

Children and Young People Board

Agenda

Tuesday, 12 January 2021
1.00 pm

Online via Zoom

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

www.local.gov.uk

This meeting is



Children & Young People Board
12 January 2021

There will be a meeting of the Children & Young People Board at **1.00 pm on Tuesday, 12 January 2021** online via Zoom.

Political Group meetings:

The group meetings will take place prior to the meeting. Please contact your political group as outlined below for further details.

Apologies:

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting.

Conservative:	Group Office: 020 7664 3223	email: lgaconservatives@local.gov.uk
Labour:	Group Office: 020 7664 3263	email: labour.grouplga@local.gov.uk
Independent:	Group Office: 020 7664 3224	email: independent.grouplga@local.gov.uk
Liberal Democrat:	Group Office: 020 7664 3235	email: libdem@local.gov.uk

LGA Contact:

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Carers' Allowance

As part of the LGA Members' Allowances Scheme a Carer's Allowance of £9.00 per hour or £10.55 if receiving London living wage is available to cover the cost of dependants (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

Social Media

The LGA is committed to using social media in a co-ordinated and sensible way, as part of a strategic approach to communications, to help enhance the reputation of local government, improvement engagement with different elements of the community and drive efficiency. Please feel free to use social media during this meeting. **However, you are requested not to use social media during any confidential items.**

The twitter hashtag for this meeting is #lgacyp

Children & Young People Board – Membership 2020/21

Councillor	Authority
Conservative (7)	
Cllr Teresa Heritage (Vice Chairman)	Hertfordshire County Council
Cllr Patricia Bradwell OBE	Lincolnshire County Council
Cllr Susie Charles	Lancashire County Council
Cllr Matthew Golby	Northamptonshire County Council
Cllr Roger Gough	Kent County Council
Cllr Dick Madden	Essex County Council
Cllr Laura Mayes	Wiltshire Council
Substitutes	
Cllr Warren Whyte	Buckinghamshire County Council
Cllr James Hockney	Enfield Council
Cllr Mark Sutton	Staffordshire County Council
Labour (7)	
Cllr Judith Blake CBE (Chair)	Leeds City Council
Cllr Rachel Eden	Reading Borough Council
Cllr Alisa Flemming	Croydon Council
Cllr Sara Rowbotham	Rochdale Metropolitan Borough Council
Cllr James Beckles	Newham London Borough Council
Cllr Imran Khan	Bradford Metropolitan District Council
Cllr Lesley Williams MBE	Gloucestershire County Council
Substitutes	
Cllr Helen Godwin	Bristol City Council
Cllr Eamonn O'Brien	Bury Metropolitan Borough Council
Cllr Mili Patel	Brent Council
Liberal Democrat (2)	
Cllr Lucy Nethsingha (Deputy Chair)	Cambridgeshire County Council
Cllr Mark Cory	Colchester Borough Council
Substitutes	
Cllr Nick Cott	Newcastle upon Tyne City Council
Independent (2)	
Cllr Julie Fallon (Deputy Chair)	Conwy County Borough Council
Cllr Judy Jennings	Epping Forest District Council
Substitutes	
Cllr Charlie Hull	South Somerset District Council
Cllr Kevin Etheridge	Caerphilly County Borough Council
Cllr Julian Dean	Shropshire Council

Agenda

Children & Young People Board

Tuesday 12 January 2021

1.00 pm

Online via Zoom

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Date of Next Meeting: Tuesday, 16 March 2021, 12.00 pm, Venue TBC

Business plan 2019-22 - 2020 review and update

Purpose of report

For information.

Summary

In October 2019, following a series of consultations and discussions, the LGA Board approved a new 3-year [business](#) plan, built around the United Nations sustainable development goals and comprising:

- six policy priorities with supporting targets
- a Supporting Councils priority with associated improvement targets and
- our internal/operational plan

Whilst the six policy priorities agreed at the time continue to reflect the sector's priorities, LGA Board resolved at their September meeting to add one additional priority – "*Narrowing inequalities and protecting communities*" – to reflect events over the past 8 months and the range of actions arising from them.

The business plan has now been revised and updated to include the additional priority and is attached at **Appendix 1**. It will be published as an interactive PDF with the design as in the current plan.

Recommendation/s

That the Children & Young People Board note the 2020/21 update of the 3-year business plan as the basis for work programmes over the coming months.

Action/s

The updated plan will be published on the LGA website

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LGA business plan 2019-2022

2020 update

Introduction

2020 introduction to LGA Business Plan 2019-2022

Every day councils make a difference, delivering essential services that improve the lives of millions. The COVID-19 pandemic has demonstrated the value of local leadership like never before, by providing much-needed support to people, businesses and communities that have protected lives and livelihoods.

We know that residents trust their councillors, as democratically elected leaders, to make the right decisions for them and their families, now and in the future. The Local Government Association's (LGA's) polling shows that [73 per cent of residents trust their local council](#) to make decisions about how services are provided in their local area.

These services assist vulnerable people, support the homeless into safe accommodation, deliver new homes, give children and young people with the best start in life, providing dignified care for vulnerable people, help local businesses, and combat climate change. Just a few of the everyday examples of councils supporting our nation where they need it most.

As we look forward, there is an important opportunity to address the inequalities the pandemic has exposed and that have remained entrenched for too long, to connect with people's identities and sense of community, and to rebuild the economy so that it benefits all of our residents.

It is therefore vital that we support councils to ensure they are equipped to meet the challenges we face today, are empowered to innovate and create services that are tailored to their localities, and are resilient to navigate what the future may bring.

This updated business plan sets out how the LGA will continue to support and be an advocate for councils. Our priorities have been reviewed and reshaped this year, to recognise the uncertainties facing local government and us as your membership body. We recognise that we will need to remain flexible, shifting our focus as the need arises.

Through our [#CouncilsCan](#) campaign we will make the case for a new settlement for English local government that gives councils and councillors the powers, freedoms, certainty and sustainable funding to transform our communities for the better.

Promoting the value of local government and supporting councils in their roles as community leaders remains our central mission. Alongside the challenges that a global pandemic brings, we

are moving into a critical period for local public services. This could include a three-year Spending Review, greater devolution of powers to local areas, significant planning reforms and the opportunity to make the case for a long-term settlement for social care. We will continue to be flexible, promoting councils' priorities on emerging issues such as new measures to coincide with the end of the EU transition period and on proposed changes to areas that are delivered locally, such as public health.

Our lobbying work will always centre around the things you tell us are important to you, as we work with government and Parliament to ensure that councils' ambitions for our communities are reflected in national decision-making. Through our sector-led improvement work, we have further developed our offer to provide councils with the support to assist the challenges of COVID-19 and its consequences while working closely with the Government on priority issues. We will continue to offer a helping hand to councils as they improve, innovate and seek to demonstrate their resilience now and into the future.

This business plan sets out the priorities that councillors and officers have told us you want us to focus on. It will be continually reviewed and tested out with our membership to ensure we are always providing the best possible support to councils.

Councillor James Jamieson
Chairman

Mark Lloyd
Chief Executive

Working for councils

The LGA is the national membership body for local authorities. Our core membership is made up of English councils and Welsh councils through the Welsh LGA.

We are politically-led and cross-party and we work on behalf of councils to give local government a strong, credible voice with national government.

We aim to influence and set the political agenda on the issues that matter to councils so they can deliver local solutions to national problems. We fight local government’s corner, supporting councils through challenging times and focusing our efforts where we can have real impact.

We also provide membership services to other organisations through our associate scheme, including fire and rescue authorities, national parks authorities, town councils, police & crime commissioners and elected mayors of combined authorities.

Our vision for local government

Our vision for local government is one of a vibrant local democracy, where powers from Westminster are devolved to local areas, and citizens have a meaningful vote and real reason to participate in civic and community life.

A return to economic growth offers prosperity to every place, with well-targeted and planned investment in infrastructure, training and housing that leads to jobs and a supply of affordable homes.

Public services focus on preventing problems as well as picking up the pieces, delivering positive outcomes for people of all ages in an environmentally sustainable way. Joined up services are built around people and their needs, enhancing the lives of individuals, families and communities and continuing to make local areas better places to live now and for future generations.

Our purpose and priorities

Our work on behalf of local government falls under two overarching themes

National voice of local government – we campaign to influence the political agenda and secure funding and powers on behalf of councils and we promote and defend the reputation of the sector

Supporting councils - we support councils continuously to improve and innovate through our programme of practical peer-based support underpinned by strong local leadership, through our support for collective legal actions and through our service delivery partnerships.

Our business – underpinning our work on behalf of councils is an efficient, cost effective and forward-thinking business; we are politically led, committed to equalities and diversity and we aim to operate in an environmentally and financially sustainable way.

Our three-year rolling business plan sets out our key priorities and commitments and demonstrates how our work will contribute to the delivery of the UN’s Sustainable Development Goals (SDGs).

The national voice of local government

We lobby and campaign to influence the political agenda and secure funding and powers on behalf of councils and we promote and defend the reputation of the sector

Over the next 12 months we will focus on the seven areas that councils tell us matter most to them:

Funding for local government

Fair and sustainable funding enables councils to plan and deliver essential public services beyond the short term, to raise more funds locally and to promote greater collective working across local public services.

Adult social care, health and wellbeing

Sustainable funding and better integration with health services enable councils to continue to support people to live safe, healthy, active, independent lives and to promote wellbeing and resilience for all ages.

Narrowing inequalities and protecting communities

Councils lead and work with diverse communities and partners to address inequalities and build safe, cohesive and resilient communities.

Places to live and work

Councils lead the way in driving inclusive and sustainable economic recovery, building the homes that people need and creating places where they want to live.

Children, education and schools

Councils have the powers and resources they need to bring partners together to deliver inclusive and high-quality education, help children and young people to fulfil their potential and offer lifelong learning opportunities for all.

Strong local democracy

A refocus on local democratic leadership, and a shift in power post-Brexit from Whitehall to local communities, leads to greater diversity of elected representatives, high standards of conduct and strong, flexible local governance.

Sustainability and climate action

Councils take the lead in driving urgent actions in their local areas to combat climate change and its impacts and to deliver zero net carbon by 2030.

17 Goals to Transform Our World

The Sustainable Development Goals are a call for action by all countries – poor, rich and middle-income – to promote prosperity while protecting the planet.

They recognize that ending poverty must go hand-in-hand with strategies that build economic growth and address a range of social needs including education, health, social protection, and job opportunities, while tackling climate change and environmental protection.



SUSTAINABLE DEVELOPMENT GOALS

Funding for local government

Fair and sustainable funding enables councils to plan and deliver essential public services beyond the short term, to raise more funds locally and to promote greater collective working across local public services.

CAMPAIGN - #CouncilsCan

With the right funding and powers, councils can continue to lead their local areas, improve residents' lives, reduce demand for public services and save money for the taxpayer.

The benefits to the country of investing in local government are clear and understood – we will:

- continue to highlight the pressures on all services and press for funding that reflects current and future demand, particularly for housing, homelessness, adult social care and children's services
- lobby Central Government to fully meet all costs and income losses arising from COVID-19 in 2020/21 and beyond
- continue to emphasise and evidence the impact, value and efficiency of local government services
- work with central and local government to identify a wider range of suitable and sustainable funding sources for council services in the future
- work with local and central government on a distribution mechanism for local government funding that supports long-term planning, is evidence-based, simpler and more transparent with appropriate transition mechanisms.

People have a meaningful local voice on a wide range of tax and spending decisions – we will:

- press for freedoms that lead to greater local financial autonomy with a view to achieving local control over both council tax and business rates
- lobby for improvements to business rates to help tackle business rates avoidance and develop proposals to improve the system, including valuation and the appeals process
- press for legislation to allow councils to raise more funds locally including new local taxes and set fees and changes which fully recover costs.

Councils are able to access a range of sources of finance to encourage investment and create jobs, supported by an appropriate financial framework – we will:

- further develop policy on capital financing and investing and contribute to national reviews in these areas so that they support and enable prudent investment and financial management
- contribute to reviews of the accounting and financial regulatory framework for councils to ensure it is appropriate, not over restrictive and balanced with local freedom and accountability
- support the United Kingdom Municipal Bonds Agency to deliver cheaper debt financing to councils, through the sale of bonds in the capital markets.

Fair and affordable pay awards enable councils to recruit and retain good staff – we will:

- convene the employer side of the collective bargaining arrangements to agree equitable and affordable pay awards for more than two million local authority and related employees, including fire and rescue authorities.
- provide evidence to the schoolteachers' pay review body and Low Pay Commission in relation to the National Living Wage.

Adult social care, health and wellbeing

Sustainable funding and better integration with health services enable councils to continue to support people to live safe, healthy, active, independent lives and to promote wellbeing and resilience for all ages.

SDG 3 – Good health and wellbeing

Ensure healthy lives and promote wellbeing for all at all ages

CAMPAIGN - The lives we want to lead

We want to build a society where everyone is supported to live a healthy, fulfilled and independent life, staying at home and contributing to family and community life for as long as possible - but escalating funding pressures and increasing demand are threatening that ambition. Our campaign calls for sustainable long-term funding that gives people the care and support they need now and in the future.

Councils secure sufficient resources to deliver effective, integrated social care services – we will:

- continue to lobby for the short, medium and long-term financial sustainability of adult social care and support, arguing that all options, including national taxation, should be considered
- work with government to agree a sustainable, long term funding deal for public health.
- press for an independent review of adult social care pay and full funding for subsequent changes.

Councils lead the debate on the future vision for health and social care – we will:

- promote a clear vision of councils' role in planning and delivering integrated health and care; continue to promote health and wellbeing boards as leaders of health and care and support councils and their partners to develop and deliver place-based person-centred support.
- continue to press for a long-term policy framework for the Better Care Fund (BCF), with lighter touch reporting and greater emphasis on local targets
- continue to lobby for councils and councillors to have a key role in sustainability and transformation partnerships, integrated care systems and wider NHS planning arrangements.

Councils support older people, disabled people and people in vulnerable circumstances – we will:

- support councils to tackle the challenges and exploit the opportunities of a population with increasingly complex needs, including improving dementia and mental health services, carers' support and support for those with autism and/or learning difficulties
- continue to support councils to deliver the Armed Forces Community Covenant.

Councils work actively with the NHS to build health and care services around the needs of local populations – we will:

- work with NHSEI and other national partners to ensure that councils and health and wellbeing boards, are meaningfully engaged in developing integrated care systems and their implementation plans
- work with national partners to increase the understanding of, and commitment to, planning and delivery at place level and the leadership role of councils
- support councils to work with NHS and other partners to ensure that implementation plans build on existing priorities to improve health and wellbeing and are subject to democratic oversight and scrutiny
- work with the NHS to manage the pandemic, learning the lessons and promoting local accountability and closer working through the NHS bill and wider work.

Councils have a central role in promoting health and wellbeing locally – we will:

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- work to strengthen the position of councils as public health leaders.
- continue to make the case for long-term financial sustainability of public health services and support councils to understand the importance of preventative approaches.
- work with the NHS and partners to develop a system-wide approach to public health workforce planning and address urgent staffing issues in children's public health.
- lobby for long-term sustainable funding for leisure, culture and park services which play an important part in people's physical health and mental wellbeing and tackling health inequalities.

Narrowing inequalities and protecting communities

Councils lead and work with diverse communities and partners to address inequalities and build safe, cohesive and resilient communities.

SDG 10 – Reduced inequalities
Reduce inequalities within and among countries
SDG 11 – Sustainable cities and communities
Make cities and human settlements inclusive, safe, resilient and sustainable

Councils lead and work with diverse communities and partners to address inequalities and build cohesive and resilient communities – we will:

- review and strengthen the LGA’s work on reducing inequalities, promoting equality through our policy messages and lobbying and our improvement and leadership support to councils.
- promote and support councils in developing the diversity of their candidates, elected members and senior leadership
- underline the need for a strong commitment to tackling health inequalities and ensure that local government concerns and priorities resulting from the impact of COVID-19 on their communities are heard by government
- support councils as they address the inequalities exposed by the COVID-19 pandemic, with particular regard to those from ethnic groups most affected by the virus and to children and young people whose development and futures will be affected by the containment measures.

Councils lead the way in shaping communities where people feel safe – we will:

- lead the debate on councils’ role in building safer and resilient communities and support them to reduce serious violence, domestic abuse, female genital mutilation and anti-social behaviour
- represent councils’ interests in the UK’s developing modern slavery policies, as we work collaboratively with partners to tackle this
- contribute to the independent review of Prevent and the counter-extremism strategy, ensuring that councils are supported to build community cohesion, promote integration, tackle extremism and deliver the Prevent duty.
- lobby for the resources, powers and data councils need to manage local outbreaks of COVID-19, including shielding the clinically vulnerable, and support them in their test, trace and outbreak management response through a sector-led improvement support programme.

Councils continue to play a leading role in the design and delivery of blue light and other services that help protect local communities – we will:

- work with the HSE and government to establish an effective, professional and fully funded system for regulating building safety
- lobby for sustainable funding for fire and rescue authorities and support them to become more inclusive and representative of their communities and to strengthen their leadership and governance.
- support the fire and rescue sector’s response to Phase 1 of the Grenfell Inquiry and strengthen their ability to take forward the fire reform agenda and the findings from Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)
- support police and crime panels and share best practice
- work with councils to review and share learning from the COVID-19, to help strengthen community resilience and future emergency responses.

Children, education and schools

Councils have the powers and resources they need to bring partners together to deliver inclusive and high quality education, help children and young people to fulfil their potential and offer lifelong learning opportunities for all.

SDG 3 – Quality education

Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

SDG 10 – Reduced inequalities

Reduce inequalities within and among countries

CAMPAIGN - Bright Futures: children’s social care and mental health services

Helping children and young people to fulfil their potential is the ambition of all councils, but services that support them to do so are under increasing pressure. Our campaign calls for the services that change children’s lives to be properly funded so that all children can have the bright futures they deserve.

Councils lead the way in driving up educational standards – we will:

- set out a clear vision for councils’ role in promoting high educational standards, with the resources, powers and flexibilities to give every child access to a place at a good local school
- lobby for a stronger role for councils in investing in schools - ensuring new schools are high quality, fit for and value for money- and a lead role in decisions about new free schools
- press for a stronger council role in ensuring admissions are fair for all pupils across the school system.

Schools have the funding they need to deliver the best education for all pupils – we will:

- lobby to ensure the national funding formula for schools retains an element of local flexibility to allow councils and schools to reflect local needs and priorities
- highlight the growing pressures on the high needs budget and lobby government to provide councils with sufficient funding and flexibility to meet rising demand and eliminate High Needs deficits
- lobby for flexibility in use of the apprenticeship levy and work with partners to increase take up of quality apprenticeships in schools.

Councils have the flexibility and resources to deliver services that meet the needs of children and young people – we will:

- encourage councils and the Government to put children at the heart of policy making
- continue to paint a positive vision for local children’s services, calling for adequate funding for services, that change children’s lives through our Bright Futures campaign,
- support councils to take a preventative and place-based approach to children and young people’s health, including early years, childhood obesity and support for children's mental health
- work in partnership to improve life chances for disadvantaged households, particularly those with young children, making the case for early intervention and improved integration of services for families.

Councils protect children’s wellbeing and keep them safe – we will:

- support councils to protect children and young people from harm and improve outcomes for all children, in particular children in care and care leavers
- work with government and councils to support child refugees and unaccompanied asylum seekers safe, pressing for improved funding to better cover costs, including for those leaving care
- support councils to tackle the challenges of child criminal exploitation and county lines issues.

Places to live and work

Councils lead the way in driving inclusive and sustainable recovery, building the homes that people need and creating places where they want to live.

SDG1 – No poverty
End poverty in all its forms everywhere
SDG 8 – Decent work and economic growth
Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
SDG 9 – Build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation

Councils drive the increase in housing supply the nation needs – we will:

- continue to press for additional powers for councils to increase housing supply, promote both affordable and carbon-free homes and make more effective use of surplus public sector land
- support consortia of councils to access significant housing development funds through the creation of new partnership models
- press for powers for councils to ensure the provision of homes integrated with health and care that positively support us to age well
- lobby for a well-resourced and locally responsive planning system, funded by locally set fees with the tools to ensure developers build quality homes that meet local need.

Councils have access to funding to create communities where people want to live – we will:

- continue to press for additional infrastructure funding, including a review of the rules governing developer contributions
- support councils to work with partners to maximise the value of local and national infrastructure investment, including in road, rail, broadband, culture, heritage and recreation
- work to secure the £5 billion of regeneration investment guaranteed to local economies from EU structural funds to 2020 and lobby for alternative UK sources after we leave the EU.

Councils continue to drive higher safety standards across the housing sector – we will:

- lobby for resources and tools to enable councils to shape a good quality private rented sector that meets the needs of their local communities
- work with government and councils to identify high-risk, high-rise residential buildings and lobby for support for councils to make changes and take urgent remedial action
- respond to government consultations, including on the new building safety regulatory framework.

