high standards”, but the consultation will look at the full range of council education duties.



6. This overarching educational standards duty is the legislation that Ofsted have relied on to inspect councils on their school improvement support and also to hold them to account for the performance of academies – an accountability that the DfE has disputed. A number of councils have asked for greater clarity in this area and the removal of this duty would provide greater clarity and would be likely to end the legal basis for Ofsted inspection of council school improvement support.
7. It is understood that the Government's ultimate aim is to end the council role in school improvement, with schools unambiguously responsible for their own self-improvement. This will be supported by an expansion of the infrastructure developed during the last Parliament of teaching schools and National Leaders of Education and Governance and a strengthening of their accountability for supporting a self-improving schools system. It will be underpinned by increasing numbers of schools working together in Multi-Academy Trusts. Although the powers of Regional Schools Commissioners are being enhanced in the current Education and Adoption Bill, they will not be responsible for driving school improvement, but for intervening in failing and coasting schools.
8. There will be no compulsion on schools to become academies, but the Government expects that the clear expression of its policy intentions in this area and a more challenging financial climate will encourage more to convert to gain the advantages offered by Multi-Academy Trusts. The new legislation requiring coasting and inadequate maintained schools to become sponsored academies would also have an impact.
9. There is likely to be a continuing council role in education in other areas, including:
  - 9.1. place planning, admissions and home-to-school transport;
  - 9.2. supporting pupils with high needs and looked after children;
  - 9.3. acting as champions of parents and pupils;
  - 9.4. safeguarding, extremism and children missing education and in unregulated settings.
10. The formal consultation and the forthcoming Bill will provide the LGA with many opportunities to give a view on these proposals and it will not be possible to take a definitive view until the detail is published. However, it would be helpful to have an initial steer from the Board on the basis of the statements made in the Spending Review.
11. To gauge a wider range of views, the LGA has commissioned an opinion poll of parents and the results will be available by the time of the meeting. We will also carry out a survey of Lead Members for Children's Services to gauge the views of councils.

### **The introduction of a national funding formula for schools**

12. The other major education announcement in the Spending Review was a consultation on a national funding formula for schools, to be consulted on early this year and implemented from 2017, with significant transitional protections for individual schools. It is understood that councils will continue to have a role in schools funding during the transition, but it is likely there will be a significantly reduced council role – or possibly no role - once the new formula is fully implemented.

13. The Board will recall that considerable work was done on the development of a fairer funding formula for schools during the last Parliament, but this was deferred and additional funding given to the least well-funded councils to make the system fairer.
14. The LGA has supported the introduction of a fairer national funding formula for schools. However, introducing a new national formula will inevitably create losers so we have argued that it is essential that it is introduced in a phased way to protect those schools facing a relative reduction in budgets. Councils already play an important role in supporting schools to cope with funding changes and we have urged the government to allow for local discretion to be applied to any national formula to take into account local needs and priorities.

## Children's services improvement and intervention

### Purpose

For decision.

### Summary

This report summarises and proposes a response to the Prime Minister's announcement on 14 December 2015 of new measures to formalise the process for removing failing children's services from local authority control.

### Recommendations

The Board is recommended to propose to the Improvement and Innovation Board and to the LGA Executive that:

- Support for children's services should have a high priority within the LGA's sector-led improvement offer, given the number of councils currently in intervention and at risk of being judged inadequate by Ofsted.
- The children's services support offer should prioritise councils that have not yet been inspected under the Ofsted Single Inspection Framework and are at potential risk of an inadequate judgement.
- The LGA's political and professional networks should be used to encourage these councils to have a full Safeguarding Peer Review or Safeguarding Practice/Care Practice Diagnostic.
- An enhanced support offer to councils should be developed to deal with any issues identified following a peer review or diagnostic that put a council at risk of an inadequate judgement at their next inspection.
- For councils judged inadequate, the existing support offer should be retained and enhanced, with a focus on supporting them to produce a credible improvement plan and maintain sufficient progress to avoid full-scale Department for Education (DfE) intervention in line with the new proposals.

### Action

Officers to take action as directed by members.