Councils lead the way in ending homelessness through prevention – we will:

- lobby for the resources to enable councils to manage the housing impacts of welfare reform and achieve the ambitions of the Homeless Reduction Act and Rough Sleeping strategy
- make the case for adaptations to welfare reform and for the powers and funding that councils need to meet local needs
- with the Chief Executives' and Home Office group on asylum dispersal, inform the development, delivery and funding of support for asylum seekers and refugees and share good practice.

Councils support strong communities through risk-based business-friendly regulatory services – we will:

- press for powers and resources where councils take on additional legal liabilities such as building regulations post-Grenfell and proposed new air quality requirements
- support councils to demonstrate the value of regulatory services and lobby for sustainable funding
- lobby government to bring forward taxi licensing legislation as soon as possible
- press for greater flexibility in the licensing system, including the localisation of licensing fees.

Councils are key partners in delivering the government's national economic strategy – we will:

- support city regions and non-metropolitan areas to deliver effective local economic strategies
- advocate for a voice for councils in the development of a new English land management policy, and for communities to be involved in deciding how their local natural assets are managed
- support local innovation to deliver a better digital infrastructure and continue to press for a regulatory framework that will deliver the best deal for customers
- continue to press for strong local government representation on Local Enterprise Partnerships and improved oversight and scrutiny of them
- support councils to maximise the impact of their cultural, sporting and heritage assets to drive growth in their local visitor economy.

Councils match education, training and skills with business needs – we will:

- continue to press for powers, funding and lead responsibility for councils to integrate and commission back to work, skills, apprenticeships and welfare support under the *Work Local* model.
- campaign for people of all ages to be supported to participate in quality skills development and training and lifelong learning with independent careers advice and guidance
- promote good employment practice that helps young people and adults secure, sustain and progress in work, including Apprenticeships.

Strong local democracy

A refocus on local democratic leadership and a shift in power to local communities post Brexit leads to greater diversity of elected representatives, high standards of conduct and strong, flexible local governance.

SDG 16 – Peace, justice and strong institutions

Promote peaceful and inclusive societies for sustainable development, provide justice for all and build effective, accountable and inclusive institutions

Councils as leaders of good conduct in public and political discourse and debate – we will:

- clearly articulate the standards expected for anyone engaging in public and political discourse and debate and what is needed to achieve those standards, underlining that intimidation and abuse of those in public office is unacceptable
- review the member model code of conduct and support our member councils in addressing intimidation and abuse of those in public office
- support to councils to explore ways of engaging with their local community and voluntary sector in local service delivery, enhancing places and local decision making.

Elected members and officers are empowered to tackle incidents of public intimidation – we will:

- explore the practicalities and support the adoption of an informal ‘duty of care’ for councillors
- seek to better understand the scale and impact of the intimidation and abuse our membership is experiencing and promote a new offence for intimidation against a person in public office
- engage with police forces and associated agencies to ensure the impact and seriousness of the public intimidation of local councillors and employees is understood and acted upon.

EU exit and constitutional reform – we will:

- interact with Whitehall on all EU Exit negotiations, articulating councils’ needs and concerns and taking advantage of the opportunity to entrench local government within our new constitutional settlement
- continue to support councils to prepare and deliver a successful transition for EU Exit, with a robust evidence base setting out the risks and opportunities across the country
- press for quick and decisive responses and for all Government communications to councils to be focused, clear, and direct
- ensure that repatriated laws and regulations are not centralised in Whitehall, working on a revised legal framework for those services currently based on EU laws such as air pollution, energy, waste and procurement and redefining regional aid and state-aid rules.

Continued devolution of powers and funding to local areas drive strong and responsive local democracy and greater engagement with communities – we will:

- refresh the case to demonstrate to government how devolution leads to more inclusive and sustainable growth, better public services and improved outcomes for residents
- work with government, business and others to give communities in England and Wales greater responsibility to make decisions on the issues of importance to them.

Sustainability and climate action

Councils take the lead in driving urgent actions in their local areas to combat the negative impacts of climate change and to deliver zero net carbon by 2030.

SDG 13 – Climate action

Take urgent action to combat climate change and its impacts

Councils have the powers and resources they need to lead the way in combatting the effects of climate change – we will:

- lobby for a joint taskforce with relevant Whitehall departments including Department for Business, Energy & Industrial Strategy (BEIS), Ministry of Housing, Communities and Local Government (MHCLG) and Defra to consider the most appropriate actions, funding, coordination and collaboration
- press government for the funding and policy changes needed to deliver zero net carbon by 2030
- work with government to address the need for greater energy efficiency in the built environment and how this can be achieved through planning practice and changes to Building Regulations
- work with government, as it implements the Waste and Resources Strategy to identify ways to reduce waste and levels of unrecyclable waste and the investment priorities for waste disposal and processing of recyclates.

Councils lead the way in researching and developing alternative transport options – we will:

- establish the resources and regulatory changes needed to support a move to electric vehicles, including provision of charging points on new housing developments and electrification of council and council-contracted vehicle fleets
- identify the incentives and investment required to support a shift towards public transport and walking and cycling, as part of the solution to reducing carbon emissions.

Councils work with partners and stakeholders to implement short, medium and long term strategies to reduce carbon emissions in their areas – we will:

- develop guidance and share best practice, including identifying the top 10 actions councils can take to address carbon emissions in their areas, recognising that one-size does not fit all
- drawing on international experience, develop an evidence base and framework to understand the main carbon sources and the impact of councils' activity
- identify the opportunities of a shift to a low carbon economy as a basis for immediate and effective action
- ensure that the LGA as the membership body for local authorities is modelling best practice in the way it conducts its own business.

Supporting Councils

We support councils continuously to improve and innovate through a programme of practical peer-based support underpinned by strong local leadership and through our service delivery partnerships.

The LGA's sector led improvement programme continues to provide a responsive and flexible offer and remains in a strong position to respond and adapt to councils' needs as circumstances evolve, particularly in the context of COVID-19.

We work closely with councils to understand their future support needs with a view to developing a longer-term offer. Our offer will continue to adapt as the opportunities and challenges facing councils change within the current context

Our core offer is funded by MHCLG grant and has been rapidly refocused to support councils in their response to COVID-19 as well as identifying longer term support needs. We also receive funding from the Department of Health and Social Care for our Care and Health Improvement Programme, whilst our children's improvement programme is funded by the Department for Education (DfE).

We have developed a new offer linked to climate change and the challenges and opportunities of moving to a zero-carbon economy.

We also receive funding from other government departments for specific sector-led improvement activities, including:

- One Public Estate – funded by Cabinet Office and MHCLG
- Cultural services and sport – in partnership with Arts Council England and Sport England
- Planning Advisory Services – funded by MHCLG
- Return to Work programme – funded by the Government Equalities Office
- Cyber security – funded by the Cabinet Office.

Our commitments will continue to be updated to ensure they match councils needs across the period of this business plan.

Challenge and support from peers – we will:

- maintain an overview of councils' performance to drive improvement, manage the risk of significant underperformance, provide support for councils facing the greatest financial challenges (particularly in the light of COVID-19) and minimise government intervention
- create dedicated programmes in response, including Recovery and Renewal panels, among other forms of remote support in response to COVID-19.
- deliver peer challenges to all councils who request them, including corporate, service specific, financial and place-based. The format will be continually reviewed in light of COVID-19.
- provide member peer support for councils under a change of political control, including new e-learning opportunities, mentoring and advice
- support councils to resolve issues between political and managerial leadership
- support councils in engaging with their communities in light of COVID-19
- provide free council and public access to transparent performance information through LG Inform and LG Inform VFM, with additional charged access for councils to small area data reports and improvement tools through LG Inform Plus
- support councils to develop scrutiny skills and expertise through the Centre for Governance and Scrutiny.

Strong and resilient political and officer leadership – we will:

- support many hundreds of councillors through our leadership programmes both remotely and through onsite learning. Will continue to review the suite of programmes to ensure councillors and officers have the skills they need to respond to the challenges of COVID-19.
- support councillors with the potential to progress in their political careers through our Next Generation programme
- support the leadership development of chief executives, managers and rising talent in councils, in partnership with SOLACE
- help councils, political groups and national parties to attract new talent into civic life through our Be a Councillor programme
- recruit high calibre graduates to the National Graduate Development Programme, working with councils to secure challenging placements
- help councils to address inequalities, gender pay gap, ethnicity gap and support the roll out Disability Confident
- maintain national negotiating machinery on pay and workforce issues
- provide specialist advice and support for the Local Government Pension Scheme
- deliver comprehensive practical support to help councils provide apprenticeships and maximise their levy investment
- support councils to transform their workforces and modernise the way they are managed
- support councils to promote wellbeing, diversity and inclusion in the workplace through information, guidance and bespoke support and work with them to address issues around gender pay gap, representation and recruitment challenges
- attract qualified staff in hard-to-recruit areas back to local government through the Return to Work programme, including social workers, town planners and IT staff.

Councils supporting growth – we will:

- provide practical support to help councils deliver economic growth in their areas in a COVID-19 context, become more efficient and improve outcomes for communities
- in line with the revised national procurement strategy, deliver a support programme to help councils improve their procurement arrangements
- capture and share intelligence about major suppliers to reduce the risk from suppliers getting into financial difficulty in the current uncertain economic circumstances
- support councils to develop a more commercial approach to their activities within the COVID-19 context, through a series of courses, events and sharing good practice
- provide expert financial support, expertise and advice to councils to address specific issues, particularly in relation to COVID-19
- equip more councils with the skills and confidence to use design and behavioural insights to improve public services and respond to COVID-19
- support councils to exploit the opportunities of digital tools and solutions to enable local residents and businesses to access council services online
- with councils, sector representative bodies, MHCLG, Cabinet Office and the National Cyber Security Centre, highlight the importance of cyber security and cyber resilience to protect data and systems
- share best practice of councils who are finding new and effective ways of working to secure outcomes for their communities
- with Local Partnerships, support councils to make savings by providing commercial advice and support on matters of legal and contractual complexity.

Strong communities with excellent public services – we will:

- through practical bespoke support, help councils deal with the housing, planning and homelessness challenges through the Housing Advisers programme and other sector-wide projects

- provide peer focused support to the Next Steps Accommodation Programme to support interim accommodation for vulnerable people.
- offer a mixture of generic and bespoke support for combined authorities, elected mayors and those areas in the process of developing their devolution arrangements
- support councils to counter extremism and contribute to a multi-agency approach to preventing and tackling serious violence
- strengthen fire and rescue authorities' ability to take forward the fire reform agenda by strengthening their strategic leadership
- support councils to prepare and deliver a successful transition for EU exit
- support councils to embed strengthened approaches to civil resilience and mutual aid through working with MHCLG team to develop training, guidance and other materials for councils

Improving health and care service – we will:

- co-produce with ADASS the sector led improvement programme for care and health
- support social care and health integration and the transforming care programme for people with learning disabilities and/or autism
- support councils to use technology to improve joint working between councils and health partners to enable people to live independently
- help councils develop innovative, efficient and sustainable approaches in care and health services
- work with partners to support councils to develop and improve local services and offer a programme of leadership development
- develop and deliver a support offer to help councils and their partners embed the Making Safeguarding Personal (MSP) approach
- support councils and their partners to identify and manage sustainability and delivery risks
- work with partners to develop a new suicide prevention sector-led improvement offer
- work with partners and DfE to deliver a sector-led approach to improving children's services.

Improving children's services – we will:

- provide nationally accredited and quality assured courses for practitioners and associates engaging in peer review, challenge or diagnostic activity
- run Leadership Essentials courses for members with lead responsibility for children's services
- publish a series of 'must know' packs for councils, including on corporate parenting
- develop and/or broker a flexible offer of diagnostic or peer review tools either bespoke to individual authorities, as part of a regional offer or commissioned by the DfE for authorities in intervention
- offer mentoring support for councillors with lead responsibility for children's services.

Combating climate change – we will:

- bring together local authorities, universities and other stakeholders to address climate challenges at the local level
- incorporate climate change issues into core leadership programmes for councillors and officers
- develop a package of communications support including how to engage with local activist groups
- help councils build capacity to effectively respond to climate change challenges, including support around leadership, behaviour change and collaboration
- support long term action-planning and setting strategic objectives, including through webinars and bespoke projects

Our Business

We are committed to providing the best and most cost-effective services to councils and councillors across England and Wales. We are politically led, committed to equalities and diversity and we aim to operate in an environmentally and financially sustainable way.

The national membership body for local government – we will:

- develop maintain membership levels amongst local authorities in England and Wales by continuing to offer membership benefits that meet the sector's changing needs and expectations
- launch a new online membership resource, setting out the benefits of membership with councils and councillors
- offer a range of flexible options for councils to participate actively in our work including through an extensive programme of virtual and hybrid events and meetings
- seek to attract organisations with an interest in local government into our associate scheme.

A politically-led organisation – we will:

- reflect the overall ambitions of the UN Sustainable Development Goals, and the motion passed by the 2019 General Assembly, in the way that we work and ensure that our own organisation reflects best practice
- ensure our member governance arrangements continue to reflect and respond to current priorities and the expectations of our membership
- offer political support to individual councillors and council administrations through our political group offices
- ensure that combined authorities, authorities with devolution deals and elected mayors are appropriately represented on our governance arrangements.

Using communications to persuade and influence and support councils – we will:

- deliver first class communications that are highly valued and respected by local government and our stakeholders, to influence the issues that matter to councils, their residents and their communities
- through our communications improvement work, support councils and help to raise the standard of public sector communications.

Financially sustainable – we will:

- continue to develop existing and new income generation opportunities in order to diversify our sources of funding and ensure the long-term financial sustainability of the organisation
- complete the refurbishment of Layden House in Farringdon to increase its capital value and maximise our income from commercial letting of here and 18 Smith Square.
- review options to maximise income from 18 Smith Square in the light of COVID-19 restrictions and the risks, constraints and potential new opportunities that presents.
- invest responsibly and seek to ensure that our contractors, joint ventures and pension funds have in place investment policies that further our objectives
- continue to progress the transfer of pensions from Camden to Merseyside scheme.

Efficient business management – we will:

- continue to streamline our company structures to deliver a solid and tax-efficient base from which to run our business, including the transfer of 18 Smith Square and Layden House to the LGA and the winding up of LGMB and LGA Properties.
- enter into a new ICT contract with Brent Council/Shared Services and with them, continue to develop our ICT to support improved efficiency and our new culture of flexible working.

- equip our 18 Smith Square meeting rooms with the technology to support a culture of flexible working for both employees and members.
- ensure that the suite of policies and procedures that underpin our business are comprehensive, clearly understood, updated regularly and reflect best practice.

Supportive people management – we will:

- continue to roll out the leadership development programme for our current and aspiring managers as part of our wider commitment to develop our employees, including virtual and hybrid options to allow everyone to participate
- deliver our employee health and wellbeing strategy
- monitor staff wellbeing and feedback through our regular “temperature check” surveys and put in place support and policies that reflect our new more flexible working practices
- embed equality, diversity and inclusion into our core values, our policies and our practices.

Collective legal action – we will:

- support groups of councils to mount collective legal actions or fight actions against them where we believe that they have a strong case, commissioning expert legal advice and sources of funding where appropriate
- prepare New Burdens submissions on behalf of the sector where new legislation or regulations result in additional duties or costs to councils.
- provide legal advice on strategic issues with sector wide implications, including commissioning expert legal advice where appropriate.

Committed to a sustainable future – we will

- keep our policies and practices under review to ensure that they reflect the ambitions of the UN Sustainable Development Goals and contribute to combatting the adverse effects of climate change
- encourage sustainable travel practices through our expenses policy, our flexible working practices and our continued participation in national sustainable travel initiatives including the Cycle to Work scheme
- minimise the environmental impact of our two central London buildings and the way that we use and manage those buildings, including ensuring that our facilities management and catering contractors have environmentally sustainable policies and practices.

Our service delivery partnerships

Local Partnerships

Local Partnerships is a joint venture between the LGA and HM Treasury, formed in 2009 to help the public sector deliver local services and infrastructure. It offers support to local authorities in the following areas:

- developing and reviewing strategic business cases and business plans
- service transformation and change
- modelling and legal frameworks for alternative service delivery models
- options appraisal and assurance of chosen approaches or options
- forming effective partnerships (inter-agency brokerage)
- sourcing and commissioning, contract negotiation and management
- economic development and planning
- delivering infrastructure.

GeoPlace

GeoPlace is a joint venture between the LGA and Ordnance Survey, formed in 2010 in response to a government call to bring together existing creators and suppliers of addressing data to one central place and to build a single, definitive address database. It works in close collaboration with local authorities to:

- cleanse and validate the address and streets data produced by councils
- create and maintain national “gazeteers” - registers of address and streets data
- provide support and training to councils ensure that they are able to produce high quality, and timely data in the most cost-effective way.

Public Sector Audit Appointments (PSAA)

PSAA is an independent company limited by guarantee incorporated by the LGA in August 2014. The Secretary of State for MHCLG has specified PSAA as an appointing person under the provisions of the Local Audit and Accountability Act 2014. PSAA appoints an auditor to relevant local government bodies that opt into its national scheme and sets a scale of fees for the work which auditors undertake.

Local Government Mutual Limited and Local Government Mutual Management Services Limited

The Mutual is a shared ownership company between the LGA and a number of local authorities. Membership is only open to councils in membership of the LGA. The Mutual provides:

- indemnity to local authorities in England and Wales as a cost-effective alternative to the traditional insurance market, including cover for all classes of business
- risk management services to its member local authorities.

LGMMSL is a joint venture between the LGA and Regis Mutual Management that provides services to the Local Government Mutual.

United Kingdom Municipal Bonds Agency (UKMBA)

The LGA is a major shareholder in the local government-owned UKMBA, which delivers cheaper debt financing to councils, through the sale of bonds in the capital markets. We support and provide client side services to the Agency, as it works through its managed service provider to aggregate borrowing requirements and issue bonds.

Minimising the impacts of climate change

The LGA is committed to minimising the environmental impacts of its activities, reducing pollution and CO2 emissions and contributing to a healthy future for all. These are some of the ways that we deliver on that commitment.

Flexible working

Our flexible working policy allows staff to balance working from home with time spent in the office, subject to the needs of the business. This means less journeys to work and a better work-life balance for our staff and their families. It has also enabled us to reduce by a third the amount of office space that we occupy.

Our ICT is designed to support flexible working, enabling staff to log into their LGA accounts from home on the days when they are not in the office or from trains when they are on the move.

Travel

Our expenses policy encourages staff to use public transport wherever practicable to help reduce the impact of the LGA's business travel arrangements on the environment. The Members' Scheme of

Allowance stresses that wherever possible, councillors are expected to travel by public transport when on LGA business.

Meetings

All meeting rooms at 18 Smith Square have access to video conferencing facilities. This enables members and staff to join and participate in meetings remotely, reducing the need for lengthy journeys to Westminster.

18 Smith Square

Secure cycle facilities and showers are provided in the basement of 18 Smith Square for those who prefer to cycle or run to work.

All lights in the building are energy efficient LEDs, with motion sensors that ensure they are switched off when not needed. Windows on the south and west of the building which are not part of the conservation area are double glazed to reduce energy loss. Recycling bins are provided on every floor.

Procurement

The LGA has a robust procurement policy and process, which underpins the importance of all our contractors being able to demonstrate a commitment to sustainability and combatting climate change. Our procurement documentation states

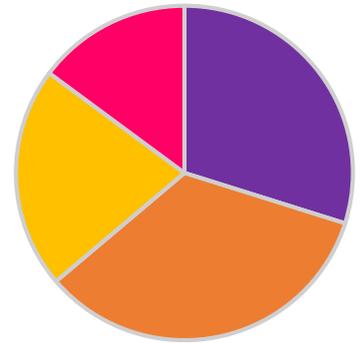
“In adhering to our commitments, the contractor should have systems in place to account for and minimise environmental impacts in all areas of contract delivery”.

Our budget 2020/21

Funding sources and forecast expenditure (Budget) (£'000)

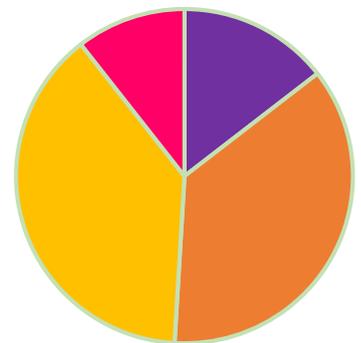
¹Income LG Group 2020/21

- CLG, £19,200 (29.9%)
- Other grants and contracts, £21,799 (33.9%)
- Other income, £13,751 (21.4%)
- Subscriptions, £9,525 (14.8%)



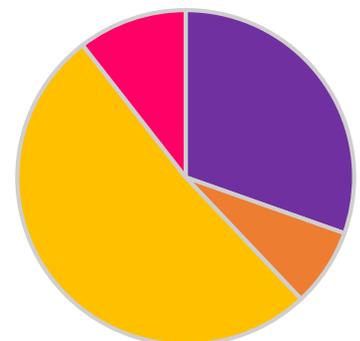
Other income LG Group 2020/21

- Dividends, royalties and interest, £1,992 (14.5%)
- Rental Income and external room hire, £5,014 (36.5%)
- Services, consultancy and other subscriptions, £5,296 (38.5%)
- Conferences, events and sponsors, £1,450 (10.5%)



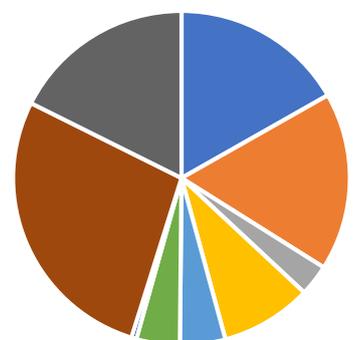
Grant and contract income (including CLG) LG Group 2020/21

- Adult social care, health and wellbeing, £12,477 (30.4%)
- Children, education and schools £3,099 (7.6%)
- Supporting councils, £21,126 (51.5%)
- Places to live and work, £4,297 (10.5%)



Expenditure LG Group by business plan theme 2020/21

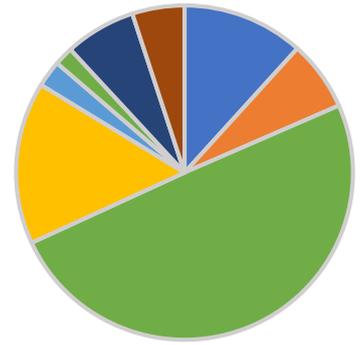
- Funding for local government, £10,652 (16.7%)
- Adult social care, health and wellbeing, £10,961 (17.2%)
- Narrowing inequalities and protecting communities £1,927 (3.0%)
- Places to live and work, £5,591 (8.8%)
- Children, education and schools, £2,773 (4.4%)
- Strong local democracy, £2,652 (4.2%)
- Sustainability and climate action, £311 (0.5%)
- Supporting councils, £17,546 (27.6%)
- Internal & property costs, £11,195 (17.6%)



¹ Design team to amend pie charts

Expenditure LG Group by service group 2020/21

- Business support, £7,434 (11.7%)
- Communications, £4,291 (6.7%)
- Governance and project support, £31,595 (49.7%)
- Finance and policy, £9,976 (15.7%)
- Member services, £1,629 (2.6%)
- Political groups, £1,157 (1.8%)
- Property costs, £4,337 (6.8%)
- Workforce, £3,187 (5.0%)



Our governance

From April From April 2019, the LGA’s responsibilities, assets and liabilities transferred from the previous unincorporated Association to a new company, whose Board of Directors – the LGA Board – is elected annually by the General Assembly. The General Assembly comprises representatives of every council in full membership of the LGA, or in corporate membership through the Welsh LGA. Further information on the company and the way it operates can be found in our Articles of Association and our Governance Framework.

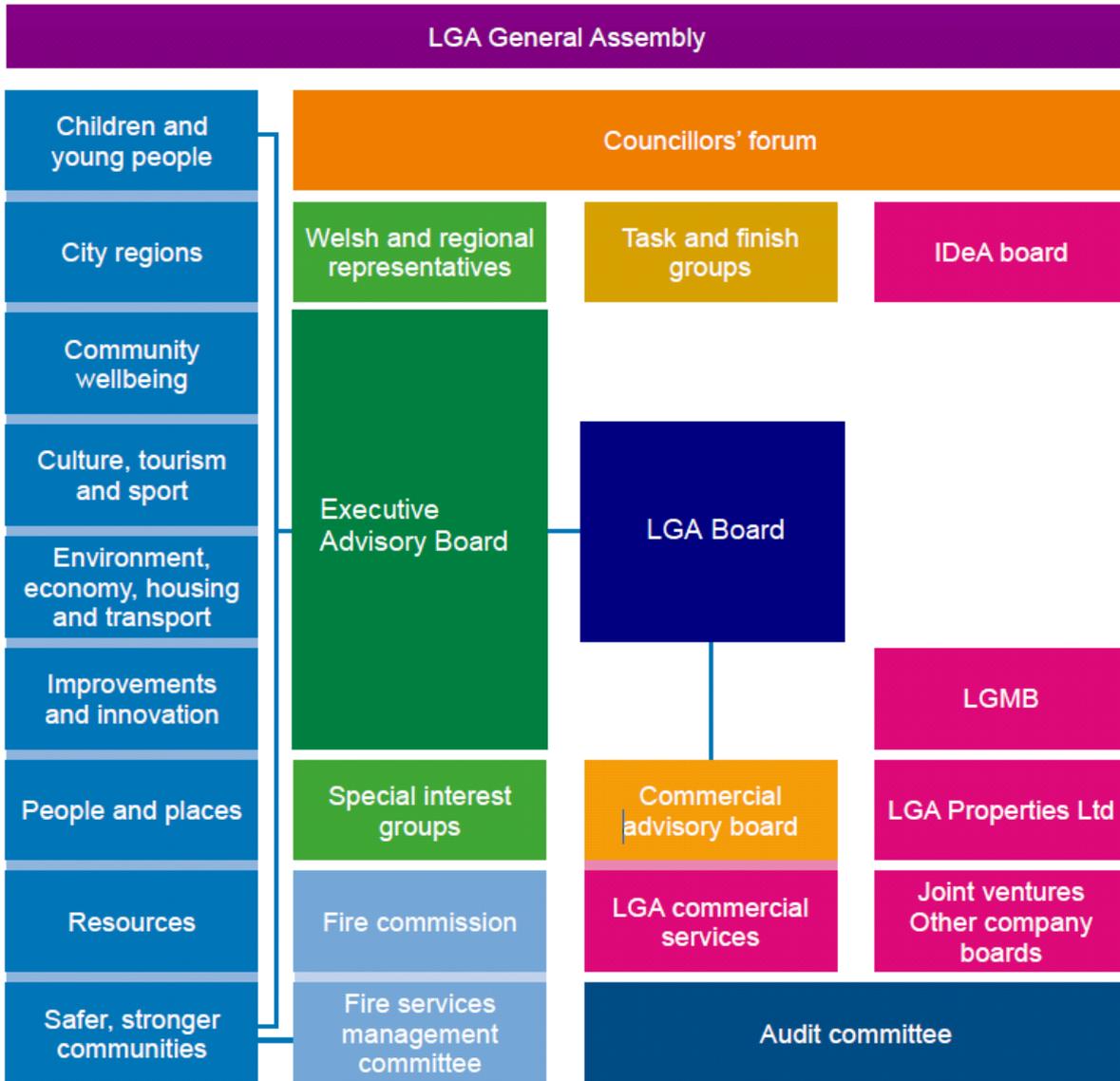
The LGA Board is supported by nine policy boards who together are responsible for developing our policies and campaigns, and for overseeing our extensive programme of sector-led improvement services, across every area of local government activity. The Fire Commission and Fire Services Management Board look after the interests of fire and rescue authorities,

The LGA Board and the chairs of the policy boards meet every six weeks as the Executive Advisory Board and are joined by representatives from Wales and the eight English regions and from three of our special interest groups – the County Councils’ Network, District Councils’ Network and Special Interest Group of Municipal Authorities.

The two property boards – LGA (Properties) Ltd and LGMB – are currently responsible for 18 Smith Square, our Westminster HQ, and Layden House, our investment property in Farringdon. However these are in the process of being transferred to the LGA company after which the two property boards will be wound up.

The Commercial Advisory Board is responsible for overseeing the LGA’s income-generating activities to make us financially sustainable now and in the future. That will include overseeing the management and operation of 18 Smith Square and Layden House and reporting back to the LGA Board.

The LGA's governance arrangements



Our major contracts

Catering – Bartlett Mitchell

Bartlett Mitchell (BM) provide all catering services at 18 Smith Square.

BM have been named Sustainable Caterer of the Year for three years in succession. Their policy is to source ingredients locally, regionally and seasonally from farmers who produce food to high environmental standards, reducing the impact of climate change and helping to protect the landscape and our farming heritage. BM use high-welfare meat, poultry, eggs, cheese, and dairy produce and sustainable seafood.

Overseas produce is sourced from ethical suppliers, including coffee from the Soppexcca co-op in Nicaragua which supports women farmers in the region. BM use the 'Free Wheeling' initiative to reduce the number of deliveries to their kitchens.

Total Facilities Management – Bouygues

Bouygues environmental policy recognises that the company's activities and services have the potential to impact on the environment. The policy sets out Bouygues' commitment to minimising the environmental impact of its operations in every way it can and is supported by 'live' environmental improvement plans at all levels.

The company is triple certificated to ISO9001, ISO14001 and OHSAS18001 and the environmental management standard ISO 14001 is fully integrated into its everyday activities.

Bouygues' Facilities Management business was the first in the UK to achieve Energy Management Standard ISO50001. They are currently focusing on reducing carbon impact, minimising waste, diverting waste from landfill and reducing energy.

Pensions – Merseyside Pension Fund and Camden Pension Fund

The LGA's main pension provider, Merseyside Pension Fund, has a policy of responsible investment. The policy has three components: exercise of voting rights; engagement with companies on environmental, social and governance issues & collaboration with like-minded investors. The Fund is active in the work of the Local Authority Pension Fund Forum whose work covers a range of corporate governance and corporate social responsibility issues, and the Institutional Investors Group on Climate Change.

Some employees belong to the Camden Pension Fund, who like all pensions funds, are bound by the law relating to Socially Responsible Investment (SRI) policy. The Fund believes that 'robust' engagement with companies is a better approach than placing restrictions on particular types of investment. It also believes that companies conforming to high ethical and social standards will produce shareholder returns that are at least comparable to those produced by other companies.

Understanding & learning from responses to the COVID-19 lockdown in schools and children's social care

Purpose of report

For discussion.

Summary

The LGA commissioned Isos Partnership (IP) to conduct research into the impact of the COVID-19 pandemic on the delivery of children's services, education and social care. Following on from the presentation of their initial findings at the previous meeting, staff from IP will be joining the meeting to present on the next stage of the research and the findings from this.

Please note that **Appendix A** covers the content to be presented at the upcoming meeting on 12/1/21. **Appendix B** are the slides presented to the Board at the previous meeting on 4/11/20.

Recommendation/s

That the members of the Children & Young People Board note the report and comment on the next steps.

Action/s

Officers to proceed in line with Members comments.

Contact officer: Clive Harris
Position: Senior Adviser
Phone no: 0207 6643 207
Email: clive.harris@local.gov.uk

How local systems are responding to the Covid-19 pandemic

Update for the Children & Young People's Board

Natalie Parish, Ben Bryant and Andrew Bunyan

January 2021



A summary of our key messages when we last updated you

<p>How local areas have responded</p>	<p>Response in three broad phases.</p> <p>Phase 1: <u>Initial response</u> to the pandemic, managing the transition to the first national lockdown.</p> <p>Phase 2: <u>Adapting to the conditions of lockdown</u> – immediate practicalities, planning for recovery.</p> <p>Phase 3: <u>“New normal”</u> – living with and adapting to the pandemic and its impact.</p>
<p>Factors that have shaped local areas’ responses</p>	<p>Local areas that were most confident about their initial response identified three key factors.</p> <ol style="list-style-type: none"> 1. <u>Strong relationships</u> between LA and schools, between education and children’s services. 2. <u>Trust</u>, experience of <u>collaborative working</u> on system-wide issues, mature <u>partnership structures</u>. 3. <u>Confidence in the local system’s capacity to deliver</u> and the quality of local support.
<p>Page 32</p> <p>Challenges</p>	<ul style="list-style-type: none"> • <u>National-local tensions</u> – perception of a lack of trust, dialogue; overly-centralised; timeliness. • <u>Balancing care and learning</u> – initial emphasis on safety; variable experiences of learning. • <u>Partnership decision-making</u> – avoiding duplication, ensuring joined-up, whole-system response. • <u>System fatigue</u> – resilience of staff and leaders; pressure on institutions due to staff isolating.
<p>Opportunities</p>	<p>There were three sets of opportunities highlighted to us.</p> <ol style="list-style-type: none"> 1. <u>New modes of communication</u> – virtual ways of working opening up new means of engaging. 2. <u>Transformative projects</u> – especially related to Covid-19 response (SEND, emotional wellbeing). 3. <u>Responsibility for the most vulnerable</u> – stronger shared responsibility for vulnerable children.
<p>Implications for local systems</p>	<p><u>For children’s services and education</u> – shared understanding of vulnerable children, and appreciation of the need for a holistic response. Increased demand – learning gaps, early help, children’s services.</p> <p><u>For local government</u> – DCSs highlighted the essential role of LAs as champions of vulnerable children, conveners of partnerships, commissioners of services in local systems’ responses to the pandemic.</p>

Agenda Item 3

The above provides a summary of what we presented in our session with you at the NCAS Conference in November. The slides from our previous session are attached for reference.

Additional messages we have heard during our latest engagements

How local areas have responded	Factors that have shaped local areas' responses	Challenges	Opportunities	Implications for local systems
<p>Messages from our initial engagements</p>	<p>Response in three broad phases.</p> <p>Phase 1: <u>Initial response</u> to the pandemic, managing the transition to the first national lockdown.</p> <p>Phase 2: <u>Adapting</u> to the conditions of lockdown – immediate practicalities, planning for recovery.</p> <p>Phase 3: <u>“New normal”</u> – living with and adapting to the pandemic and its impact.</p>			
<p>Additional messages</p>	<p>We have continued to hear about a “common core” to how local areas have responded, reflecting the singular and unifying nature of the crisis. Nevertheless, the implications of the pandemic period for different parts of the local education and children’s services systems have been different.</p> <ul style="list-style-type: none"> • Children’s social care – role not altered fundamentally, but need to adapt delivery (implications of virtual working, balancing with face-to-face engagements, teamwork). Greater focus on risk assessment and professional judgement (who we engage, when, how). • Early help – in some local areas, an adaptation to play a more flexible, community-facing role (food parcels, outdoor space for families). Some differences in how early help us used, depending on existing offer – e.g. differences in the role of health visitors and focus on early years / parenting. (One local area paused early help support, saw demand for social care rise, and then reversed.) • Schools – changes to LA-school relationship (more relational, supportive), with schools’ having to play an expanded community role (community hubs, additional role around test-and-trace). <p>We have also heard about implications for role of elected members and school governors – less direct role in the initial response (due to urgency of decision-making), but support and reflection on impact / implications, steering in the adaptation and new normal phases.</p>			

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Agenda Item 3

Additional messages we have heard during our latest engagements

How local areas have responded	Factors that have shaped local areas' responses	Challenges	Opportunities	Implications for local systems
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Messages from our initial engagements	<p>Local areas that were most confident about their initial response identified three key factors.</p> <ol style="list-style-type: none"> 1. <u>Relationships</u> between LA and schools, between education and children's services. 2. <u>Trust</u>, experience of <u>collaborative working</u> on system-wide issues, mature <u>partnership structures</u>. 3. <u>Confidence in the local system's capacity to deliver</u> and the quality of local support.
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Additional messages	<p>The local areas that were most positive about their system's response to the pandemic described three key conditions that had helped them to mount a swift response to the pandemic.</p> <ol style="list-style-type: none"> 1. <u>Strong shared values</u> and an ethos of collective, collaborative working on system-wide issues. 2. <u>Strong relationships</u> and <u>trust</u>, underpinned by <u>mature partnership structures</u>. 3. <u>Capacity to deliver</u> swiftly, effectively on key practical challenges facing the system. <p>They argued that having these conditions in place had meant the response to the pandemic had required an <u>evolution</u>, rather than the <u>creation</u> of an entirely new way of working. It has been possible – and indeed necessary for some areas – to attempt to create these conditions anew. Leaders in local areas considered that it had been a smoother transition to the pandemic response where these conditions had been in place already. Key = the pandemic has required a system-wide response.</p> <p><u>On a practical level</u>, local areas also highlighted (a) strong business continuity systems, (b) strong IT infrastructure to support flexible working, and (c) capacity to develop consistent enabling protocols (visits, access to learning, procurement of PPE, access to office space) and to provide advice (public health, health and safety) as important enablers.</p>
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Additional messages we have heard during our latest engagements

How local areas have responded	Factors that have shaped local areas' responses	Challenges	Opportunities	Implications for local systems
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Messages from our initial engagements	<ul style="list-style-type: none"> • <u>National-local tensions</u> – perception of a lack of trust, dialogue; overly-centralised; timeliness. • <u>Balancing care and learning</u> – initial emphasis on safety; variable experiences of learning. • <u>Partnership decision-making</u> – avoiding duplication, ensuring joined-up, whole-system response. • <u>System fatigue</u> – resilience of staff and leaders; pressure on institutions due to staff isolating.
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Page 35 Additional messages	<p>Our most recent engagements have underscored, but also expanded, these initial findings.</p> <ul style="list-style-type: none"> • <u>National-local tensions</u> – Ongoing frustration re: timeliness of communications and decisions from central government. Avoid “compliance culture” (quantifiable activity vs quality of engagement). • <u>Balancing care and quality of learning</u> – recognition of the need to focus on safety in the initial lockdown period, but now seeing the size of some learning gaps. Particular concerns for pupils with SEND (separated from support structures during lockdown) and vulnerable families. • <u>Partnership-based decision-making</u> – (a) Challenges of setting consistent expectations and understanding across services working with same families, using same buildings. (b) Challenges around integrated working, especially with health services – e.g. where health staff re-deployed. • <u>System fatigue</u> – (a) Extreme fatigue, risk of burnout (leadership / decision fatigue; isolation; workload) and succession (staff recruitment, school leader pipeline). (b) Practical challenges for children’s services teams – access to office space, supervision, morale, integrated working. <p>We have also heard about two other long-term challenges – (a) financial implications (both families suffering hardship, as well as the costs of the Covid-19 response for schools and councils), and (b) long-term needs (learning, families) and maintaining a pro-active, early intervention offer to support them.</p>
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Agenda Item 3

Additional messages we have heard during our latest engagements

How local areas have responded	Factors that have shaped local areas' responses	Challenges	Opportunities	Implications for local systems
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Messages from our initial engagements	<p>There were three sets of opportunities highlighted to us.</p> <ol style="list-style-type: none"> 1. <u>New modes of communication</u> – virtual ways of working opening up new means of engaging. 2. <u>Transformative projects</u> – especially related to Covid-19 response (SEND, emotional wellbeing). 3. <u>Responsibility for the most vulnerable</u> – stronger shared responsibility for vulnerable children.
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Additional messages	<p>Again, our latest engagements have echoed these original points, but also provided extra detail.</p> <ol style="list-style-type: none"> 1. <u>New modes of communication</u> → <u>Strong endorsement of virtual working</u> – significant opportunities in both education (blended learning, greater flexibility, better engagement for certain groups of pupils – e.g. disengaged, school-refusers, pupils requiring alternative provision) and children’s services (using hybrid models for meetings – child protection conferences, Family Time, care visits; challenges around privacy, family networks) ... but needs codifying. 2. <u>Transformative projects</u> → <u>Continued or accelerated strategic and transformation work</u>, especially where there is a connection to Covid-19 responses. For some areas, this period has presented a window of opportunity for a “reset” of some services to enable a more pro-active, preventative approach – e.g. the role of alternative provision due to the reduction in permanent exclusions; a more greater enabling role for early help; care placement stability. 3. <u>Responsibility for vulnerable children</u> → <u>Strengthened connections</u> – between schools, with communities and families, and with councils. This has strengthened relationships and partnerships, but has also exposed levels of deprivation and digital isolation not visible previously. Many school leaders are proud of how they have served their communities during this period.
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Additional messages we have heard during our latest engagements

How local areas have responded	Factors that have shaped local areas' responses	Challenges	Opportunities	Implications for local systems
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Messages from our initial engagements	<p><u>For children’s services and education</u> – shared understanding of vulnerable children, and appreciation of the need for a holistic response. Increased demand – learning gaps, early help, children’s services.</p>
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Additional messages	<p>Through our engagements this term, we have developed a clearer picture about the nature of demand that local children’s services and education systems have been experiencing.</p> <ul style="list-style-type: none"> • <u>Increase in elective home education</u> – mostly coming from parental anxiety about health risks (also some positive experiences of home educating; some disengaged / challenged families). • <u>Increased demand for social care</u> – slower movement of cases (delays with family courts, fewer cases stepped down), demand from lockdown months and usual demand coming together in Sept-Nov → pressure on caseloads, provision (foster placements), costs (independent placements). • <u>Increased demand for early help</u> – bottom-up demand, with but families previously not known to support services now not coping (financial hardship, family pressures), rather than cases stepped down from statutory services. Concerns about lack of contact with families of very young children. • <u>Concerns about learning gaps, especially for pupils with SEND</u> – less of their support replicable at home during lockdown, concerns about increased gaps in learning and long-term impact. • <u>Uncovered levels of deprivation</u> – economic, digital. <i>‘I know [local area] was poor, but I have been shocked. I have learned how poor some people in our community really are.’</i> (Headteacher)
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Additional messages we have heard during our latest engagements

How local areas have responded	Factors that have shaped local areas' responses	Challenges	Opportunities	Implications for local systems
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Messages from our initial engagements	<p><u>For local government</u> – DCSs highlighted the essential role of LAs as champions of vulnerable children, conveners of partnerships, commissioners of services in local systems' responses to the pandemic.</p>
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Additional messages	<p>The pandemic has provided a stark reminder of the necessary inter-connected nature of local systems. As we noted (p.4), mounting an effective response to the pandemic has required a system-wide response. <i>'Local education systems are partnerships between schools and the LA.'</i> (Headteacher)</p> <p>One of the key elements to having a strong local system, with the conditions we described above (p.4), is having a strong local authority playing the role of champion (values), convener (relationships and partnerships) and commissioner (harnessing the system's capacity to deliver). Councils alone have the potential to bring together education, children's and family services, public health, transport, procurement and a range of other services who have needed to be involved in the pandemic response.</p> <p>This is not to say that all councils have been in a position to fulfil this role – some have been better placed and have had capacity in parts of the local system they have been able to deploy more quickly. Where this role has been performed effectively, however, school leaders, children's services managers and partners have contrasted the capacity for two-way dialogue, informed planning, and shaping shared solutions at local level to the approach taken by central government. <i>'The [Council's] leadership during this period has been supportive, compassionate, and efficient.'</i> (Headteacher)</p>
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Questions to discuss

1. Overall, do you recognise the picture we have presented? Does this reflect the experience of your local area in responding to the pandemic period?