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## **Children's services improvement and intervention**

### **Background**

1. On 14 December 2015, the Prime Minister announced a series of children's services reforms, including new measures to formalise the process for removing failing children's services from local authority control. Children's services departments rated inadequate by Ofsted will now be given six months to demonstrate significant improvement, or risk being taken over by "high performing local authorities, experts in child protection and charities".
2. The proposals themselves are not radically new, with failing authorities already subject to government intervention and potential takeover. However the announcement does represent an intention from government to considerably strengthen these existing arrangements, with the Prime Minister describing the proposals as *"one of the big landmark reforms of this Parliament, as transformative as what we did in education in the last"*.
3. The key proposals in the announcement included:
  - 3.1 Greater DfE scrutiny of councils judged inadequate by Ofsted, including a requirement on them to produce an effective improvement plan within three months, with progress against this plan reviewed every six months.
  - 3.2 For councils that DfE considers to be making insufficient progress, a commissioner will be appointed to review whether services should be removed from council control.
  - 3.3 For councils that DfE considers to be persistently or systemically failing, a Commissioner will be appointed immediately, with a presumption that the service will be placed outside of the council's control unless the Commissioner identifies good reasons not to.
4. There are currently 20 inadequate children's services departments across the country, with just over half of children's services authorities having been inspected since the current inspection framework was introduced in 2012. If this trajectory continues, 38 local authorities will have been found inadequate and therefore subject to potential takeover by April 2017.

### **Driving improvement within children's services**

5. The LGA has previously expressed concerns that the current Ofsted inspection regime does not effectively drive improvement in children's services, and recent research we commissioned from independent consultancy firm iMPower suggested that it may in fact hinder a council's ability to improve.
6. iMPower found that of the 86 councils inspected twice or more since 2010, approximately 25% of those rated as inadequate in 2010 remained inadequate over the five year period.

And 56% of those requiring improvement / considered adequate in 2010 maintained that rating on re-inspection. iMPower concluded that, for many councils judged inadequate or to require improvement, this judgement, rather than being a catalyst for helping to deliver improvements to services, can instead act as a trap door, locking them behind and preventing an improvement in performance.

7. This is of particular concern in light of the growing number of local authorities falling into this category:
  - 7.1. In 2007/08, Ofsted reported that none of the councils inspected were considered inadequate, 22% were adequate, 69% were good, and 9% were outstanding.
  - 7.2. This picture has since changed significantly: 28% of councils are now rated as inadequate, 55% require improvement (the grading previously described as “adequate”) and just 18% are considered good. No council has been rated as outstanding in the last two and half years, and the most recent authority to receive this grade has recently been judged inadequate.
8. The eight years since 2007/08 have been notable for Ofsted’s stated intention to “raise the bar” in respect of their inspection regime, but they have also seen demand for children’s social care services increase significantly. Over that period:
  - 8.1. The number of children on child protection plans has increased by 60% (from 29,200 to 49,620).
  - 8.2. The number of children in care has increased by 17% (59,400 to 69,540).
  - 8.3. The number of referrals to children’s services has increased by 18% (538,500 to 635,600).
9. Funding for local authorities has decreased significantly over the same period, though councils have generally worked hard to protect children’s services budgets. Our *Future funding outlook for councils 2019/20*, found a 1 per cent increase for children and families services spending, from £6.97 billion in 2010/11 to £7.03 billion in 2013/14. However, this still represents a reduction in real terms at a time of sharply increasing demand.
10. With this context in mind, it is clear that a new approach is required to drive sustained improvement within children’s services. While the current government focus is on responding to identified failure, there may be a role for the LGA to strengthen our existing sector-led improvement programme to better identify areas at risk and provide targeted support before more serious issues arise.

### **Proposed LGA response**

11. Since DfE withdrew the funding for the Children’s Improvement Board, the LGA has only been able to provide a limited support offer for children’s services. The LGA’s current sector-led improvement offer includes safeguarding peer reviews, children’s care practice diagnostics and leadership academies. A network of Children’s Improvement Advisers has been established, contracted for 10 to 15 days a year per region to support the LGA’s Principal Advisers on issues specifically related to children’s services.

12. The LGA's peer reviews and diagnostics are provided on a voluntary basis and it is up to each authority to decide whether to make use of the offer. Around 15 children's peer challenges/diagnostics are currently being carried out each year.
13. As part of current discussions with DCLG about the future use of the RSG top slice to fund improvement work, a significant bid to continue and enhance the children's services offer has been submitted. In response to the Prime Minister's announcement the CYP Board is recommended to propose to the Improvement and Innovation Board and to the LGA Executive that:
  - 13.1. Support for children's services should have a high priority within the LGA's sector-led improvement offer, given the number of councils currently in intervention and at risk of being judged inadequate by Ofsted.
  - 13.2. The children's services support offer should prioritise councils that have not yet been inspected under the Ofsted Single Inspection Framework and are at potential risk of an inadequate judgement.
  - 13.3. The LGA's political and professional networks should be used to encourage these councils to have a full Safeguarding Peer Review or Safeguarding Practice/Care Practice Diagnostic.
  - 13.4. An enhanced support offer to councils should be developed to deal with any issues identified following a peer review or diagnostic that put a council at risk of an inadequate judgement at their next inspection.
  - 13.5. For councils judged inadequate, the existing support offer should be retained and enhanced, with a focus on supporting them to produce a credible improvement plan and maintain sufficient progress to avoid full-scale Department for Education (DfE) intervention in line with the new proposals.
14. The Innovation and Improvement Board will meet on Tuesday 19 January and the LGA Executive on Thursday 21 January and receive similar reports. The CYP Board's views and recommendations will be reported to those meetings.