2. In your local areas, specifically in relation to education and children's services, what are the key actions that have been taken that have been most effective? What have been the key successes within your local areas' responses during this period?

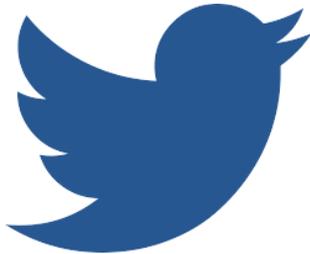
3. What, specifically, have been the implications for your role as elected members? How has the way you carry out your role changed during this period?

4. What is needed to create strong, resilient local education and children's services systems in the future, and to enable councils to play the role of champion of vulnerable families, convener of partnerships, and commissioner of support?

Many thanks for your time and contributions to this discussion.



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Local systems' responses to the Covid-19 pandemic

Summary of early messages

Natalie Parish, Ben Bryant and Andrew Bunyan

November 2020



Purpose of the project

This project will consider how education and children's services in local areas have responded and adapted to the coronavirus pandemic, and seek to draw out the implications for both the delivery of education and children's services, and for the roles and responsibilities of councils, schools and settings and other partners within local systems.

The project has four core aims, which are to –

1. understand how councils and schools have responded to the challenges posed by Covid-19 in relation to education and children's services, including gathering feedback from system leaders and those working in children's services about what has and has not worked in system responses to date;
2. consider how education leaders, children's services professionals, and families have adapted and responded to these challenges and new ways of working;
3. explore how different partners within the local area have worked together during this period, including how education settings and children's services have worked together to identify vulnerabilities and provide holistic support to families and communities; and
4. develop an evidence base for councils and their partners to draw on going forward as they seek to embed the good practice that has developed and address fresh challenges in the future.

Project methodology and timeline

Phase 1: Initial learning about local responses to Covid-19 (September-October 2020)

Activity

- ✓ **Project planning.**
- ✓ **First set of fieldwork engagements** – (virtual) engagements with nine participating councils (via DCSs).
- ✓ **Initial findings** – summary of key messages from initial fieldwork.

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Phase 2: Considering long-term implications and councils' roles (November-December 2020)

- ✓ **Second set of fieldwork engagements** – follow-up discussions with nine councils and partners.
- ✓ **Roundtables** – to share and test emerging findings, key messages, and learning, and to shape recommendations.
- ✓ **Gathering additional feedback** – further conversations with key national stakeholders.

Phase 3: Reporting and sharing findings and recommendations (January 2021)

- ✓ **Collate key findings** – final report and case studies.
- ✓ **Present key findings** – through LGA communications channels.

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How have local systems responded to the pandemic?

We have explored local system's responses to the pandemic in three broad phases.

The initial response to lockdown

(March 2020)

- **Risk assessment** and “**eyes on**” vulnerable children and families. Systems for tracking school opening and attendance.
- **Communications routines** – shaping the system's response, information sharing (public health information, Covid-19 outbreaks).
- **Leadership style** – establishing expectations of leadership.
- **Building partnerships** – within councils (public health, children's services, education), “link worker” for schools, and between councils (regional networks).

The adaptation phase: Keeping the system moving

(Summer term)

- **Communications** – supplementing national guidance with local info. Responsive systems to answer practical questions.
- **Practicalities and planning** (immediate and for the next phase) – FSM, transport, PPE, risk assessments, curriculum. Sharing school practice.
- **Ongoing priorities** – business-as-usual (recruitment), new initiatives that will help with the recovery phase.
- **Cementing and embedding partners** – within councils, schools, VCS, RSCs.

The “new normal”: Covid-19 is part of the day-job now

(Autumn term)

- **Supporting the return of all pupils to schools** – practical advice, developing tools (recovery curriculum), support (EPs, EWOs).
- **Rapid responses** – to ever-changing context – e.g. “bubbles bursting”.
- **Planning for and dealing with increased need** – focus on emotional wellbeing of children, parental concerns re: transmission.

Factors that may influence the nature of the local response

Where local systems saw themselves as having high levels of trust, collegiality, clarity of and respect for roles and responsibilities, and strong partnership structures, they have seen these as crucial factors is enabling them to build strong local responses to Covid-19.

In particular, DCSs have highlighted three key sets of factors that they consider have enabled them to shape successful local approaches to the pandemic.

1. **Council-school relationships**: a strong collective ethos, clarity on the respective roles and responsibilities of councils and schools / settings (As one DCS put it, *'We have provided strong strategic guidance, strong supporting activity, but with clarity about where responsibilities lie.'*) By contrast, some local areas have been starting from a position of fractured relationships and tensions about what role the council should and should not play in local education.
2. **Expectations**: where schools and settings are used to working together on system-wide issues that foster a holistic approach to children and families – e.g. where there is a strong culture of early help, into which schools are bought-in and play an active role. (As one DCS put it, *'If we ask schools in this area to come together for something to benefit all [local area] children, they come.'*)
3. **System performance and quality of services**: where there is mutual confidence in the leadership and delivery of provision and services across schools and the council, DCSs have seen this as crucial to securing buy-in to a local system response. At a very practical level, this has meant that there are well-established professional relationships with known officers and practitioners in councils and schools / settings, that can be crucial in resolving practical and granular issues.

Challenges and lessons learned from the responses so far

National and local tensions

- **Trust:** Lack of trust between central and local government – councils feel used as “tools”, not engaged as partners. (Despite regular dialogue with RSC teams.) Disconnect meant messages from frontline services not heard. Tendency to centralise processes, data collection.
- **Timeliness:** Need for councils to interpret DfE guidance to ensure consistency. Frustration that guidance often cut across crafted local approaches.

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Focus on care, less so on quality of learning

- **Balancing care and quality of learning:** The emphasis of local interactions with schools have shifted towards care, health and safety and supporting families and communities (safeguarding, delivering food).
- **There has been less local discussion about the quality of learning during the pandemic.** Need for focus on online learning, challenges around access to IT. Renewed focus now on “catch-up” curricula and quality of learning.

Partnership-based decision making

- **Governance:** In some areas there was frustration that wider partnership governance structures did not allow for a more co-ordinated multi-agency response to how children and families could be supported, for example the decision to redeploy health visitors.
- **Mutual understanding:** The need to break down barriers between education and children’s services about how each were responding and “myth-bust”.

System fatigue

- **Resilience:** Concern that schools and partners will not have the reserves of energy and capacity to maintain the levels of work demanded so far. Resilience of education and children’s services staff is fragile.
- **Staffing:** ongoing challenges around staffing (isolation, shielding), but balancing requirements to keep safe with the ask of being in work and continuing the job.

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Opportunities that have arisen during this period

New modes of communication to support multi-agency partnership working

- Facilitated by virtual platforms, enabled more frequent “check-in” sessions. (Risk re: teamwork, QA, learning gaps?)
- Better attendance at multi-agency meetings – e.g. child protection reviews, annual reviews for children with EHCPs.
- Some innovative fora created – e.g. MAT CEOs, RSC chairing.

Opportunities to embed new ways of working premised on early intervention to support the “recovery” phase

- Long-standing priorities, but also direct responses to the crisis ...
- E.g. developing new arrangements around access to SEN support services, improving EHC decision-making panels.
 - E.g. Building understanding of and support for trauma and emotional wellbeing within schools.

Clearer shared responsibility for the most vulnerable children

- Improved information sharing about who the most vulnerable children and families are and how responsibility for supporting them can be shared.
- Swifter processes for decision-making and the front door into services.

Long-term implications for educational and social care needs

DCSs highlighted the way in which the pandemic had facilitated genuinely holistic discussions about children who may be vulnerable and why.

While these conversations took place pre-pandemic, often they reflected a tension about the focus of education (attainment, qualifications) and children's services (care). DCSs considered that the pandemic had created a joint understanding and focus on which children (and families) should be seen as vulnerable, why, and the complementary roles of education and children's services in supporting them.

They saw this more holistic, pragmatic, family-focused approach as being all the more important as levels of need continue to rise in local areas.

- **Learning:** Local areas recognise that gaps in learning, progress and attainment have widened during the pandemic. Issues re: IT access. Schools are putting in place “recovery” and “catch-up” curricula, but acknowledge that the long-term impact on children's learning and wellbeing remains unclear. Implications for 16-17yos and risk of NEET – loss of training pathways due to Covid-19.
- **Attendance and home education:** Local areas reported an increase in elective home education, driven by parental anxiety, health concerns, positive experiences in lockdown. Some are taking a pragmatic approach to supporting children back to school, rather than using the formal attendance pathway.
- **Social care:** Local areas have experienced a more gradual increase, rather than a spike, in referrals to children's social care, but are expecting needs to continue to rise gradually over this period. Local areas are anticipating greater demand for early help and social care, as the economic effects of the crisis bring more families, who had previously been coping, to the attention of children's services. Some reporting increase in needs among very young children. Some areas recognise need to step up face-to-face visits to build relationships with families.

Reflections on the role of local government in education and children's social care

The experience of responding to the Covid-19 pandemic has brought into sharp relief the essential and indispensable role of local authorities in education and children's services.

'Never has it been so apparent that the education system needs a degree of co-ordination.'

'However centralised the DfE have tried to be, schools would not have been sustained without the role of the LA.'

Several DCSs reflected on the way in which the crisis had demonstrated the ongoing relevance of three key aspects of the LA role within local systems.

- ✓ **Champion of children and families** – embodying an ethos of collective purpose and responsibility for all of the local area's children and families, including the most vulnerable. Leading and co-ordinating a system-wide response that delivers for all families.
- ✓ **Convener of partnerships** – bringing together schools and settings, children's services and wider services (public health, CCGs) to shape a place-based response to Covid-19.
- ✓ **Commissioner of support and services** – facilitating and co-ordinating access to practical support (PPE, transport), brokering joined-up support in schools and communities.

Questions to discuss

1

Reflecting back on the actions that your local area has taken to respond to the pandemic since February, what have been the key successes and what has proved most challenging?

2

Are there new ways of working in education or children's services that have emerged over the last nine months, which you will look to embed going forwards?

3

What do you think the long-term implications are for children, young people and families, and what therefore does this mean for the role of local authorities in supporting them?

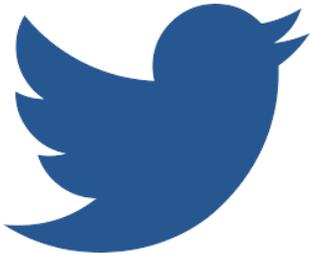
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Many thanks for your time and contributions to this discussion.



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Youth Employment & Skills Update

Purpose

For discussion and direction on the development of a youth participation policy.

Summary

The youth participation policy work is jointly developed by City Regions, People and Places and Children and Young People Boards to ensure read-across.

This paper provides an update on the development of a youth participation and employment and skills policy relating to young people.

Recommendation

That the Board note the report and consider the following to provide comments/steer:

1. Update and plans for progressing this policy.
2. Councils statutory responsibilities discussion paper Annex A
3. T Levels discussion paper Annex B.

Action

Officers to progress in line with Members' comments/steer.

Contact officer: Bushra Jamil
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Improving Youth Participation

Background

1. Councils, alongside their role in helping economies to thrive, have several statutory duties relating to youth participation; to ensure all young people up to the age of 18 (25 for those with learning difficulties) participate in education or training. Despite having these responsibilities, councils have very few formal levers over commissioning or coordination of provision to meet them, resulting in a centralised and fragmented system.
2. In September 2020, the Board approved the publication of the improving youth participation report, which concluded our initial youth work, started last year. The report set out our vision and recommendations, providing us with the narrative and framework on which to base our discussions with government, parliamentarians, stakeholders and the sector.
3. This paper provides an update on how our ambition for young people is being progressed along with the wider youth employment and skills policy work.
4. The continued presence of COVID-19 and further national/regional restrictions has meant that young people, and those facing disadvantage, will be disproportionately impacted; therefore, it is important that the focus on this work remains a priority to ensure that relevant support is in place for these groups.

Youth participation campaign

5. The report [Re-thinking youth participation for the present and next generation: education to employment](#) was launched early October 2020 with a [press release](#) calling for COBRA-style action to save the 'lost generation' of young people. The publication received good traction. A number of stakeholders, including the Association of School and College Leaders (ASCL), Employment Related Services Association (ERSA), Social Mobility Foundation and Youth Employment UK, have shown a particular interest in the contents and recommendations of the report. Consequently, the LGA was invited to present the report to the [Youth Employment Group](#) (YEG), which has over 170 member organisations. The LGA has also took part in an ASCL roundtable event in November 2020 to discuss the challenges and improvements to the system for supporting young people from education to employment. Therefore, **our youth ambition has reached a broad range of stakeholders and further work is in train to ensure better stakeholder alignment with the LGA position.**
6. To sustain the momentum on our youth campaign and shine a light on the work more widely, we are publishing a series of First articles from Autumn 2020 to Spring 2021. **The introductory feature appeared with a by-line from the Chairs of the three boards** (CYP, P&P and CRB), demonstrating the importance of a joined-up education and employment and skills policy. The [feature](#) (First November 2020 p11) highlighted the plight of young people and the job crisis. It set out the reports recommendation, including LGA's calls for a youth, employment and skills taskforce and a youth minister. The next article, a case study on Derbyshire County Council's 'I-Step up Re-engagement Programme', will be published in the New Year edition.

This case study also featured in our youth report to demonstrate how the Council has developed a programme to improve youth participation. The initiative addresses a gap in transition support and provides the wraparound provision for young people.

7. We are working with colleagues in the media team to make the most of any future influencing opportunities.
8. The LGA Chairman wrote to several Ministers about the report, including Mims Davies, Minister of State for Employment, DWP; Gillian Keegan, Minister for Apprenticeships and Skills, DfE; Luke Hall, Minister of State for Regional Growth and Local Government, MHCLG. The Chairman has received a response from Mims Davies. Separately, the LGA initiated and organised a roundtable session in December with the Minister for Employment and P&P and CR Lead Members to discuss how local government could support DWP COVID-19 related employment support schemes. We are also exploring an APPG on Youth Employment with parliamentarians in the Spring. **A member steer is welcome on how best to progress our youth ambitions further with relevant Ministers.**

Collaboration with other organisations

9. Maintaining relationships with other organisations has been important to ensure the LGA youth ambition is embedded across the employment and skills sector. The LGA has continued to work closely with a broad range of stakeholders on this agenda, including:
 - 9.1. The Learning and Work Institute's (LWI) commission on education and employment opportunities for young people ([Youth Commission](#)). **The Commission will publish its final report in the New Year with a suite of recommendations for skills and participation.**
 - 9.2. YEG and its founding organisations [Impetus](#), [Youth Futures Foundation](#), [Youth Employment UK](#), [the Institute for Employment Studies](#) and [The Prince's Trust](#). The YEG recommendations [report](#), launched in September 2020, has some alignment with the LGA youth report.
10. We will continue to explore further opportunities to engage with influential research and policy development.

Councils statutory responsibilities

11. To enhance our youth participation work, we will be developing our policy relating to councils statutory responsibilities for young people and those not in education, employment or training (NEET). **We have drafted an initial discussion paper (Annex A)** highlighting the current issues and challenges. The aim is to develop this further through discussion with the sector and stakeholders to form a policy position; inform the improvement project (see below for details) and dialogue with DfE officials. **Members are invited to comment on it and provide a steer on further issues/challenges that should be included. Officers will amend its scope accordingly. Members can also provide comments by 31 January 2021 to bushra.jamil@local.gov.uk.**

Young People and NEETs

12. The [data release](#) in November 2020 was expected to show the number of NEETs rising but in fact **there was a slight drop from 765,000 to 757,000 young people (aged 16 to 24 years) in the UK who were NEET** in July to September 2020. A possible reason for this is that many young people, in response to COVID-19, have entered full time education, or are protected by the job retention scheme. **It is expected that there will be a sharp rise in young people who are NEET after the job retention scheme ends** and a fall in those in full time education, with a decrease in retention after the first term.
13. The next official ONS NEET UK data will be released in March 2021 and the DfE participation in education, employment and training for 2020 annual data release will not be until June 2021. However, we are working with the Department to see if any early unofficial data can be shared with the LGA. It is anticipated that these figures will show the real impact of COVID-19 on young people's education and employment opportunities and will be useful to develop appropriate support programmes.
14. Following the Ministerial roundtable in September 2020, Gillian Keegan MP, Minister for Apprenticeships and Skills, the Department for Education (DfE) was invited to the People and Places board. Unfortunately, due to time constraints, the Minister was unable to attend. However, the **Minister is keen to engage with the LGA and council representatives to learn about issues young people are facing and how that can result in becoming NEET, and solutions to address these.** The LGA and council/combined authority representatives have continued to maintain dialogue on young people and NEETs through regular meetings with officials. The first meeting took place in September 2020 and the discussion focussed on appropriate careers advice and guidance, relevance and sufficiency of provision and funding. The next meeting is scheduled to take place in January 2021.

Improvement work

15. Improving youth participation in education, employment and training (EET) as part of their statutory duties is key for councils. The COVID-19 crisis has had an adverse effect on young peoples' ability to transition into education or employment effectively. Therefore, the improvement support budget has been allocated to better understand the barriers/challenges for councils in fulfilling their statutory duties for young people, for instance, in relation to NEETs and to explore solutions. We commissioned a project in November 2020 and the successful bidder is York Consulting. **The project aims to support the sector (eight areas) through action learning to support the sector to deliver effective support for NEETs and those at risk of becoming NEET.** A report with case studies will capture the learning and a subsequent online resource will support councils to commission and deliver services and an enhanced offer for young people. We have had a good response from areas interested to be involved in the project. Twelve areas will be taking part in the discussions at an initial workshop in January 2021. **The report will be presented to the board at the March 2021 meeting.**

A coherent offer of all post-16 options

16. The increased focus on apprenticeships and the roll-out of technical levels (T Levels) provides young people with more options for their career pathways. Having greater

choice is positive, but it is vital for young people to have a coherent picture of all available pathways and how they relate to the world of work or further learning. This is essential to improve participation in education and training, particularly for disadvantaged young people or those with special educational needs and disability SEND or complex needs.

17. To progress our post-16 policy work and to support councils and combined authorities plan for a post-16 local offer, so young people have a coherent picture of locally available options, we have developed a **T Levels discussion paper (Annex B). This paper sets out the guiding principles for making T Levels implementation a success for young people, employers and the economy.**
18. **Members are invited to provide comments and a steer on the issues and guiding principles: a) are there any further issues that should be included? b) are the guiding principles, right? c) is there any further intel from local areas?**
19. **Members can also provide comments by 31 January 2021 to bushra.jamil@local.gov.uk**

Post-16 SEND

20. Last month the LGA published a [report](#) on planning, commissioning, funding and supporting post-16 high needs students. The report was commissioned by the LGA children and young people's (CYP) team along with the Association of Colleges (AoC) and Natspec. (The CYP board has an interest in this issue and responsibility for those with SEND or complex needs.) The purpose of the review was to provide a better understanding of how local authorities and providers can work together to manage an increased demand for support for high needs students with limited resources. **The findings of the report conclude that the system is overly complicated**, resulting in young people, their parents, councils and colleges facing challenges which have a detrimental impact on those students in further education with special educational needs and disabilities (SEND). **It also suggests that a more radical re-working of the whole system** is required, including changes to the funding model so that councils can plan provision more effectively for young people within their local area. Key findings and recommendations from the fieldwork include:
 - 20.1. Strategic planning - Each local authority should take a strategic view of emerging needs for post-16 provision and the providers best placed to meet these, and develop its provision accordingly in anticipation of identified future needs.
 - 20.2. Development of new provision – Through improved strategic planning, identified areas where new provision is needed, local authorities should play a more active, innovative and creative role with providers, existing and new, in the development of that provision.
 - 20.3. Transitions into post-16 provision - Securing better transitions between life stages and settings, including from secondary to further education should be a key focus.
21. **Members are invited to give their view and steer on how post-16 employment and skills and SEND policy should be developed.**

Employment and skills update

22. The [latest ONS labour market statistics](#) (UK) released in November 2020, show a fall in youth employment, with **youth unemployment level now at 14.6 per cent compared to 4.8 per cent of all age groups**. Though it is a varied picture across England, as the effects of the pandemic is felt differently in different parts of the country. The Centre for Cities have developed a useful tool [UK unemployment tracker](#) that show how the Coronavirus pandemic is affecting unemployment, including youth unemployment, in large cities and towns. This highlights that local solutions are needed to tackle local youth unemployment challenges. **Members are invited to highlight any specific issues/challenges contributing to youth unemployment in their localities.**

Enhanced Youth Offer

23. In view of rising youth unemployment, the LGA have maintained a dialogue with DWP officials to influence the planning, coordination and delivery of initiatives for young people, along with other measures. The DWP enhanced youth offer commenced in September 2020. Essentially, the youth offer has three elements:

23.1. **Youth Employment Programme**, a 13-week programme with referral to the most appropriate support: a traineeship, work experience, mentoring circles, careers advice, Kickstart or an apprenticeship.