### **Financial implications**

15. Any recommendation of an enhanced sector-led improvement offer for children's services will have financial implications which will need to be considered in the context of current discussions with DCLG about the future use of the RSG top slice to fund improvement work.

## **Mandatory reporting of suspected child abuse**

### **Purpose**

For discussion and direction.

### **Summary**

The Department for Education will shortly launch a consultation on mandatory reporting of child abuse. This report sets out the arguments for and against mandatory reporting in light of international evidence, and outlines the alternative option of introducing new sanctions for failure to act. It also includes a summary of the LGA's public comments on this topic to date.

### **Recommendation**

Members are asked to advise on the LGA's future policy position around mandatory reporting / failure to act provisions, with further discussion to follow once a full consultation has been launched.

### **Action**

Officers to take action as directed by members.

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## **Mandatory reporting of suspected child abuse**

### **Background**

1. The Department for Education will shortly launch a consultation on mandatory reporting of child abuse, fulfilling commitments made by the previous government in late 2014 and reiterated in the Conservative Party manifesto. The consultation will run for 12 weeks, and is expected to launch in early 2015.
2. Mandatory reporting is broadly defined as a legal duty imposed on certain groups, professionals or organisations to report suspected or known cases of child abuse and neglect to relevant authorities. In England, the relevant authority is likely to be local authority children's social care.
3. Details of the consultation have not yet been made public, but the tackling child sexual exploitation report (published in March 2015) stated that, as part of any consultation on mandatory reporting, the Government would also:
  - 3.1. *consult on options for imposing sanctions for failure to take action on abuse or neglect where it is a professional responsibility to do so; and that this will include considering an extension to the 'wilful neglect' offence to children's social care, education and elected members.*
4. We therefore expect that the consultation will include consideration of the introduction of a system of mandatory reporting of child abuse and neglect or an alternative duty which focuses on failure to take action in relation to such concerns.
5. It is likely that any new duty would apply to practitioners and/or organisations undertaking defined activities, covering a range of agencies including local authorities, schools, emergency services, health and probation services. It may also cover individuals who do not necessarily come into close contact with children on a regular basis, such as housing officers or elected members, and those in administrative or support roles, such as dinner ladies or school secretaries. It would not, however, extend to members of the public.

### **Arguments for and against mandatory reporting**

6. Supporters of mandatory reporting argue that it would lead to more cases of abuse and neglect being identified, and at an earlier point in a child's life, than in the current system. Cases such as the tragic death of Daniel Pelka, where individuals failed to act urgently and appropriately when they observed signs of abuse, are often highlighted as examples where mandatory reporting may have made a difference. Similarly, in Rotherham, Rochdale and Oxfordshire, practitioners failed to listen and act when children reported child sexual exploitation.
7. However, those against mandatory reporting argue that it would encourage a culture of reporting rather than acting, discouraging preventative activity in favour of 'passing the buck' to children's social care. There is also a fear that children's social care could



become swamped by inappropriate referrals, making it more difficult to identify serious cases amongst a deluge of individuals reporting every small suspicion for fear of being in breach of the law. This is a particular concern in light of the significant rise in demand for children's social care services, with the number of children on child protection plans increasing by more than 60% since 2008.

### **International evidence**

8. In 2014, the Home Office commissioned a review of evidence from jurisdictions around the world that have a system of mandatory reporting in place, most notably in the United States, Australia and Canada. The report was unable to draw any firm conclusions on the potential effects, positive or negative, that may come from mandatory reporting, but did find some indicative evidence that such systems may increase the number of reports while lowering their overall quality.
9. Furthermore, South Australia is now considering abolishing its own mandatory reporting system, in place since the 1970s, due to concerns that the volume of referrals makes substantiation extremely difficult. One in four children under the age of 18 is subject to a referral to children's social care in South Australia, with the result that only 6,500 notifications from a total of 44,000 were investigated during the last financial year.