23.2. **Youth Hubs** provides young people access to up to six months of wider support to meet any skills gaps to bring them closer to the labour market. These are co-located and co-delivered with local partners, including local government. **The programme aims to deliver a hundred new Hubs**. These are being rolled out nationally and where this is not possible due to COVID-19 restrictions a virtual service is currently being offered. **Many of the key elements of the Hubs (for example, collaborative culture, data sharing) resemble previously 'trialed and tested' local models**, including Suffolk County Council's MyGo and Liverpool City Region Youth Employment Gateway. At DWP's request, many local authorities have been asked to find suitable physical premises to host Youth Hubs locally and act as accountable bodies. The sector backs more targeted support for young people, but new physical centres are not always necessary, and in some cases are hard to find and require investment.

23.3. Our youth report called for an integrated youth employment and skills service with local government having a central role. **It is vital that councils/combined authorities are able to influence the planning and delivery of Youth Hubs in local areas.**

23.4. **Youth Employability Coaches** focus on young people who have significant complex needs and barriers and offer flexible support to help them move into and sustain employment.

24. **The Kickstart Scheme**, Government's £2 billion work placement programme for young people started in November 2020. DWP reports the scheme is progressing well and **by mid-November a total of 4,783 applications, covering 23,934 vacancies had been approved for funding.**

25. Local government representative bodies have developed a guide to [Kickstart: what good looks like for young people, employers and the economy](#). This highlights the need for Kickstart to be part of a wider local offer, effective outreach and engagement, quality jobs and support, and an integrated offer for employers. The LGA [Councils' Kickstart offer for non-devolved England](#) sets out how, with the right level of resource, local government can add value to the scheme.
26. Councils and combined authorities are working hard to encourage local businesses to participate in the scheme, as well as offering opportunities themselves; for instance [Leicester City Council](#) have created 70 Kickstart placement as part of it economic recovery plan; Suffolk County Council have provided 42 placements and Norfolk County Council 72 respectively.

Apprenticeships

27. **Apprenticeship starts (October 2020) showed that starts had halved during lockdown.** The proportion of starts by age group was: 16-18: 23.7 per cent (75,500); 19-24: 29.5 per cent (94,200); 25 and over: 46.8 per cent (149,300). The Government's employer incentives to recruit more apprentices are welcome along with the support for those who have been made redundant. Unfortunately, **more young apprentices will become unemployed in the New Year, especially in the leisure and hospitality sectors, as the furlough scheme unwinds.**

Parliamentary Committee Inquiries

28. The House of Lords Economic Affairs Committee published its inquiry into Employment and COVID-19 [report](#) last month. The LGA submitted written evidence earlier in the year. **The report has been positive about our work, particularly the green jobs research and that more programmes and resources should be devolved to local areas.**
29. A new House of Lords Special Inquiry Committee was [announced](#) (December 2020) to consider youth unemployment, education and skills. Its scope is wide ranging and will include risk associated with high levels of unemployment, under-employment and insecure employment, challenges posed by COVID-19 and Brexit. It is expected that once the Committee's members are appointed a formal inquiry will be launched in the New Year. **Members are invited to give their views on this and provide an early steer on the direction we should take in any LGA submission.**
30. **Members are asked to consider, comment and provide a steer on:**
- 30.1 **How best to progress our youth ambitions further with relevant Ministers (para 8)**
 - 30.2 **Councils statutory duties discussion paper (Annex A) – further issues/challenges to be included (para 11)**
 - 30.3 **T Levels discussion paper (Annex B) – further issues and guiding principles for implementation to be included (para 17-19)**
 - 30.4 **How post-16 employment and skills and SEND policy should be developed (para 20-21)**

30.5 The direction we should take in any LGA submission for the potential House of Lords Special Inquiry Committee on youth unemployment, education and skills (para 29).

Next steps

31. Following the Board's considerations and comments on the contents of this paper, officers will provide regular updates on the development of this policy/ activities at future boards meetings.

Financial implications

32. To be covered through the existing Budget.

Implications for Wales

33. Skills and employment are devolved matters. The LGA liaises with WLGA colleagues.

ANNEX A

Councils statutory duties issues/challenges

Appropriate provision

It is challenging at the moment to keep young people in full time education. There is a growing number of young people with complex needs that require a significant level of support. Councils have to ensure that the breadth of support needed by all learners is effectively commissioned.

The challenge is that current provision is quite rigid and not flexible to meet the specific needs of different learners. The structure of learning, for example, the traditional year-long programmes, are not suitable for many students. The programmes need to be shorter, flexible and include employability skills.

A tailored programme that delivers employability resilience with short stepping-stones for progression is required; a number of local initiatives provide such support. For those who are NEET, care leavers and hard to reach groups with complex needs, a pre-offer is needed that responds to their specific needs, as the mainstream provision is often not suitable for these particular groups.

Councils are able to offer an enhanced service by connecting with other local services to provide the necessary wider support that is vital to secure and sustain education, employment and training opportunities.

Sufficiency of provision

Some areas have lost some good specialist providers over the last couple of years, resulting in gaps in provision in the area. There is an assumption by the Education and Skills Funding Agency (ESFA) that FE colleges will be able to plug the gaps with the right provision but this has not been the case.

Councils have statutory duties around sufficiency of provision but feel they are being hindered in this area as they have very little control over ESFA budget and therefore, unable to direct provision where it is needed.

There is a significant risk of more young people becoming NEET as more students are dropping out of year 12 and first year of college. Also, in some areas there has been a drop in apprenticeships which correlates with a drop in provision.

Careers, advice and guidance

The careers landscape is complex and fragmented and young people are often not getting the level of service required. A coherent offer of all the options is needed. Year 12 drop-out is an issue and there is an opportunity to address this challenge with the emerging FE White Paper by incorporating a careers element as part of FE reforms.

School leavers in the post-16 transition period are required to seek any careers advice and guidance from the education institution they previously attended. This is a real issue for students that were not fully engaged with the school whilst in education and therefore as a result risk becoming NEET.



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Funding

A number of initiatives that provide the wider support to young people are funded through European Social Fund (ESF) and there is concern that much of this provision will be lost when the current European Structural and Investment Fund (ESIF) programme ends. This needs to be urgently addressed.

ANNEX B

T Levels: making implementation a success for young people, employers and the economy

Background

The [Sainsbury Report](#) (2016) recommended a new system consisting of a technical education option alongside an academic option for students aged 16 -19. The Government committed to these recommendations and published the [Post 16 Skills Plan](#). In 2017 the Government launched a new set of technical qualifications (T Levels) aimed at establishing parity between academic and technical routes, and to meet the current and future skills needs.

[T Levels](#) are a two year technical programme at level 3 and above for 16-19 year olds. The course provides a mixture of study and industry placement (approximately 45 days) in a chosen industry or occupation; supported by relevant Maths, English and digital skills.

These qualifications are being offered alongside apprenticeships, providing another route to a technical qualification, with the same set of employer- designed standards, approved and managed by the Institute for Apprenticeships and Technical Education.

T Levels are part of the Government's broader skills agenda that aim to meet needs of local employers and the economy.

The importance of a good quality technical skills offer

The traditional academic route is not appropriate for many post-16 students. Having alternative choice is vital for young people to ensure the right levels of skills and participation. Apprenticeships give young people the opportunity to combine earning whilst learning. T Levels are the other side of the same coin that offers learning with practical experience through an industry placement.

The current state of play

The introduction of the first three T Levels (Digital, Construction and Education and Childcare route) started last year (September 2020) at selected colleges, schools and other providers across England. A further seven T Levels will be available in September 2021 with the remaining courses starting in either 2022 or 2023. There will be a total of 24 T Levels in 11 routes by 2023.

COVID-19 impacting T Levels implementation

COVID-19 crisis has impacted both the supply and demand side of T Levels implementation. Students with lockdown restrictions and remote learning have missed out on key opportunities to gain information, advice and guidance on available vocational options, including T Levels. This has impacted recruitment of students for the September 2020 start as number are below targets: Digital 76 per cent and Education and Childcare 92 per cent; and surprising Construction 121 per cent against target respectively. Many providers have launched their own recruitment campaigns to secure viable numbers for courses. Employer

recruitment for Industry Placements has also struggled, particularly with the Education and Childcare and Digital T Levels.

LGA Workforce team update

The LGA recognises that T Levels are pivotal for councils and employers for addressing skills shortages/gaps and to develop a pipeline of a skilled workforce. The LGA workforce team secured DfE funding to deliver a pilot programme to promote T Levels industry placements within councils and also capture and share best practice on what works well and not so well in the sector.

It has launched the pilot programme with a media campaign (December 2020) that is aligned with the DfE T Levels national campaign. To raise awareness and promote a positive message in the sector there was a T Levels [feature](#) in the First magazine. The LGA campaign key messages include:

- promoting councils as career destinations for young people and developing the future workforce through a Technical Level skills pathway.
- LGA is working with and supporting councils to provide at least one T Level placement from September 2021.
- Sharing and learning from T Levels Industry Placements in councils; what works, what needs to be improved.

The workforce team has set up a sector focus group to inform and support its T Levels campaign. The initial feedback from the workforce focus group activities highlighted it was important to focus on three key areas: local political support; the role of the line manager and to provide one young person with an opportunity with a clear 'pathway'.

The LGA has engaged with our member authorities, in particular, areas where 2020 T Levels are being rolled-out to gather intel and inform policy. The workforce and policy teams are developing positions and supporting the sector as both councils as employers and economic development leads. This paper was developed on the back of those discussions and we will continue our work with the sector to enhance our policy position as T Levels are rolled out across England.

This paper sets out below what we would see as the **guiding principles** to ensure success of T Levels implementation for young people, employers and the economy.

Principle 1: School leaders and teachers should have greater awareness of T Levels

It is important for school leaders and teachers to have detailed knowledge of T Levels; as they can play pivotal role in raising careers awareness, both in their interactions with students as teachers and in pastoral roles, and also through their engagement with parents.

Although the [Next Level awareness raising campaign](#) is welcomed, recent evidence from the National Foundation for Educational Research (NFER) survey suggests that further work is needed to inform schools about T Levels. T Levels information gaps include course content, structure and assessment; target students; level of credibility with employers; entry requirements and identifying suitable pupils; local availability and institutions and progression routes.

Councils have existing relationships with schools and colleges in their areas and can support greater awareness as a trusted partner due to their impartiality but need resources to do this.

Principle 2: Students should have careers education and guidance on T Levels options

Good quality careers education, independent and impartial advice and guidance on T Levels should be available for students throughout their education, in particular, at key transition points of making important decisions, for instance: at 16 when taking key decision about KS5 routes and subjects, or vocational pathways. Students need clear information about course content, structure and assessment, progression routes to higher education, T Levels available.

The Youth Employment UK [Youth Voice Census](#) found that a T Levels option was only explored with 6 per cent of young people in the survey.

Principle 3: T Levels should be part of the coherent post-16 local offer

It is positive that young people have greater choice with a range of options (A levels, T Levels, Traineeships, Apprenticeships) to pursue their chosen career but this also creates a confusing picture. Young people need to have clear information on all options to make informed decisions on the best route for their career.

Councils are best placed to have a lead role in planning for a post-16 local offer given their statutory duties for young people. It is fundamental for young people to have a coherent offer of locally available options, including T Levels.

The Greater Manchester Combined Authority (GMCA) has created a website for students, Greater Manchester Apprenticeship and Careers Service ([GMACS](#)) which is populated with T Levels information for students and parents. GMCA have also created visual occupational maps for Construction and Digital as part of the Oldham Opportunity Area project to make technical education attractive.

Principle 4: T Levels offer should be differentiated from other initiatives

Employers are currently being bombarded with a plethora of government initiatives (T Levels, Traineeships, Apprenticeships) and there is a risk the T Levels messaging may get 'lost in the noise' as employers focus on the challenges currently facing them.

T Levels as well as providing very useful knowledge and experience for a student about a particular industry can also provide employers with a pipeline of skilled workers for the future. Consequently, there should be clear information on the merits of T Levels for employers as opposed to other initiatives.

Councils work with providers to ensure that local employers have the skills to meet their business needs, focussing on bringing the supply and demand sides of the labour market more closely together to improve the offer.

Principle 5: Employers should be incentivised to support Industry Placements

The challenge of delivering Industry Placements for T Levels on a national scale is immense.



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Many employers want to support T Levels but struggle, particularly SMEs, with the additional costs associated with providing a placement. Therefore, employers need to be incentivised with flexible funding for supervisory and other associated costs to offer more placements.

Local government has a vast range of different and diverse professions and can therefore provide a broad range of opportunities. It has the infrastructure to embrace the T Levels agenda as part of its wider workforce offer (Apprenticeships, Traineeships, Kickstart Scheme) and wants to support Industry Placements but it needs the resources to develop a comprehensive offer that meets the needs of individual, particularly for SEND and disadvantaged groups.

Out of area placements: LGA protocol

Purpose of report

For information.

Summary

This report updates the board on the LGA's development of a protocol relating to out of area placements.

Recommendation

That members note the report and comment on the proposed next steps.

Actions

Officers to note comments and take action as directed

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Out of Area Placements Protocol

Initial investigation

1. Since 2018, the LGA has been aware of an increasing number of concerns being raised by its member councils relating to out of area placements. The key driver of these placements is accommodation becoming more unaffordable in high-value areas. Local government is not the source of this problem; however, councils do have a key role to play in working together to ensure that moves which do take place are appropriate and handled well by both placing and receiving authorities.
2. In 2018 we commissioned an investigation into the scale and nature of issues related to out of area placements. The report found that the number of placements by homelessness services was growing, and that there was an unquantifiable number of Children in Need moves. We also found that communications between placing and receiving councils were often poor, and that families placed out of area could face difficulties relating to gaps in support.
3. The report presented some potential options for sector-led improvement, with a view to improving outcomes for households placed out of area and resolving tensions between councils:
 - 3.1 A National Protocol for Out of Area Homelessness and Children's Services Placements
 - 3.2 A disputes resolution process
 - 3.3 An online system for consistent and comprehensive notifications and information sharing
 - 3.4 Support for groups of councils to work together to monitor placements and avoid competing with each other for accommodation with the risk of pushing up prices.

Development of a protocol

4. Based on this investigation, in March 2019 EEHT lead members supported a recommendation that the LGA sought to develop a sector-led protocol, accompanied by a dispute resolution process.
5. The aim of the protocol would be to mitigate the impact of out of area placements on households, improve communications between councils making and receiving placements, and allow for the resolution of disputes between local authorities concerning placements via an independent mediator. It would seek to add value by working with or building on existing law and guidance rather than duplicating it, and would therefore represent a bigger change in practice for Children's Services than for homelessness services.

6. We appointed an independent homelessness and temporary accommodation expert to own the process of developing a draft protocol in discussion with partners, reporting into the Local Government Association and a partnership working group. This group included homelessness and children's services representatives from councils that made and received placements, London Councils, the Association of Directors of Children's Services, and the Ministry of Housing, Communities, and Local Government.
7. The independent expert facilitated several meetings of the working groups and various subgroups over 2019 and early 2020, in addition to bilateral meetings with key councils or council networks. This has resulted in a final draft protocol and annexes, which have been checked by a legal adviser and are now ready to go out to wider consultation. The draft documents have been attached to this paper as an Annex.

Next steps

8. The protocol and its annexes will be published for a six-week consultation in January 2021 (subject to SMT approval). The consultation will be primarily aimed at councils, although respondents from the wider homelessness and children's services sectors might also wish to respond. We have secured the support of London Councils and the Association of Directors of Children's Services in promoting this consultation.
9. The EEHT board has also agreed to a programme of engagement with council chief executives and leaders, to encourage councils to formally sign up to the voluntary protocol. We will work with the LGA's regional teams to plan this engagement, with a view to holding meetings over Spring 2021.

Implications for Wales

10. Homelessness is a devolved responsibility of the Welsh Assembly Government, and main implications of the protocol are for English local authorities.

Financial Implications

11. The LGA has funded the development of protocol through its Memorandum of Understanding with MHCLG.

Next steps

12. Members are asked to note and comment on the proposed next steps.

Draft Local Government Out of Area Placements Protocol

Foreword

Content TBD

Introduction

This protocol is a voluntary agreement between the local authorities in England. It particularly applies to local housing authorities and, where applicable, to children's services authorities.

The protocol sets out minimum standards which all participant councils agree to follow when making both temporary and long-term placements of households in another local authority area within England. This applies to accommodation used to meet the duties set out in the homelessness legislation and when a local authority is supporting a child under Section 17 of the Children Act 1989, where this support includes provision of accommodation.

The protocol sets out agreements between councils about practice and procedure. Some elements of the protocol may reflect elements of legislation or statutory guidance. Others do not.

The protocol is not a legal interpretation of the meaning or appropriate application of any legislation.

If there is any inadvertent conflict between this protocol and homelessness legislation, children's legislation or other legislation, and this is brought to light, then the protocol will be amended accordingly.

The protocol does not substitute for, or provide an alternative to, any provisions within the Homelessness Code of Guidance or any other statutory guidance.

Each individual case will be considered on its own facts but authorities who have adopted the protocol will follow it unless there is a good reason to depart from it in the circumstances of the particular case. The fact that it may be onerous or expensive for the placing authority to follow the protocol would not normally be considered a good reason for not doing so.

Background

Local authorities are subject to a number of legal duties to provide households with accommodation or to support households in their attempts to obtain accommodation.

The homelessness legislation requires local housing authorities to take reasonable steps to prevent homelessness for households at risk who meet defined criteria, and to take reasonable steps to relieve homelessness for households meeting defined criteria.

Local authorities may also be required to provide accommodation for some types of homeless households, such as those containing a child or with household members who meet vulnerability criteria. The accommodation provided may be temporary accommodation provided during the period in which a duty is owed to the household, or settled accommodation provided to end a duty.

The children's legislation also contains duties for local authorities to support families with children in need under certain conditions, as set out in S17 of the Children Act 1989. This support may include the provision of accommodation¹.

Wherever possible and appropriate, such placements should be within the area of the local authority which is assisting the household.

However, for a number of reasons, placements are sometimes made in other local authority areas. This may be either on a short term or long-term basis.

Such placements are mainly a result of the shortage of affordable accommodation in some local authority districts. This is a problem which has increased over a number of years because of the reduction in the number of lettings to social or affordable rented accommodation and the decrease in affordability of private rented accommodation in many areas.

However, there are also occasions when a move out of area may be a positive choice by the household concerned and /or may be appropriate for the safe-guarding or welfare of the household.

The legal constraints and guidance around moving households out of area differ when a move is made under the homelessness legislation and when a move is made under the children's legislation. A specific example of this is that moves under the homelessness legislation are governed by the homelessness suitability orders of 2003 and 2012 which prohibit the use of Bed & Breakfast accommodation for families with children for more than 6 weeks, and set out factors to be considered in relation to, or constraints on, the suitability and location of accommodation which can be used. These suitability orders do not apply to moves under the children's legislation.

¹ There are also duties on local authorities to accommodate children without their families in certain circumstances such as in the case of Looked After Children. This protocol does not apply to those placements and applies only to Children Act placements made under S17 .

Moving homeless households away from their home area is something that councils do reluctantly, and it is acknowledged that this can cause a number of difficulties. For example, some households will need support and guidance to settle successfully in a new area. There are also risks of making inappropriate placements. There can also be the potential for disruption to children's education and to the employment of members of the household. Some households may struggle to get access to the services and facilities they need.

This protocol is intended to reduce the risks as much as possible by ensuring that placements are appropriate and well managed, and that households who move to new areas have the best chance of making a successful transition.

Effective practice by local authorities and effective communication between local authorities are both important in ensuring that this is the case.