### **Failure to act**

10. The alternative option may be to introduce new sanctions for failure to act, which would consider actions taken by individuals and organisations in relation to child abuse and neglect. This would focus on those who fail to take action for reckless or malicious reasons, or because they were indifferent to the harm, or potential harm, that might be caused.
11. A failure to act sanction would include failure to report where appropriate, but would not presume that all cases must be reported in all circumstances. This would allow individuals to exercise professional judgement when deciding whether preventative activity may be more appropriate than a formal referral to children's social care in some circumstances.

### **LGA lines**

12. The LGA has commented on the potential for mandatory reporting provisions in the past, most notably during discussion of Baroness Walmsley's proposed amendment to the Serious Crime Bill in 2014:

12.1. *We agree that child abuse should always be reported to the relevant authorities, and it is clear that some of the existing processes for doing so have not always worked effectively in the past. It is important that all agencies work harder to create a shared culture of moral responsibility, in which people know how to raise the alarm and feel confident that if they come forward with legitimate concerns those concerns will be dealt with in a swift, proportionate and effective way.*

*12.2. We must be careful to avoid creating a situation where the social care system is swamped with unnecessary referrals because professionals lack the courage or confidence to take responsibility, exercise their judgement and act appropriately. It is vitally important that social services resources are used effectively, and that any reform does not have the unintended consequence of overloading the system with cases where the child is clearly not in danger of abuse or neglect.*

13. We have, however, yet to make a clear statement either for or against mandatory reporting or the alternative of failure to act, preferring to wait for the detail of proposals before responding. It would, however, be helpful to begin that discussion now, to inform our policy position ahead of the formal consultation.

## Other Business Report

### Purpose

For information.

### Summary

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

### Recommendations

The Board is asked to note the updates on:

- i. Extending free childcare from 15 to 30 hours: Spending Review announcement
- ii. Education and Adoption Bill
- iii. Child Obesity Strategy
- iv. Child and Adolescent Mental Health Services (CAMHS)
- v. 0 – 5 transfer and Child Health Information Services (CHIS)
- vi. Family Nurse Partnership
- vii. Sir Martin Narey's Residential Care Review

### Action

LGA officers to action as necessary.

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## **Other Business Report**

### **Extending free childcare from 15 to 30 hours: Spending Review announcement**

1. In the Spending Review the Government announced that it will invest over £1 billion more a year by 2019/20 in free childcare places for 2, 3 and 4 year-olds. To enable the doubling of free childcare for 3 and 4 year-olds with working parents, the Government will invest at least £50 million of capital funding to create additional places in nurseries and over £300 million a year to increase the average hourly rate paid to childcare providers. From 2019-20 the Government will spend a record £6 billion a year supporting parents with their childcare costs – this includes Tax-Free Childcare and Universal Credit.
2. The LGA response welcomed the announcement of at least £50 million of capital funding, particularly if councils were given the freedom to invest in extending provision in maintained schools where it would benefit parents and children to do so. Councils currently have limited powers over providers, and limited scope to extend provision. For the new scheme to work powers must be returned to councils to ensure early education offered is of the highest quality.
3. We also welcomed the announcement of an additional £300m to increase the average hourly rate for providers and the introduction of a national early years funding formula. In the past, providers in some areas have been underfunded due to the wide variation in rates paid by government and the use of the Schools Forum to regulate funding.
4. LGA and councils are working with Department for Education (DfE) through an expert local government working group on the doubling of free childcare. The purpose of this group is to provide advice and direction to inform the policy development of how local authorities will deliver the extended entitlement of 30 hours childcare and to build the evidence base on key themes that are integral to the delivery of the extended entitlement and how this can work best alongside the existing childcare provision in their area.
5. DfE have invited representation from the following authorities:
  - 5.1. Buckinghamshire
  - 5.2. Staffordshire
  - 5.3. Cambridgeshire
  - 5.4. York
  - 5.5. Swindon
  - 5.6. LB Merton
  - 5.7. Brighton and Hove
  - 5.8. Nottingham
  - 5.9. Birmingham
  - 5.10. Middlesbrough
6. The group will meet on a monthly basis from January 2016.
7. A key component for these discussions will be how the right freedoms and flexibilities will enable the sector to take a leading role in expanding and quality assuring existing provision, and responding effectively to emerging demand as the extended offer is rolled

out to families. The LGA is committed to working with the DfE to identify and share good practice.

### **Education and Adoption Bill**

8. The LGA worked with peers in debates on the Education Bill to raise concerns about a two-tier improvement system for academies and maintained schools. In response the Government amended the Bill to expand the coasting definition to academies as well as maintained schools.
9. Liberal Democrat spokesperson Lord Storey tabled an LGA amendment which would require the Secretary of State to consider the availability of good quality sponsors, including local authorities, before converting a school. DfE data shows that 48 schools had to wait more than 12 weeks for a sponsor and, of those, 32 were waiting over 12 months. The Minister Lord Nash responded that, *“Proposing that local authorities or maintained schools should have a role in sponsoring academies completely undermines the point of our reforms. A core principle behind our academy programme is to free strong school leaders from unnecessary bureaucracy by ensuring a robust single line of accountability.”* Labour peers asked the Minister to reconsider at Third Reading because of the concerns about the availability of sponsors and the Minister agreed to meet with Lord Storey about local authorities’ role in school improvement.

### **Child Obesity Strategy**

10. Children of primary school age are to be the focus of an anti-obesity strategy to be unveiled this month. The strategy will reportedly involve schools, sport, transport and local government, in an effort to encourage the next generation of children to live more active lives and consume a healthier diet.
11. The Prime Minister has already held talks in Downing Street with Jamie Oliver, the Chief Medical Officer, Dame Sally Davies, the Public Health Minister, Jane Ellison, Public Health England and leading health economists to map out the central themes of the strategy.
12. Issues that are likely to be tackled in the obesity strategy include: better information for parents on children’s diets; requiring processed products to state how many spoonfuls of added sugar they contain; and making it easier for consumers to make quick comparisons between competing brands. One of the most controversial issues for local government may prove to be the number of fast food stores in deprived areas and the numbers near schools.
13. The LGA will launch early this year a new publication, *Tipping the Scales: case studies on planning and takeaways* and with the Town and Country Planning Association (TCPA) have developed key messages on planning and health entitled *Planning Healthy Weight Environments*.
14. *A full response will be issued once the Strategy is published.*

**Child and Adolescent Mental Health Services (CAMHS)**

15. The Government announced in the budget a package of funding to improve Child and Adolescent Mental Health Services (CAMHS). This included investing over £1 billion over the next 5 years to start new access standards, providing £118 million by 2018/19 to complete the roll-out of the Children and Young People's Increasing Access to Psychological Therapies, and investing £75 million over the next 5 years in maternal mental ill health services. The DfE will also provide an additional £1.5 million towards piloting joint training for designated leads in CAMHS and schools to improve access to mental health services for children and young people, including the most vulnerable.
16. We have long called for more money to support children and young people's mental health services and we are pleased to see that there are plans to invest additional funding into these services which could improve much needed access to these vital services for thousands more young people. However, we still need to see the whole system properly funded and partners at both national and local levels working together to implement the recommendations from the Taskforce.
17. In November 2015, the Department of Health (DH), NHS England (NHSE), the LGA, and other key stakeholders set up four task and finish groups to monitor areas, which include: sustainability, prevention, training the workforce, and auditing to capture the national work being carried out to improve the CAMHS system for children and young people. The Board will focus on vulnerable children and those in care. CYP lead members made an important contribution to this work.
18. The LGA is chairing the Sustainability Task and Finish Group and contributing to the prevention group. The groups will meet monthly and feed back to the main Board every three months. So far we have undertaken a survey to establish if the LGA microsite for CAMHS is a useful platform to share information and showcase good practice examples. An evaluation has been commissioned by NHSE on the LTPs, which have all been submitted (125) and monies are now being handed over to Clinical Commissioning Groups for local authorities' use. Health and Wellbeing Boards are involved in decision making.
19. Later this month an independent report is due out on 'life course mental health prevention'. Key recommendations are on training all the early years services on perinatal mental health and infant mental health, early childhood intervention, prevention of self-harm and prevention of suicide.

**0 – 5 transfer and Child Health Information Services (CHIS)**

20. The transfer of commissioning responsibilities of 0-5 public health services successfully completed on 1 October 2015 from NHSE to local government. All but two contracts were signed prior to transition. This is the final part of the much larger transfer of public health functions to local government which took place on 1 April 2013 under the Health and Social Care Act 2012.