Provisions

General

1. Local authorities providing accommodation under any of the homelessness duties, or because they are supporting a Child in Need under s17 of the Children Act 1989 will, in so far as is reasonably practicable, secure accommodation within their own council area.
2. In the case of s17 support by the upper tier authority in two tier authority areas, accommodation will be provided, where reasonably practicable, within the area of the local housing authority where the household was most recently resident.
3. Where it is not reasonably practicable to place within the same local housing authority area, local authorities will place households as close as possible to the local housing authority area or in accordance with a published policy which provides for fair and reasonable allocation of accommodation.
4. Provisions 1., 2. and 3. do not apply where the household has found their own accommodation or expressed a preference to move to a different area, or where an out of area move is required in order to ensure the safety or welfare of the household.
5. It is understood that the provisions within this protocol may need to be temporarily suspended in the case of short-term emergency placements where the only option to provide accommodation immediately is an out of area placement. However, suspensions on these grounds should be as short as possible, and it should be no

more than five working days before efforts to comply with the protocol are made, with regular reviews undertaken thereafter until a protocol compliant move can be achieved. If a non-compliant emergency placement is made out of area, then the placing authority will notify the receiving authority of that placement within two working days.

6. Before deciding to move a household out of the local housing authority area for anything other than a short-term emergency placement, the placing authority will undertake a suitability assessment. This assessment will consider the affordability of any proposed accommodation. The assessment will also consider the medical and educational needs of the household as well as links with social workers and other key services and support, including the impact of separating children and other household members from support networks. The suitability assessment will also consider potential disruption to the employment of household members and any caring responsibilities held by members of the household.
7. For moves of families with children under the homelessness legislation, the suitability assessment will include asking the household if there has ever been contact with children's social services. If so, and subject to consent from the household, the relevant children's services department will be contacted to establish if there is or has previously been a child protection plan or a child in need plan in place for any member of the household. The household will also be asked if any child has Special Educational Needs or an Education, Health and Care Plan. If so this will form part of the assessment of where it would be suitable to place them.
8. It may be necessary in some cases to move a household, where it is clear that the complex needs of a child or children in the household will require services to be provided by the receiving authority. In such cases, the placing authority will liaise with the receiving authority (or authorities in two tier areas) prior to the placement being made, in order to ensure the necessary services or provision can be delivered. Receiving authorities so consulted will respond to the placing authority within three working days. For short term placements and placements close to the placing authority area, it may be most sensible for services to continue from the placing authority for a period.

Suitability of accommodation

9. All placements, including s17 support, will be into accommodation which has been assessed as suitable for the household concerned. This will include not overcrowding households by more than one room according to the bedroom

standard contained in the Housing Benefit and Universal Credit regulations, other than for short term emergency placements or in exceptional circumstances.

10. Placements will not be made into accommodation which does not meet the minimum space and location standards set out in Annex 1, other than for short term emergency placements or in exceptional circumstances. The maximum distances to shops and public transport within Annex 1 do not apply to households which own their own car.
11. Bed & Breakfast accommodation with shared facilities will not be used for households with children or pregnant women except in an emergency, and even then for as short a time as possible, which should not exceed 6 weeks. This includes provision of accommodation under s17 of the Children Act, as well as under the homelessness legislation.
12. When an out of area placement is made in a property for the first time, the placing authority must make arrangements to ensure that the property is inspected by a competent council officer or an HHSRS qualified inspector independent of any managing agent involved in the booking of the property. This must be within five working days of the placement being made. If agreed by both placing and receiving authorities, inspections could be carried out by the receiving authority. The requirement for an independent inspection does not apply where the household has found their own accommodation or has expressed a preference to move to a distant area and agreed in writing that they are happy to move to accommodation which has not been independently inspected.
13. Certification must be obtained for EPC, gas, and electrical safety in PRS accommodation in order for a placement to go ahead.
14. If actions are identified as a result of the inspection, the placing authority must make arrangements to ensure that these are followed through within a reasonable period of time. Any identified Category 1 hazards will be remedied urgently or the placement will be cancelled and the placing authority will make alternative accommodation available.
15. Local authorities should take particular account of the impact of health and safety hazards on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions.
16. Where more than one placement is made in the same property over a period, such as in a Bed & Breakfast hotel or other forms of temporary accommodation,

inspections do not need to take place for every placement, but within five working days of the first placement, and subsequently if evidence comes to light which causes concern. For Bed & Breakfast hotels, it is good practice to inspect the property on an annual basis.

17. Placing authorities will only place into accommodation where they are confident that the landlord and where applicable the managing agent is a fit and proper person. It is good practice for placing authorities to contact host authorities to check whether there are any known issues with landlords or managing agents prior to making a placement with them for the first time. Receiving authorities so consulted will respond to the placing authority within three working days. It is also good practice to make enquiries through landlord and agent checking websites such as the 'Database of Rogue Landlords and Property Agents' and the London 'Rogue Landlord and Agent Checker'.
18. When placing in HMOs which require a license, the placing authority will check that the HMO is licensed before making a placement.
19. The name of the landlord or agent will be notified to the host authority as part of the notification of the placement, so that the host authority has the opportunity to inform the placing authority of any concerns or previous convictions.

Vulnerable Households

20. Local authorities will avoid placing the most vulnerable households out of area unless there are specific reasons to do so for the safety or wellbeing of the household or others.
21. Specifically, local authorities agree to make best endeavours to avoid making out of area placements of families including a child with a Child Protection Plan or an Education, Health and Care Plan (EHCP), prolific and persistent offenders, and those housed through MAPPA (Multi-Agency Public Protection Arrangements), unless there are clear reasons to do so for the safety or well-being of the household or others. Annex 2 provides guidance on when vulnerability of children in a household would be expected to prevent a move out of area.
22. Where there are clear reasons to move such a vulnerable household out of area, the placing authority should liaise with the host authority in advance of any placement being made in order to ensure the suitability of the placement, appropriate sharing of information with key agencies, and the capacity and availability of necessary services. Receiving authorities so consulted will respond to

the placing authority within three working days.

23. When vulnerable households, where there is a safeguarding concern, are placed out of area, safeguarding issues will be carefully considered, including with the host authority in advance of any placement (or authorities in a two-tier area), in assessing the appropriateness of the placement. In the case of a Child in Need, parental consent is required to share assessments with receiving children's services authorities unless the child is subject of a s47 investigation, Child Protection Plan, or in care.

Resettlement Support

24. The placing authority will have arrangements in place to offer resettlement support to households placed out of area, where this is needed. This support may vary depending on whether the placement is short-term or for a longer period, and depending on the specific needs of the household identified in the suitability assessment made before the placement.
25. If a household is placed outside of the local housing authority to end a duty, or in temporary accommodation for more than a short period, then support will be offered by the placing authority either directly or by arrangement, where this is needed to achieve the following objectives:
 - a. Appropriate welfare benefits are claimed and checks made to ensure they are in payment
 - b. Gas (where applicable), electricity and water supplies are connected and payment arrangements are in place
 - c. The household has basic furniture and essential equipment in their new accommodation
 - d. Children secure a place in local schools if continuing at their previous school is not feasible (more details are set out in the Children's Education provisions, below)
 - e. Information is provided to the household about relevant local services, including public transport, GPs and other relevant health services, shopping facilities, local advice services, and local employment services if applicable.
26. Taking into account the particular circumstances in each case, it is agreed that when placing a household in accommodation in another local housing authority, the placing authority will take reasonable steps to ensure that the above basic necessities for settling in a new area are in place, and to follow up with the

household and/or their landlord to establish whether this has been achieved.

27. Where support is not provided directly, indirect arrangements may include contracting with an external agency, or working jointly with other councils to procure an appropriate service. It may also be possible to work with the host local authority or other local services to provide support.
28. The extent to which any given household will need support in the above areas will depend on the capabilities, needs and circumstances of that household, as well as the distance they are moving. Some households may refuse to engage with offers of support.
29. Details of the support available and how to access it will be set out in the letter offering the accommodation.

Transfer of responsibility when a duty is ended out of area

A: No Recourse to Public Funds cases where households have gained access to public funds

30. When a s17 duty to a household with No Recourse to Public Funds, who has been placed out of area, ends because the household has gained access to public funds, the placing authority will take steps to ensure that the household does not become homeless, including, if necessary, referring them to an appropriate local housing authority under the Homelessness Reduction Act Duty to Refer (s 213B of the Housing Act 1996).
31. Where the Duty to Refer arises, the children's service authority will ask the family to agree to it notifying a local housing authority of its opinion that the family is or may be homeless or threatened with homelessness. If the family agrees to the authority making the notification and identifies a local housing authority in England to which they would like the notification to be made, the authority will notify that local housing authority.
32. The placing authority may advise the family as to which would be the most appropriate local housing authority for the notification to be made to. In so advising, the placing authority will consider where the family has established a local connection as defined in the homelessness legislation, as well as the family's wishes and where there is the best chance of integration. This is likely to be either the local housing authority where they have been placed or the local housing authority where the household was resident before they were placed, if a local connection was established there. Authorities may advise as to the possibility of the family's case being referred to another local housing authority if the notification is made to a local housing authority where no local connection exists if a local connection does

exist elsewhere.

33. The placing authority will give the local housing authority they are referring to at least 28 days' notice before the placement ends, when ending a s17 duty in these circumstances, in order to allow a support pathway to be put in place and for accommodation to be provided if necessary.
34. This referral should be made under the Duty to Refer, and should include information around support and language requirements and the contact details of a named social worker.
35. If the household includes a Child in Need for any reason other than homelessness, then the placing authority will also notify the host children's services authority with at least 28 days' notice before the placement ceases. This is subject to parental consent having been obtained, unless any child is subject of a s47 investigation, a Child Protection Plan, or is in care.
36. During this 28 day period, the placing authority should liaise with the local housing authority being referred to, to ensure adequate financial support and accommodation is in place.
37. The placing children's services authority will work to ensure that any welfare benefits, for which the household is eligible, are in place before subsistence payments are withdrawn in order to ensure there is no risk of destitution.
38. If the local housing authority referral is to the host authority, the host authority may be able to arrange for the household to stay in their current accommodation under the prevention duty, if this is appropriate.
39. If the referral is to the host authority, then, if the household has lived in the area for at least 6 months out of the last 12 or at least 3 years out of the last 5, the host authority will generally accept that a local connection has been established.

B: Intentional Homelessness and other negative decision cases

40. If an Intentional Homelessness decision is made for a household already placed in temporary accommodation out of area, which includes dependent children, the placing local housing authority should carefully consider the best interests of the children in the household before deciding, in a case where it is possible, whether or not to retain responsibility for the household through their own children's services

department (or, in two tier authorities, through a referral to the children's services authority covering the placing local authority area). Such consideration should include potential disruption to children's education and continued links to services. Information on responsibilities under the Children Act 1989 when households move from one area to another is set out in **Annex 4**.

41. Local housing authorities will not make placements of households, whom they have already informed they are minded to find intentionally homeless, in temporary accommodation out of the local housing authority area, unless the household is already accommodated out of area when the 'minded to' decision is made.
42. On reaching a decision that an applicant, who has been placed in temporary accommodation outside of the local housing authority area, has a priority need but became homeless intentionally, the placing local housing authority will continue to provide secure accommodation for a period of time that will provide a reasonable opportunity for them to find their own accommodation.
43. In these circumstances, the placing authority will also provide, or secure the provision of, advice and assistance in any attempts the applicant might make to secure accommodation. This should include advice on finding accommodation within the placing authority area, and should not be limited to suggesting that the household approaches the host local housing authority or children's services authority for assistance.
44. If an intentional homelessness decision is made for a household already accommodated out of area, and a decision made by the placing local housing authority not to then refer the case to their own children's services authority, then the placing authority will notify both the host local housing authority and the host children's services authority on the day of the intentional homelessness decision, with at least 28 days' notice before temporary accommodation ceases. The notification to the host local housing authority may be through an update to the s208 notification already in place.
45. The host local housing authority will then make contact with the household to consider whether to accept an application for housing assistance under Part 7 of the Housing Act 1996. If the host local housing authority decides to offer assistance under the homelessness relief duty, this assistance should include work with their local children's services to ensure that a support and accommodation pathway is in place, should the relief duty fail.

46. If an out of area placement is ended for other negative reasons, such as a 'not homeless' decision, or because the household refuses a reasonable offer of accommodation, then the placing authority will notify the host local housing authority of this decision at least 7 days before the placement ends and will ensure that the correct notice period and any necessary possession proceedings are followed before evicting the household from their temporary accommodation.

Children's Education

47. Households including one or more children studying the syllabus for GCSE and A-Level examinations will be prioritised for placements within reasonable travelling distance of their existing school if they are in an exam year. If this is not possible then placing authorities will provide support, including support towards travel and other necessary expenses where needed, to ensure that disruption to school attendance is minimised.
48. Children with Special Educational Needs (SEN) will be prioritised for placements which allow them to continue at their existing school, unless there are specific concerns for the safety or wellbeing of the household that make it impossible to do so. In exceptional circumstances where it is impossible for them to continue at their existing school, the placing authority should liaise with the host authority in advance of any placement being made to ensure suitability of the placement, appropriate sharing of information with key agencies, and capacity/availability of necessary services.
49. If, in exceptional circumstances, a child with an Education, Health and Care Plan (EHCP) is moved to a different local education authority and needs to change school, the placing authority will inform the host local education authority of this before the move, with as much notice as possible. This will if necessary be achieved by the placing authority requesting, subject to consent being obtained from the household, that their local provider of EHCPs make the notification.
50. When placing authorities make multiple placements to another authority, and especially if this involves placements to a new block or a block which is being used for family accommodation for the first time, they will check with the host children's services authority whether there are particular difficulties in finding school, nursery and pre-school places for certain year groups in that area in advance of any placements being made. This information will be used in suitability assessments to help determine which families are placed.
51. Children being placed out of area for a short period which makes it undesirable for them to transfer to a new school will be given assistance to continue to attend their

existing school, including, where necessary, support with travel and other necessary expenses.

52. Where out of area placements require children to transfer to a new school, the placing authority will provide assistance to help enable the transfer to take place as smoothly and rapidly as possible. This may include the placing authority assisting the household directly to obtain a school place and/or providing information to the household to ensure that they are empowered to apply for a school place themselves. In either case, the placing authority will ensure that the local education authority has been informed of the need for a school place/s, and of any Special Educational Needs of children within the household, and will follow up with the household and/or their previous school to check that a school place has been secured successfully. If not, the placing authority will offer further support to the household to achieve this.

Blocks and Permitted Development Rights (PDR) Developments

53. Before agreeing a deal to use a new block where they intend to place households in 10 or more units of accommodation, or a new PDR block where they intend to place any number of households, the placing authority will contact the designated protocol contact officer at the host authority, in the first instance, to ascertain if there are any issues which would make it unsuitable for this purpose. It may be determined as a result of such discussions that the block is not suitable, or not suitable for the placement of certain households. These discussions will include issues around suitability of accommodation, local school places (as also set out in provision 50.), amenities and services, and key risks within the neighbourhood that could jeopardise a successful placement, such as high levels of crime, anti-social behaviour, gang activity or county lines.
54. Placing authorities will ensure that all PDR properties are inspected by an HHSRS qualified inspector independent of the developer or any managing agent involved in the booking of the property. This will include verification that proper fire safety arrangements are in place.
55. Placing authorities will not make placements in PDR accommodation which does not meet the minimum space and location standards set out in Annex 1. to this protocol. Where transport facilities are inadequate, placing authorities may consider liaison with host authorities to provide suitable transport.
56. When blocks are offered to multiple authorities, each potential placing authority will endeavour to find out from the developer or agent, and where relevant the host authority, which other councils are placing or likely to place in the block, as a

precondition of using it.

57. They will then consult with those councils to ensure that the allocations policies of the councils are compatible and will not result in a mix of client groups in the block which is likely to be detrimental to the safety or wellbeing of the residents. If making placements in an existing block, placing authorities will endeavour to ensure that the placements they make are appropriate by making enquiries from the provider about the profile of existing residents.
58. Some blocks may only be suitable if additional support to the residents of the block is provided. Where this is the case, and there are multiple authorities using the block, it may be good practice to procure such support jointly between authorities.
59. When a decision has been made to make placements to 10 or more units in a new block, the placing authority will inform the host housing and children's services authorities with as much notice as possible in advance. This is in addition to the notification requirements for individual households as set out in provision 61.
60. When a placing authority makes an agreement to let to 20 or more units in a new or newly converted block, it is good practice to offer the host authority the opportunity to nominate to at least 10% of the units on equivalent terms to the placing authority.

Notifications

61. All placing authorities making placements out of area under any of the duties in the homelessness legislation will notify the host local housing authority as soon as possible of the placement through a s208 notification and at the latest within 14 days of the accommodation being made available to the applicant. The information provided in the notification will include:
 - (a) the name of the applicant;
 - (b) the number and description of other persons who normally reside with the applicant as a member of his or her family or might reasonably be expected to do so, including the names and dates of birth of all children in the household;
 - (c) the address of the accommodation;
 - (d) contact details for the applicant (subject to having obtained the necessary consent);
 - (e) the date on which the accommodation was made available;

- (f) which function the housing authority is discharging in securing the accommodation;
 - (g) the name and address of the landlord or housing supplier
 - (h) the nightly or weekly rent payable
 - (i) the details of any financial incentive paid to the landlord or supplier
 - (j) the tenure of the accommodation – either temporary accommodation or Assured Shorthold Tenancy
 - (k) whether it anticipates that there are children in the household who will need a school place in the host authority area
62. Placing authorities disclosing information under (g), (h) and (i) above will seek the consent of landlords or housing suppliers to do so if they are not satisfied that disclosure is necessary for the exercise of a function conferred on the authority by an enactment².
63. All local housing authorities will set up a s208 e-mail address to receive s208 notifications in the format s208@nameofcouncil.gov.uk.
64. All local housing authorities making an out of area placement under one of the homelessness duties for a household which includes dependent children with a Child in Need plan or a Child Protection Plan will, subject to necessary consent from the household, inform their local children's services department of the placement being made. As stated elsewhere in this protocol, the needs of the children in the household, including any children's social services involvement, will have been considered as part of the suitability assessment prior to the placement being made.
65. If the placement is also outside that children's services authority area, then the children's services department will assess whether it should make a referral or notification to the host children's services department according to its agreed procedures, and if so will make such a referral or notification.
66. Children's services authorities providing accommodation under s17 of the Children Act or for a child with a Child in Need plan or a Child Protection Plan, or who have been informed of an out of area homelessness placement made by a local housing authority in their area for families including such children, will, so far as it is

² For example, to assist in fulfilling the legal requirement to ensure a landlord is a fit and proper person through the knowledge of the host authority about landlords in their area, or to support delivery of the best value duty under S3 of the Local Government Act 1999

possible for them to do so, not close or downgrade the CPP or CiN plan unless there is a change in circumstances which provides good reason to do so.

Communication and Disputes Resolution

In the event that an authority believes that another local authority has breached the provisions of this protocol then both local authorities will follow the disputes resolution process at Annex 3. to this protocol.

As set out in more detail in Annex 3., each participant local authority will appoint one or more designated contact officers for other participant authorities to contact about any issues pertinent to the operation of this protocol, including enquiries made prior to placements being made and in the event of disputes.

The LGA will provide annual reports on the number, type, and outcome of disputes involving the use of an independent referee.

Review

This protocol will be reviewed within 6 months of the date it comes into effect, and annually thereafter by the LGA.

Contact

Any comments or questions related to this protocol should be referred to the Local Government Association: firstname.surname@local.gov.uk

Annex 1. Out of Area Placements Protocol

Minimum standards of space and location

The following minimum standards are required when accommodating households out of their existing local housing authority area.

Space Standards

- Rooms must have a minimum floor to ceiling height of at least 2.14 meters over not less than 75% of the room area
- Rooms must have a minimum width of 2.15 meters

Sleeping Areas

Number of persons	Minimum sizes (square meters)
2	10.22
1 1/2	8.36
1	6.51
1/2	4.64

*Taken from Homelessness Code of Guidance

*Children under the age of one are not considered

*1/2 - Children between the age of 1 and 10

Living Areas (including living rooms and kitchen diners)

Number of bedrooms in property	Minimum sizes (square meters)
2+	6.51
1	4.64

Separate living areas are not required in accommodation let as rooms or studio flats. However, such accommodation would be overcrowded according to the bedroom standard if let to families.

Walking Distance to Convenience Store & Regular Transport Links for households reliant on public transport

These maximum distances apply to households where no household members have mobility problems. Households with mobility problems may require closer access and this should be considered as part of suitability assessments.

- **Convenience Store**
Within 30 minutes by a combination of walking and public transport
- **Regular Transport Links**
Within 10 to 15 minutes to walk at a moderate pace
Service runs between 06:30AM and 8:30PM Monday to Friday

Annex 2. Out of Area Placements Protocol

Definition of a child within a vulnerable family who should not be moved

This list of criteria is in reference to children and families who are moved **only** due to their housing need and not those being moved to be made safer. If moving a child and their family to increase safety, consideration should be given to how the family would a) be able to maintain contact links with essential support from their existing network and b) whether greater distance should be placed between the originating authority and the new home, or whether proximity to transport links could be unsafe i.e. to continue gang activity via the railway/ tube network, or for sexual exploitation.