0 – 5 transfer

21. On 16 November the LGA and PHE jointly held a joint conference for 120 senior local authority officers titled: *Healthy start, Healthy Beginnings*. It was positively received by delegates who heard keynote speeches from Jane Ellison MP, Minister for Public Health, Viv Bennett, Chief Nursing Officer, Professor Dame Sarah Cowley and Virginia Pearson, Director of Public Health. All raised the importance of *1001Critical Days*, a cross party manifesto set up to raise the importance of the first two years of life being the most crucial time of a child's life. Several workshops were attended covering various good practice examples from around the country of joint working between all early years services.
22. A national Board has now been set up to monitor progress, jointly chaired by the Chief Nurse and a Chief Executive of a local authority. Meetings are planned monthly in the first instance.

Child Health Information Services (CHIS)

23. CHIS are patient administration systems that provide a clinical record for individual children and support a variety of child health and related activities, including universal services for population health and support for statutory functions. For example, immunisations and childhood screening as well as support for children with Special Educational Needs.
24. Whilst the majority of councils are confident that CHIS are being improved (70%) and will achieve compliance (61%), regional feedback suggested that there is a perception locally that the system will not be improved by 2020, which is resulting in a lack of confidence. LGA are involved in discussions with DH and NHSE to monitor progress. As previously communicated, interim national reporting arrangements for health visiting indicators following the transfer of commissioning responsibilities from the NHS to local authorities have been established.

**Family Nurse Partnership**

25. The Family Nurse Partnership (FNP), an NHS service working to support vulnerable teenage mothers-to-be, pregnant with their first child transferred over to local authorities on 1 October 2015. At the same time as the transfer a study conducted by Cardiff University provided an independent assessment of the effectiveness of FNP focussed on a range of outcomes. The assessment found that there were some positive effects on early development and that FNP may prevent children slipping through the net identifying safeguarding risks early. The assessment also found that young mothers engaged well with FNP and valued the close and trusting relationship with the family nurses. However, FNP's effect on the main short term outcome measures was disappointing. Notably FNP did not help mothers to stop smoking in pregnancy, nor did the service lower the rates of subsequent pregnancy within two years.
26. Government remains supportive of the programme and will be hosting a roundtable in January with a small number of key local authority public health officials and the FNP National Unit to consider how it can be adapted and strengthened to improve outcomes and provide more flexibility for commissioners. Local authorities indicate they want a

more localised version of the programme so that they can target it to their most vulnerable populations.

27. Over 100 local authorities have booked on to workshops to give their views on how the programme should progress and to find out more information on the implications of the assessment.

### **Sir Martin Narey's Residential Care Review**

28. Sir Martin Narey has been commissioned by the Government to lead a review of children's residential care, focussing on its role and purpose while considering what works best to improve outcomes. The review is due to report in Spring 2016.
29. The review's terms of reference are extremely broad, covering children's homes and other residential settings, whether regulated or unregulated, including secure children's homes, residential schools, secure training centres and young offender establishments.
30. The LGA submitted evidence to the review in December 2015, a copy of which is available on request from [ian.dean@local.gov.uk](mailto:ian.dean@local.gov.uk). The headline points were as follows:
- 30.1. There is a need to develop a deeper shared understanding of the services available across the existing children's residential home market and to properly address the widely variable cost of such provision, particularly within privately run homes. The paucity of available residential services able to meet increasing levels of complex need, combined with ongoing shortages in the availability of Tier Four CAMHS provision, often results in councils being charged disproportionately high fees for provision that may not always be of the required quality.
- 30.2. The LGA has long been concerned about the historic lack of control that councils have over independent providers establishing homes in their area. The new requirement for annual assessments of the suitability of a home's location could, if implemented robustly, go some way to addressing issues of the clustering of homes in certain areas. As this requirement is still less than a year old, government should review the effectiveness of this process once all homes have entered into an annual cycle of assessment and review.
- 30.3. The LGA would support the extension of Staying Put into residential care. However, it is vital that this is fully funded using a more effective formula than that used to extrapolate the likely costs for Staying Put within foster care, which were significantly underestimated.
- 30.4. The current model of commissioning placements within secure children's homes places an unfair level of financial risk on providers, particularly following the Youth Justice Board's recent decision to decommission a further 21 beds for 2015/16. The LGA and Association of Directors of Children's Services (ADCS) have previously recommended the development of a national commissioning unit, to help manage demand and provide a central point for referrals into homes, and it is important that this is now acted upon to ensure that the secure estate continues to be a viable option to support some of our most vulnerable children and young people.