- **Any child where there is clear evidence that moving them away from an existing support network may place them directly at risk of harm, or may increase their vulnerability leading to an increased likelihood of future harm.** This includes young people who, if moved, are likely to become more vulnerable to criminal or sexual exploitation.
- **Families who are experiencing domestic abuse.** Whilst it may be necessary to move a family away from a perpetrator, where a family is not being moved for this reason, they are often safer if they can remain linked to their local support network.
- **Children with a significant disability** who have an Education Health and Care Plan (EHCP) or are accessing a package of funded support, specialist school placement, hospice or specialist complex healthcare.
- **Children who are subject of a Child Protection plan.**
- **Cases where the current CIN plan is to escalate** to Child Protection, Public Law Outline or Application to Family Court
- **Parent accessing specialist mental health services** especially those recently discharged from hospital or Section.
- **Parent with a significant disability or serious physical health condition** that requires frequent hospitalisation or treatment
- **Parent in receipt of funded treatment programme** i.e. detoxification/rehabilitation from substance misuse, for which any move should be delayed until treatment is complete.

Annex 3. Out of Area Placements Protocol

Disputes Resolution Procedure

1. Introduction

- 1.1 This procedure sets out the process to be followed if a council which has agreed to be a participant in the LGA Out of Area Placements Protocol becomes aware of one or more placements made by another protocol affiliated council and it considers that the placement may have been made in breach of the protocol.
- 1.2 Agreeing to join the protocol includes agreement to follow the disputes resolution process as set out below.
- 1.3 Making use of the disputes resolution procedure does not affect any legal responsibilities of either the placing or receiving council towards any household placed out of area.
- 1.4 In particular, there is no implication that councils where households have been placed, who are concerned about the safety or wellbeing of such households should delay taking any necessary action to address such concerns.
- 1.5 The application of the disputes resolution procedure is independent of, and without prejudice to, any review process or legal procedure instigated by any member of the household, or his or her representatives.

2. Contact Officer/s

- 2.1 All councils participating in the protocol will provide contact details for a designated protocol contact officer or officers, which will be held by the LGA and be made available to other councils participating in the protocol.
- 2.2 Where appropriate, and if a council so chooses, different contact officers can be named with different areas of responsibility. For example, in unitary authorities, there may be different contact officers for Housing and Children's Services.
- 2.3 Contact details will include the name, job title, e-mail and direct line telephone number for each contact officer. If preferred, councils may set up a designated e-mail such as OOAprotocol@council.gov.uk, but the names and phone numbers of a designated officer or officers should still be given.

- 2.4 The name and contact details of a more senior officer may also be given, in case of non-response by the designated contact officer or in order to assist in resolving any difficulties.
- 2.5 The designated contact officer will be the lead person with whom to discuss any issues pertinent to the protocol, including any discussions which need to take place prior to a placement being made, as well as any concerns about placements which have already been made.
- 2.6 All councils participating in the protocol have a responsibility to ensure that contact information is kept up to date.

In the event of an alleged protocol breach:

3. Stage 1. Initial Complaint

- 3.1 If a council becomes aware of a placement made in their area, which they are concerned may have breached one or more of the protocol provisions, they should, subject to obtaining any necessary consents to share information from the household who has been placed in their area and any other person whose personal information is being shared, make contact with the designated contact officer from the placing council in the first instance with a request to discuss the case.
- 3.2 The contact officer in the placing council should acknowledge the request within three working days and make arrangements to discuss the case within five working days.
- 3.3 If any designated contact officer is on leave or otherwise unavailable for a period which would prevent the request being acknowledged within two working days, they should ensure that any council attempting to contact them about the protocol is provided with contact details of an alternative officer with whom they can discuss issues relating to the protocol, for example as part of an “out of office” e-mail message.
- 3.4 If the recipient council does not receive a response from the designated contact officer and/or generic e-mail within three working days, and alternative contact details have not been provided, they should contact a more senior officer within the placing council to request that the process be expedited.
- 3.5 This may include contacting the Chief Executive of the placing Council if no response is received by other means. The LGA will provide the e-mail address of the relevant

Chief Executive on request if this situation occurs.

4. Stage 2. – Informal resolution between the two councils

- 4.1 Once contact has been established, and subject to consent having been obtained from the affected household, full details of the alleged protocol breach should be shared with the contact officer for the placing council.
- 4.2 It may then be agreed by both councils that the placement is not in breach of the protocol.
- 4.3 If, however, it is agreed that a breach of the protocol has occurred, the placing and receiving councils should attempt to agree an appropriate course of action between them to remedy the situation.
- 4.4 If this is resolved satisfactorily, the matter may be closed at this stage.

5. Stage 3. – Independent adjudication

- 5.1 If it is not possible to reach agreement on whether the protocol has been breached or on the course of action which should be taken if it has been breached, then either council may choose to make use of an independent referee from the LGA's list of such referees in order to resolve the dispute.
- 5.2 The LGA has established an independent panel of referees for this purpose. A referee should be appointed as soon as possible, and within a maximum 21 days of the initial request to discuss the case.
- 5.3 If the councils are unable to agree on the choice of a referee, they should jointly request that the LGA appoint a referee on their behalf from the independent panel.
- 5.4 Councils should, having first agreed on the proposed referee, establish that he or she is available and willing to accept the case. Each authority is then responsible for providing the referee with such information as he or she requires to reach a decision, and ensuring prompt payment of fees and expenses.
- 5.5 A referee must not have any personal interest in the outcome of the dispute and should not accept the appointment if he or she is, or was, employed by, or is a council tax payer in, one of the disputing local authorities, or if he or she has any connection with the household who has moved out of area.

- 5.6 Following appointment, the referee shall invite both councils to submit written representations within a period of fourteen working days, specifying the closing date, and requiring them to send copies of their submission to the other council involved in the dispute.
- 5.7 Councils must have the opportunity to see each other's written statements, and should be allowed a further period of ten working days to comment thereon before the referee proceeds to determine the issue.
- 5.8 The referee may also invite further written representations from the authorities, if considered necessary.
- 5.9 The household to whom the dispute relates is not a direct party to the dispute but the referee may invite written or oral representations from members of the household, or any other person, which is proper and relevant to the issue.
- 5.10 It is important that where relevant, the referee takes the wishes of the household into account in any part of his or her determination which is likely to affect that household.
- 5.11 Where the referee invites representations from a person they may be made by another person acting on the person's behalf, whether or not the other person is legally qualified.
- 5.12 Following examination of the evidence presented by both councils, the referee will provide written decision to both councils which will:
- Set out the circumstances of the case
 - Make a determination on whether and how the protocol has been breached
 - If the protocol has been breached, set out recommendations for a suitable remedy
 - Determine the apportionment of payment for the referee's fixed fee.
- 5.13 Normally, if a breach has occurred, the breaching council will pay the referee's fee, and if a breach has not occurred the council alleging the breach will pay the fee. However, there may be circumstances where a different apportionment may be made at the discretion of the referee. For example this could be in the case where a trivial breach occurred, or the breaching council offered to make an appropriate remedy but this was not accepted by the complainant council, or one of the councils was uncooperative in working with the referee.
- 5.14 Officers at each council will be given a copy of the draft written decision and will have five working days to submit queries or to correct errors of fact or other errors.

6. Stage 4. - Action in the event of a breach

- 6.1 If it is determined that a breach has occurred, then the full written decision of the referee will be sent to both the Chief Executive and the Leader of the breaching council, and a copy sent to the LGA. The LGA will make the contacts details of the relevant Chief Executive and Leader available to the referee.
- 6.2 It is expected that breaching councils will move expeditiously to bring into effect the remedy determined by the referee.
- 6.3 If this does not happen, then the LGA should be informed. However, any escalation will need to take place between the two councils. The LGA does not have and cannot have an enforcement role in ensuring that referees' decisions are implemented.

7. Payment of fees and costs

- 7.1 The LGA recommend a flat rate fee of £1,200 per determination, which should be paid in full and as speedily as possible after the determination has been received.
- 7.2 However, in exceptional cases where a dispute takes a disproportionate time to resolve, a referee may negotiate a higher fee. In addition, the referee may claim the actual cost of any travelling, secretarial or other incidental expenses which s/he has incurred.
- 7.3 The LGA will determine such additional fees as may be appropriate for any additional work which may subsequently arise should there be a further dispute or appeal after the initial determination has been made.
- 7.4 The referee's fees and expenses, and any third party costs, would normally be recovered from the unsuccessful party to the dispute, although a referee may choose to apportion expenses between the disputing authorities if s/he considers it warranted. Referees are advised, when issuing invoices to local authorities, to stipulate that payment must be made within 28 days.
- 7.5 If no payment is received within 28 days, the referee should inform the local authority of their intention to escalate the matter with the LGA.

7.6 If, following this, no commitment to pay is received by the referee within a further week, the referee should inform the LGA, who will contact the council.

7.7 If there is no response within a further period of one week, the LGA will escalate to relevant director of services, and if necessary then the chief executive.

8. Some example remedies for different types of protocol breaches

8.1 Referees have discretion to determine appropriate remedies taking into account the full circumstances of each case, including the wishes of the household who has moved out of area, where applicable. The following examples are intended to set guidelines for what may be appropriate in the case of some types of breaches, but are not intended to be exhaustive.

Type of Breach	Example Remedy
Accommodation not suitable following lack of proper inspection	<ul style="list-style-type: none"> • Urgently remove any category 1 hazards or end the placement and provide suitable accommodation for the household • Remedy any other problems in a timely fashion or end the placement and provide suitable accommodation for the household • Put in place clear arrangements to ensure all properties are inspected in future in line with the protocol provisions.
Accommodation does not meet minimum size and location requirements or is overcrowded by more than one room	<ul style="list-style-type: none"> • End the placement and provide suitable accommodation for the household.
Accommodation not suitable for the particular household following lack of a proper suitability assessment.	<ul style="list-style-type: none"> • Rectify the situation if this is feasible, or end the placement and provide suitable accommodation for the household • Review procedures to ensure suitability assessments meeting both legal requirements and the terms of the protocol take place in all future cases.
Vulnerable households placed out of area in breach of protocol terms.	<ul style="list-style-type: none"> • Rectify the situation if this is feasible or end the placement and provide suitable accommodation for the household. • Put measures in place to ensure this is not repeated.
Household is in difficulties due to non-provision of resettlement support	<ul style="list-style-type: none"> • Provide resettlement support as set out in the protocol.

	<ul style="list-style-type: none"> • If the household has suffered a financial loss e.g. because of lack of support in claiming benefits, then if considered appropriate by the referee recompense the household for the financial loss (this should not however include compensating households for deliberate omissions not linked to vulnerability or lack of understanding)
<p>Non-compliance with the protocol in relation to measures to be taken when a duty ended out of area.</p>	<ul style="list-style-type: none"> • The placing authority should then take responsibility for providing accommodation for the household under the homelessness or children’s services legislation as appropriate.
<p>Children do not remain at their existing school or gain a place at a school in the new area (as appropriate)</p>	<ul style="list-style-type: none"> • Provide support to urgently assist the child into an appropriate school, working closely with the receiving authority as necessary • Review procedures to minimise the chances of this reoccurring
<p>Bulk moves into a new block do not comply with protocol requirements</p>	<ul style="list-style-type: none"> • Urgently work with the host authority and other placing authorities as necessary to ensure that all future placements are compliant • If the block is unsuitable, move to stop placing there as soon as possible consistent with any legal obligations entered into
<p>Placements are not notified to receiving authorities as agreed under the protocol terms.</p>	<ul style="list-style-type: none"> • All current placements should be notified as soon as possible. • Procedures should be reviewed to ensure all future placements are properly notified.

Annex 4. Out of Area Placements Protocol

Responsibility under section 17 of the Children Act 1989

- 1) By section 17(1) of the Children Act 1989 a children's services authority is under a general duty to safeguard and promote the welfare of children within its area who are in need, and, so far as is consistent with that duty, to promote the upbringing of children by their families, by providing a range and level of services appropriate to those children's needs.
- 2) By section 17(3) any service provided in the exercise of the functions under section 17 may be provided for the family of a particular child in need, or for any member of their family, if it is provided with a view to safeguarding or promoting the child's welfare. By section 17(6) the services provided may include providing accommodation.
- 3) It can be seen that it is contemplated that services under section 17 will be provided by the children's services authority in whose area the child is physically present. That is not limited to the authority in whose area the child lives. A child can be physically present in an area by, for example, attending school there (*R (Stewart) v Wandsworth London Borough Council* [2002] 1 FLR 469 at paragraph 30) but a brief visit to an area will not suffice (*R (AM) v Havering London Borough Council* [2015] PTSR 1242 at paragraph 42).
- 4) Where an authority has carried out an assessment of a child's needs at a time when the child was physically present in its area, it has power to provide services to the child even if the child subsequently moves outside its area (*R (J) v Worcestershire County Council* [2015] PTSR 127 at paragraphs 34 to 36).
- 5) As a result of the above, where a local housing authority has placed a household with one or more dependent children out of its area, the host children's services authority will have responsibility for the children under section 17 of the 1989 Act. The placing authority (or the children's services authority for the area in a two tier area) will also have responsibility for the children if they continue to have a physical presence in its area - for example, because the children continue to go to school in the placing authority's area.
- 6) If the placing authority (or the children's services authority for the area in a two tier area) has previously assessed the needs of the children while they were present in its area, it can continue to provide services to the children even after they have moved out of the area. However, in a case where the children appear unlikely to return to the area within six months, it may only be appropriate to provide such services for a limited period until the host authority is in a position to take over the provision of services.
- 7) Where more than one authority has responsibility for children under section 17, whichever authority is first approached by the family would be obliged to assess the children's needs but the different authorities with responsibility should co-operate to decide which would be the most appropriate authority or authorities to provide any services.

Raising the Age of Criminal Responsibility

Purpose of report

For direction.

Summary

The age of criminal responsibility (ACR) refers to the minimum age that a child can be prosecuted and punished by law for an offence. England, Wales and Northern Ireland have one of the lowest ACRs in the world at age 10. Campaigners have been calling for the ACR to be raised to reflect international standards and research around child development. In May 2019, the Equalities and Human Rights Commission called on the Government to raise the ACR, noting that “criminalising children at such a young age can have a detrimental impact on their wellbeing and development and risks making them more likely to reoffend as adults.”

This paper brings further information to members, following the paper in December 2019, to ask members to agree an LGA position on raising the ACR.

Recommendation/s

Members are asked to consider whether the LGA's position is that:

- we should stay at the current age of Criminal Responsibility
- increase the age to 12 in line with the Scottish Government or
- increase to 14, in line with the European average and the recommendations from the UN Convention on the Rights of the Child

Action/s

Officers will;

- undertake further research to know more about the children who are committing crimes
- continue to build up an understanding of best practice in this area to share with both Government and local authorities
- use the LGA's agreed position in future work with the Government.

Contact officer: Flora Wilkie
Position: Adviser – Children and Young People
Email: flora.wilkie@local.gov.uk

Raising the Age of Criminal Responsibility

Background

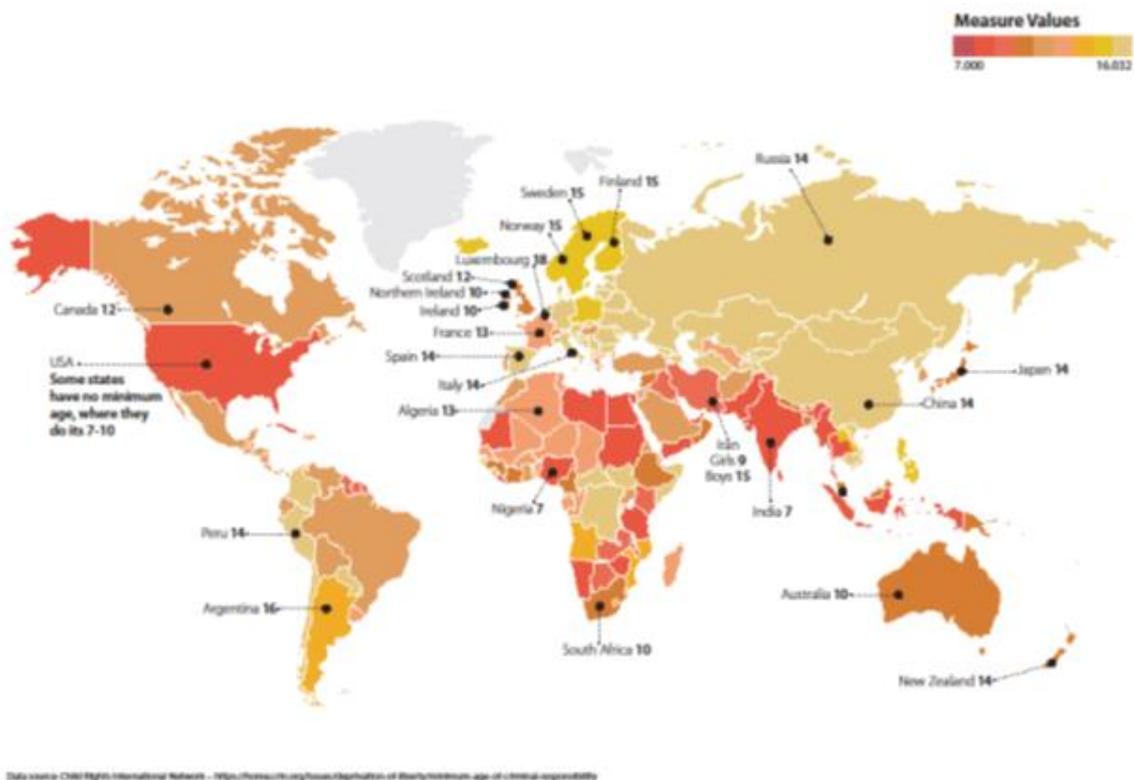
1. In January 2020 the Board discussed whether they wished the LGA to support calls to raise the Age of Criminal Responsibility (ACR).
2. The age of criminal responsibility (ACR) refers to the minimum age that a child can be prosecuted and punished by law for an offence. In England, Wales and Northern Ireland, this is 10. In Scotland, the Age of Criminal Responsibility (Scotland) Act 2019 raised the ACR from 8 to 12.
3. Although being broadly supportive of raising the minimum age, the Board requested further information and research before coming to a final position. Officers carried out further research and facilitated a roundtable of practitioners and experts to understand their experiences working with children who commit crime both below and above the age of criminal responsibility. This paper collates further information gathered and asks members of the Board whether the LGA wishes to support calls to raise the ACR and agrees to undertaking further work in this area.

Policy Context

4. The United Nations Convention on the Rights of the Child, which was ratified by the UK government in 1991, calls upon states parties to establish a minimum age "below which children shall be presumed not to have the capacity to infringe the penal law". The UN Committee on the Rights of the Child recommended in 2007 that states set this minimum age at 12 or higherⁱ; in 2019, it revised this to a minimum age of at least 14.ⁱⁱ
5. England currently has one of the lowest ACRs in the world:

Country	Age of Criminal Responsibility
Ireland	12 (though children aged 10 or 11 can be held criminally liable for very serious crimes including murder and rape)
Germany	14 (if 'morally and mentally mature' when the offence took place)
Sweden	15
Italy	14 (persons aged 14 to 17 (inclusive) can only be held criminally liable where they have been judged capable of forming the necessary criminal intent in relation to the specific offence)
Japan	14
Australia	10
China	14
USA	In 33 states, there is no minimum age of criminal responsibility, according to the Child Rights International Network. In theory, that means a child of any age could be

	convicted and sentenced. Of the states that do have a minimum, North Carolina's is the lowest at seven years.
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6. A recent report published by the Justice Committee recommends a review into the ACRⁱⁱⁱ. A range of organisations have also called for all countries in the UK to increase the ACR, including the Association of Directors of Children’s Services, the Association of Youth Offending Team Managers and the Children’s Commissioner for England.^{iv} Other organisations calling for the ACR to be raised include the Law Societies, the Royal Society, the Royal College of Psychiatrists and the All Party Parliamentary Group for Children.^v

7. In May 2019, the Equalities and Human Rights Commission called on the Government to raise the ACR, noting that “criminalising children at such a young age can have a detrimental impact on their wellbeing and development and risks making them more likely to reoffend as adults.”^{vi}

Demographics

8. Demographics of children receiving a caution or sentence compared to the general 10-17 population, England and Wales, year ending March 2019:

	10-14	15-17+	Boys	Girls
Children receiving a caution or sentence	23%	77%	85%	15%
10-17 population	64%	36%	51%	49%

9. Children in the youth justice system who received a youth caution or sentence by age, year ending March 2019:

Age	10	11	12	13	14	15	16	17+		10-14 total	15-17+ total	Total
	32	141	568	1,371	2,777	4,241	5,367	7,168		4,889	16,776	21,665

10. The proportion of Black children given a caution or sentence is almost three times higher than the proportion of Black children in the 10-17 population, and this has increased over the past 10 years.