## Note of last Children & Young People Board meeting

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<b>Title:</b>	Children & Young People Board
<b>Date:</b>	Thursday 15 October 2015
<b>Venue:</b>	Bayview Suite, Bournemouth International Centre, Exeter Road, Bournemouth BH2 5BH

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### Attendance

An attendance list is attached as **Appendix A** to this note

Item	Decisions and actions	Action
<b>1</b>	<b>Welcome and Declarations of Interest</b>  Cllr Roy Perry welcomed the board to his first meeting as Chair. He thanked Cllr David Simmonds for his work as the previous Chair and congratulated him on recently becoming a father. He also thanked the officers involved with the organisation of the 2015 NCAS Conference for their work.  <b>Declarations of Interest</b>  There were no declarations of interest.	
<b>2</b>	<b>iMPower Research on the Ofsted Single Inspection Framework</b>  The Chair introduced the Chief Executive of iMPower, Amanda Kelly, to the board. Amanda was asked to present the main findings of iMPower's research on the effectiveness of the current Ofsted Single Inspection Framework. This research was published at the NCAS Conference.  By way of context, the Chair noted that too few local authorities are achieving 'outstanding' ratings under the new Ofsted framework, and too many are being rated as 'requires improvement'. The key question for the board is whether the new framework is serving the interests of children.  Amanda Kelly then presented the main findings of iMPower's research. The research focussed on three main issues:  1. Is inspection helping drive improvement? <ul style="list-style-type: none"><li>The research shows that there has been a decline in local authorities' ratings since Ofsted introduced the Single Inspection Framework in 2012, but that this downward trend began before the introduction of the new framework.</li></ul>	

- This downward trend is exemplified by the fact that not a single authority has got an 'outstanding' rating since 2012, and the last authority to be rated outstanding has recently been rated inadequate.
- 2. Impact post-inspection
  - The research shows that those authorities that are rated 'inadequate' have the worst post-inspection performance and tend to suffer an accelerated decline away from the average. For instance, 25% of authorities that are rated 'inadequate' remain at this rating for a 5 year period
  - Amanda noted that this pattern of post-inspection impact on children's services does not mirror the pattern of post-inspection impact on schools, where 'inadequate' ratings tend to quickly improve and revert back to the average rating of all local authorities.
- 3. The cost of inspection
  - The research shows that the costs to local government of responding to failed inspections ranges between £3m and £10m, but this excludes the costs associated with preparing for and then servicing an inspection, which means that the total costs could be upwards of £30m.
  - The key question is whether this expenditure can be shown to improve the safety of children. As things stand, the sector has a poor record of tracking outcomes and even inspectors cannot tell definitively if things are getting better or worse.

In her summary, Amanda said that the sector needs to work collaboratively to develop a new way of dealing with local authorities who are rated 'inadequate', because at the moment they tend to remain 'inadequate' for years. The research highlighted the risk of the sector making policy to promote improvement on the back of a flawed system for assessing performance.

In the ensuing question and answer session, members raised the following points:

- The need to broaden the research to take into account the views of members as well as officers and to study similarities and differences between the two sets of views.
- The need to incorporate the wider lesson that negative sanctions do not tend to induce positive change in parenting into Ofsted's approach.
- The importance of future LGA discussions on whether we think Ofsted should go into a school as a champion of the school, as has been proposed, or whether they should take a more impartial and nonpartisan approach.
- The need for local authorities to innovate in the face of likely further funding cuts, and to think about how an inspection regime can be organised to spur such innovation, most likely by emphasising the value of prevention.
- The value of further research on the differences between school inspections and children's services inspections, particularly within

regions, in terms of allowing the board to draw wider conclusions about possible improvements to the latter.

- How an 'inadequate' rating has a negative impact on staff morale, which has a negative impact on recruitment and how this can lead to a downward spiral that might account for some of the trouble authorities have recovering from an 'inadequate' rating.
- The problems that are raised by the new terminology in the Single Inspection Framework, as it is hard to get constituents to recognise that a 'requires improvement' is equivalent to the old category of 'adequate' rather than being a 'fail'. The new terminology also implies that children are less safe than they used to be, when this is not clearly the case.
- There is a concern that local authorities who get an 'inadequate' rating spend more time and resources servicing the many inspections that this triggers than tackling the root causes of the problems identified.

The Chair concluded that iMPower's research provides the board with valuable material to bring to Ofsted and Ministers in future discussions. He also said that he saw the potential for fruitful collaboration between the board and the new Chair of Ofsted, David Hoare.

#### **Action**

Members **noted** the research.

### **3 Membership and Terms of Reference for 2015/16**

The Chair asked members to note the Board's new membership and agree its Terms of Reference for 2015/16.

#### **Action**

Members noted the Board's new membership and **agreed** its Terms of Reference for 2015/16.