11. The proportion of more serious offences (for example, robbery and violent crime) was greater for those:

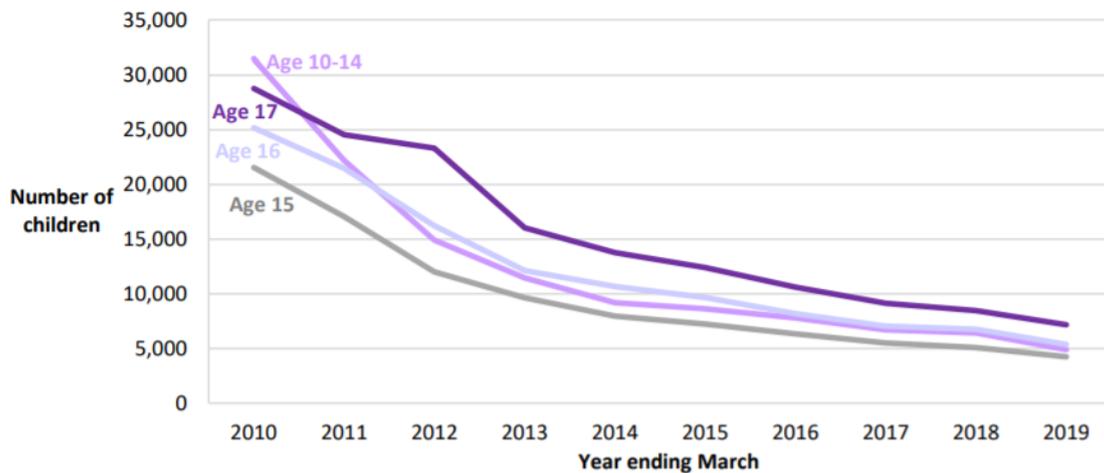
11.1 aged 15-17, (14% compared to 10% of offences committed by 10-14 year olds),

11.2 black children (23%, with other ethnic groups ranging from 11% to 22%), and

11.3 boys (15%, compared to 5% for girls).

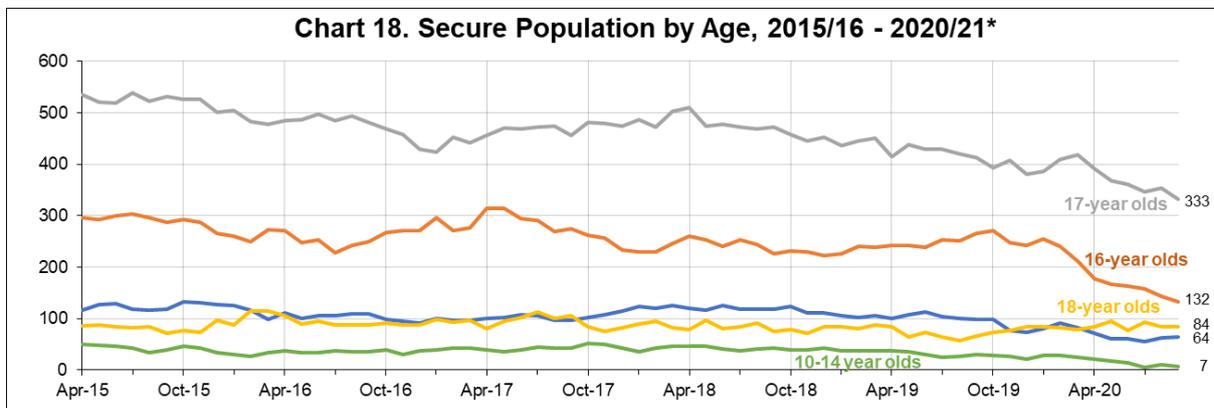
12. There has been a significant reduction in the number of children receiving cautions or sentences over the past 10 years. This is seen across all age groups:

Figure 3.5: Number of children receiving a caution or sentence by age³⁴, England and Wales, years ending March 2010 to 2019³⁰



Supplementary Tables: Chapter 3, Table 3.3

13. The chart below shows the number of children in secure provision. The numbers of children below 14 are low, with a high of 28 in January last year.



Child development

14. There is a wealth of evidence that suggests that a 10-year-old’s brain is not developed with regards to both committing something that could be perceived as a criminal act, but also how to manage the experience in the criminal justice system.
15. Evidence drawn from the House of Parliament, Age of Criminal Responsibility Briefing Paper (2018) highlights that brain imaging has shown that brain development, especially in the regions involved in decision-making, does not stop in childhood but continues into adulthood.

- 15.1 The prefrontal cortex (PFC) controls high-level cognitive and executive functions such as decision-making, planning, social interaction and inhibiting risk behaviours. It undergoes significant change during adolescence and is one of the last areas of the brain to reach full maturation.
 - 15.2 The amygdala and the ventral striatum are associated with risk and reward. They undergo rapid development, thought to be triggered by puberty, and become hyper-responsive in adolescence.
 - 15.3 The “dual systems” model proposes that the later development of the “control system” (PFC) compared to the “reward system” leads to a window of vulnerability to risk behaviours over which adolescents have less control than adults.
 - 15.4 The white matter (connections between the different parts of the brain) also increase throughout adolescence and into the third or fourth decade of life. This is thought to represent a “speeding up” in the transmission of information throughout the brain.
 - 15.5 The grey matter (synapses) increases in childhood before decreasing during adolescence (synaptic pruning), especially in the PFC. This is thought to represent “fine-tuning” of the brain according to the environment^{vii}
16. The difficulty in identifying an age at which children achieve these capacities is well recognised but 10 years has been considered too low by a range of professionals. In general research indicates that:
- 16.1 conventional morality, including “law and order” morality is generally not achieved until mid-teens.
 - 16.2 logical thinking and problem solving abilities develop considerably between 11–15 years.
 - 16.3 adolescent intellectual abilities are thought to reach adult levels only by the age of 17 years.
 - 16.4 children who are abused or neglected are particularly poorly developed in the required capacities for criminal responsibility and are much more likely to come into conflict with the law.
17. Children and adolescents are significantly less competent to participate (for example, to decide how to plead, instruct lawyers and respond to cross-examination) in criminal justice proceedings. They are more likely to make false confessions, and have limited capacity to understand and follow court processes as well as the significance of questions asked and answers given. Without competence, the likelihood of determining the truth and achieving justice is decreased.^{viii}

The criminal justice system (CJS) process

18. Board members requested further information about the process of the criminal justice system.

- 18.1 Children under 10 cannot be arrested or charged with a crime.
 - 18.2 Children from 10 to 17 years old will be treated as 'young offenders' and all but the most serious criminal cases will be dealt with by the youth courts. If the child has committed an offence and an adult was also involved then the court proceedings can be held in either the magistrate's or the Crown court.
 - 18.3 Children under 10 who come to the attention of the police may be asked to attend a 'safeguarding interview' following consultation between the police and social services. The interview is designed to provide 'words of advice' to the parent and child regarding the child's future conduct.
 - 18.4 Secure Training Centres and Youth Offending Institutions only take offenders aged 12–18 and 15–21 respectively. Children under the age of 12 are placed in secure children's homes if in custody.
19. Looking to the increase of children involved in child criminal exploitation such as county lines, protection is available under the Modern Slavery Act 2015. Section 45 of the Act created a defence for child victims who commit certain offences as a direct consequence of being a victim of slavery / exploitation. This requires a positive conclusive grounds decision through the National Referral Mechanism to confirm the child was a victim of modern slavery. The Home Office will shortly launch a pilot scheme to devolve NRM decision-making to local authorities to try to speed up decision making and improve outcomes for children.

Consequences of involvement in the CJS

20. Evidence suggests that younger children have higher levels of re-offending and therefore repeated involvement in the CJS compared to children that have been involved in the CJS at a later age. The younger the child is when first having contact with juvenile justice, then the more likely it is the child will become entrenched in the justice system^{ix}
21. There is also a significant impact on the long term outcomes of children and young people. Involvement in the youth justice system reduces the likelihood that children will complete school and obtain educational qualifications. A criminal record also impacts directly on the chances of future employment. Children who have formal contact with the criminal justice system are less likely to be in work as young adults than those whose offending did not result in a formal sanction.^x

Interventions for children under the age of criminal responsibility

22. Evidence suggests that countries with a low ACR, including England and Wales, have the highest rates of child detention in penal institutions and the poorest outcomes with regards to rehabilitation and reoffending. Involvement in the youth justice system has been linked to an increase the likelihood of offending. Robust welfare-based responses to the offending of less culpable children are therefore likely to be a more effective

alternative to criminalisation, particularly as this cohort tends to have high welfare needs^{xi}.

23. In addition to enhanced social services involvement or education support and parental implications, there are two methods available to local partners to support children under ten (these are also available for children above the ACR):

24. Local Child Curfew

24.1 The police can ban children from being in a public place between 9pm and 6am, unless accompanied by an adult. This is called a Local Child Curfew and can last for up to 90 days.

24.2 If a child breaks their curfew, they can be given a Child Safety Order.

25. Child Safety Order

25.1 If a child has committed an offence or broken a Local Child Curfew, they can be placed under the supervision of a youth offending team. This is called a Child Safety Order.

25.2 The order normally lasts for up to 3 months, but in some cases it can last for up to 12 months.

25.3 If a child doesn't stick to the rules of an order, the court can consider if the child should be taken into care.

26. As you cannot commit a crime until you have reached the age of criminal responsibility the behaviour of concern would be addressed through other means such as parents and school or children's services. Raising the ACR would mean that children would be referred for help or intervention but without the need for criminal justice involvement or a criminal record. Children below the ACR whose behaviour results in grave harm can be supported in a secure children's home under welfare legislation.

27. A social care-based approach would ensure that the causes of behaviour were addressed, actions confronted and rehabilitation supported, without the associated long-term impacts of criminalisation. This could comprise support delivered by local partners (such as children's services and voluntary sector organisations) as well as coercive welfare interventions (for example, parenting, supervision and care orders for more serious offenders).

28. A challenge presented from the roundtable was that it can be challenging to engage children and parents in interventions when they are not enforced, however, there is a range of good practice that can be explored in this area and shared between local authorities.

29. Practical interventions include:

- 29.1 Early intervention is seen as key to reducing child crime. Examples include parenting support, youth inclusion and Safer Schools programmes.
- 29.2 In Scotland, the Children's Hearings System focuses on welfare interventions, although for serious crimes any child over the ACR is liable to criminal sanctions.
- 29.3 Welfare laws can be used in exceptional circumstances to deprive children of their liberty when there is a risk of harm to themselves or others. Half of children detained in SCHs are there on welfare grounds under s25 of the Children Act 1989.
- 29.4 Children with mental disorders and those found unfit to plead can be diverted from the CJS into mental health services.

30. Social care teams already work to support children who have suffered neglect, abuse and adverse childhood experiences and considering that many children who are involved in the criminal justice system are likely to have experienced multiple disadvantages, these teams have the expertise to support them, though we must of course recognise the existing pressures on the system which must also be addressed.

31. It is also essential to keep in mind the impact on the victim, or the victim's family, depending on the seriousness of the actions and this was discussed at the roundtable. However, successful programmes such as restorative justice were referenced as more effective than a solely punitive approach.

The impact on local authorities

32. The Board raised a concern that increasing the age of criminal responsibility may have an impact on the demands on local authorities. There would likely to additional pressure placed on children's social care in order to provide early intervention and support to children but with the numbers of children being very small, this is unlikely to be so significant as to be unviable. In addition, the long-term outcomes for the child and reduced future involvement in services are likely to reduce long term social and financial costs.

33. For those children in the youth custody system, the cost currently sits outside of the local authority so a redirection of this funding would have to be seen in support of any change to the ACR.

34. The LGA could use any call for an increased age of ACR to also reiterate calls for greater funding in early intervention and social care services, to support children and divert them from the criminal justice system, and therefore improving their outcomes.

Feedback from partners

35. In developing this response, officers spoke to a range of colleagues working within the system, such as the Youth Justice Board, National Youth Agency, Association of Youth Offending Team (YOTs) Managers and regional youth networks, to understand how this would impact their work.
36. The general consensus was that on an individual local authority level, the numbers were so small that raising the ACR would have only a small impact. Furthermore, the anticipated positive impact on a child's long-term outcomes could be significantly more beneficial than involving them in the criminal justice system.

"If a child's behaviour is repeatedly problematic to the extent that they are coming to police attention at the age of 10, 11 or 12 then there is a problem which warrants proper intervention with home and school. Placing this in a criminal context would add nothing effective to the intervention and would likely familiarise the child to the criminal justice system sealing their trajectory". Feedback from a youth justice colleague.

37. Partners at the roundtable recognised that there would need to be a cultural shift across different agencies if the age was to be increased. Including adopting common language and approaches. There is some good practice that can be built on at the moment. For example, in Hampshire, if the police are called to a house where a child is present, they inform the school before 8am the next day so this can be picked up by the safeguarding lead. These sorts of actions and joined up working ensure support for the child is at the centre, reducing the likelihood of criminal activity by putting in place support when it is first needed.
38. There is a range of well evaluated interventions outlined by the Early Intervention Foundation which are available to local authorities in supporting and deterring children and young people from offending^{xii}.

Implications for Wales

39. The age of criminal responsibility is set by section 50 of the Children and Young Persons Act 1933, which applies to both England and Wales. Any change to the ACR would affect both England and Wales. Officers will engage with the Welsh Local Government Association on this topic.

Financial Implications

40. None.

Next steps

41. Members' decision on the LGA's position on the ACR will enable officers to:

- 41.1 continue to build up an understanding of best practice in this area to share with both Government and local authorities
- 41.2 Undertake further research to know more about the children who are committing crime
- 41.3 use the LGA's agreed position in future work with the Government.

ⁱ <https://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.10.pdf>

ⁱⁱ <https://www.ohchr.org/Documents/HRBodies/CRC/GC24/GeneralComment24.pdf>

ⁱⁱⁱ <https://committees.parliament.uk/committee/102/justice-committee/publications/>

^{iv} <https://www.theguardian.com/society/2019/nov/04/age-of-criminal-responsibility-must-be-raised-say-experts>

^v <https://yjlc.uk/wp-content/uploads/2018/06/ACR.pdf>

^{vi} <https://www.equalityhumanrights.com/en/our-work/news/government-must-improve-record-stopping-cruel-and-inhuman-treatment>

^{vii} <file:///C:/Users/flora.wilkie/Downloads/POST-PN-0577.pdf>

^{viii} file:///C:/Users/flora.wilkie/Documents/Youth%20Justice/ACR/CSJ_Youth_Justice_Full_Report.pdf

^{ix}

<https://www.cypp.unsw.edu.au/sites/ypp.unsw.edu.au/files/Cunneen%20%282017%29%20Arguments%20for%20raising%20the%20minimum%20age%20of%20criminal%20responsibility.pdf>

^x <https://thenayj.org.uk/wp-content/uploads/2015/06/2012-The-Age-of-Criminal-responsibility.pdf>

^{xi} <https://yjlc.uk/wp-content/uploads/2018/06/ACR.pdf>

^{xii} <https://guidebook.eif.org.uk/programme/multisystemic-therapy#about-the-programme>

Document is Restricted

Note of last Children & Young People Board meeting

Title: Children & Young People Board
Date: Wednesday 4 November 2020
Venue: Zoom

Attendance

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

Item	Decisions and actions	Action
1	Welcome, Apologies & Declarations of Interest Cllr Judith Blake (Chair, LGA Children & Young People Board) welcomed members and children services lead members to the meeting. The following apologies were received: Cllr Susie Charles, Cllr Judy Jennings, Cllr Phil Norrey There were no declarations of interest.	
2	Understanding and learning from responses to the COVID-19 lockdown in schools and children's social care The Chair introduced the item, noting that it encompasses much of the Board's recent work. Natalie Parish and Ben Bryant (Isos Partnership) were invited to discuss the research in more detail. In their presentation Natalie and Ben raised the following points: <ul style="list-style-type: none">- The research is intended to provide feedback on the specific challenges faced by schools and local authorities and understand the implications of the steps taken in response. Discussed the core aims.- Natalie provided an overview of the project timeline and methodology, from inception in September 2020 through to publication of findings in January 2021. Eight local authorities spread across geographic, socio-economic, school type and COVID severity were invited to take part in the project across three phases. The authorities engaged with were: Gateshead, Leicester City, Swindon, Stockport, Brent, Staffordshire, Hackney, Lincolnshire.- The initial fieldwork phase has met with Directors of Children's Services. The next steps will seek engagement with school leaders, social workers, elected members and parents.	

- From the consultation with authorities, three main phases have been identified in the response:
 - o **Initial Response:** Encompassed risk assessment, partnership building, establishing communications routines and setting up leadership systems.
 - o **Adaptation Phase:** Which saw changes to communications plans, enhancing partnerships, planning for the next term and handling more regular day-to-day business (i.e. recruitment).
 - o **New Normal:** Supporting return of all pupils to schools, rapid response plans and planning for increased levels of demand.
- DSC's highlighted factors that determined the success of their local response. Generally speaking, the response was best where schools and local authorities enjoyed strong pre-existing relationship, understood mutual expectations and had confidence in their respective leadership & delivery systems. Others highlighted that the pandemic had facilitated the rebuilding of previously poor relationships.
- Ben discussed the challenges raised by DSC's and the lessons that have been learned;
 - o **National and Local Tensions:** Frustration around lack of engagement with local govt and failure to tap into existing expertise.
 - o **Focus on care, less on quality of learning:** Emphasis shift to local delivery of support to vulnerable children and families. Balance needed between delivering support, access to education and a suitable standard of education.
 - o **Partnership-based decision making:** Some positive experiences detailed on governance and working across multi-agency projects. Other evidence of frustration around the barriers between different aspects of children's services.
 - o **System Fatigue:** Risk of system fatigue was raised by several DSCs. Concern that staff resilience and public engagement could elapse with continued extensions to social distancing measures.
- A range of opportunities that have arisen were also noted. These included improved methods for communication and multi-agency working, increased recognition for integrating an emphasis on early intervention and clear frameworks around shared responsibility for the most vulnerable children.
- Moving forward, DCSs highlighted that a more holistic and integrated approach to identifying and supporting vulnerable children and families, is possible across both education and

children's services.

- A more holistic approach could be available, with a more pragmatic and family focused approach.
- Ben reflected on the role of local government during the pandemic in education and children's social care. This included acting as a Champion for children and families, a Convenor of partnerships and the Commissioner of support & services

The Chair thanked Ben and Natalie for their time. In the subsequent discussion the following points were raised:

- Members noted broadly positive feedback from schools in their areas for the work of local authorities in response to the ongoing COVID pandemic. It was suggested that the valuable work of councils in bridging the gap between the Government and schools has been critical and should be championed.
- Concerns were noted around additional costs that have been placed on schools for the provision of PPE and adequate funding to bridge the digital divide. Natalie explained that the digital divide will be considered in the research.
- The mental health impact of the pandemic was also noted as an area for consideration in further LGA work. Abigail Gallop (Senior Adviser, LGA) added that the findings of the research will be considered alongside other workstreams around mental health.
- A question was raised on the engagement of Academies with local authorities. Natalie and Ben noted that while academy leaders hadn't yet been approached but will be in the next stage of the research. Anecdotal evidence from DCS's indicates that the support received from authorities has been appreciated by academies.
- It was requested that the full presentation be made available to all attendees following the meeting.

The Chair summarised the discussion, noting that PPE provision in schools had been a major issue nationwide, and invited Isos Partnership to present again at a future meeting. Ian Keating (Principal Policy Adviser, LGA) explained that the research will be presented to the Board in full in 2021.

Decision

The members of the Children & Young People Board noted the report.

Action

- Officers to invite Isos Partnership to present again on the research at a later Board meeting.
- Member Services to share the presentation with all attendees.

3 Note of the Previous Meeting held on 8th September 2020

The Chair asked the members of the Children & Young People Board to agree the note of the previous meeting on Tuesday 8th September 2020 as an accurate record.

Decision

The members of the CYP Board agreed the note of the meeting on Tuesday 8th September 2020 as an accurate record.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chairman	Cllr Judith Blake CBE	Leeds City Council
Vice-Chairman	Cllr Teresa Heritage	Hertfordshire County Council
Deputy-chairman	Cllr Lucy Nethsingha	Cambridgeshire County Council
	Cllr Julie Fallon	Conwy County Borough Council
Members	Cllr Patricia Bradwell OBE	Lincolnshire County Council
	Cllr Matthew Golby	Northamptonshire County Council
	Cllr Roger Gough	Kent County Council
	Cllr Dick Madden	Essex County Council
	Cllr Laura Mayes	Wiltshire Council
	Cllr Rachel Eden	Reading Borough Council
	Cllr James Beckles	Newham London Borough Council
	Cllr Imran Khan	Bradford Metropolitan District Council
	Cllr Alisa Flemming	London Borough of Croydon
	Cllr Lesley Williams MBE	Gloucestershire County Council
	Cllr Mark Cory	Colchester Borough Council
Apologies	Cllr Susie Charles	Lancashire County Council
	Cllr Sara Rowbotham	Rochdale Metropolitan Borough Council
	Cllr Judy Jennings	Epping Forest District Council