### **4 Children and Young People Board Priorities for 2015/16**

The Chair introduced a report setting out the Board's priorities for the year ahead, which were discussed by the Board at the meeting on 17 June and refined and agreed by the Board's Office holders on 14 September.

The Chair said that, although he agreed with the content of the report, he had some remaining reservations about the number of priorities. He asked for members input on whether 14 priorities are too many, and where there might be opportunities to streamline or revise the proposed priorities.

Members raised the following points:

- Perhaps careers advice should be decoupled from point 7 in the priorities, which focuses on devolution, and instead treated as a separate issue that goes beyond the devolution agenda
- Point 6, which looks at councils roles in relation to free schools, should be developed in a pragmatic way, accepting that new free schools will be part of the future education landscape.
- The board should ensure that point 8, which looks at joined-up approaches to education and childcare provision, leads to an emphasis on the educational prospects of children rather than the employment prospects of adults
- Regarding point 13, which looks at fostering and adoption outcomes, the board welcomed a wide approach that also focussed on children over the age of 11
- The board were keen for young people's mental health to be have a clearer role among in the priorities
- Members also asked whether there should be explicit mention of financial issues, such as the funding of schools and transparency of funding
- The board also asked for the links between education and devolution to be made clearer, most likely in terms of a focus on the devolution of training for skills that will boost local economic development.

The Chair noted the main points of the discussion. He concluded that the core priorities of the board going forward will remain a focus on early years, Ofsted and further education. However, this should be complemented by a focus on the importance of local skills training for successful devolution. In addition, it was suggested that the board should continue to discuss whether to give careers advice a more prominent role in their future work, perhaps by commissioning research on different models of careers advice.

### **Action**

Officers to follow members' steer on revisions to the Board's priorities and present an updated report for discussion at a future meeting

## **5 Note of the Previous Meeting**

Members **agreed** the Minutes of the previous meeting on Wednesday 17 June 2015.

Following on from these minutes, the Chair asked for members to send any further examples of free schools that were in appropriate places or buildings to Ian Keating.

**Appendix A -Attendance**

Position/Role	Councillor	Authority
Chairman	Cllr Roy Perry	Hampshire County Council
Vice-Chairman	Cllr Richard Watts	Islington Council
Deputy-chairman	Cllr Helen Powell	Lincolnshire County Council
	Cllr Liz Green	Kingston upon Thames Royal Borough Council
Members	Cllr Laura Mayes	Wiltshire Council
	Cllr Paul McLain	Gloucestershire County Council
	Cllr Dick Madden	Essex County Council
	Cllr Ivan Ould	Leicestershire County Council
	Cllr Ian Parry	Staffordshire County Council
	Cllr Anntoinette Bramble	Hackney London Borough Council
	Cllr Anne Burns	Cumbria County Council
	Cllr David Mellen	Nottingham City Council
	Cllr John Merry CBE	Salford City Council
	Cllr Megan Swift	Calderdale Metropolitan Borough Council
	Cllr Bill Turner	Barking and Dagenham London Borough Council
	Cllr Paul Cullen	Richmondshire District Council
	Cllr Christopher Coleman	Cheltenham Borough Council
Apologies	Cllr Liz Hacket Pain	Monmouthshire County Council
	Cllr Bob Cook	Stockton-on-Tees Borough Council
	Cllr John Kent	Thurrock Council
In Attendance		
LGA Officers	Ian Keating	
	Ian Dean	
	Clive Harris	
	John Wilesmith	
	Sarah Pickup	



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# LGA location map

## Local Government Association

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 Website: [www.local.gov.uk](http://www.local.gov.uk)

## Public transport

Local Government House is well served by public transport. The nearest mainline stations are: Victoria and Waterloo: the local underground stations are

**St James's Park** (Circle and District Lines), **Westminster** (Circle, District and Jubilee Lines), and **Pimlico** (Victoria Line) - all about 10 minutes walk away.

Buses 3 and 87 travel along Millbank, and the 507 between Victoria and Waterloo stops in Horseferry Road close to Dean Bradley Street.

## Bus routes – Horseferry Road

- 507** Waterloo - Victoria
- C10** Canada Water - Pimlico - Victoria
- 88** Camden Town - Whitehall - Westminster - Pimlico - Clapham Common

## Bus routes – Millbank

- 87** Wandsworth - Aldwych
- 3** Crystal Palace - Brixton - Oxford Circus

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Abingdon Street Car Park (off Great College Street)

Horseferry Road Car Park  
 Horseferry Road/Arneway Street. Visit the website at [www.westminster.gov.uk/parking](http://www.westminster.gov.uk/parking)

