

# Children and Young People Board

## Agenda

Tuesday, 7 June 2022  
11.00 am

Victoria Room, 8<sup>th</sup> floor, 18 Smith Square,  
London, SW1P 3HZ

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

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This meeting is



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Children & Young People Board  
7 June 2022

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There will be a hybrid meeting of the Children & Young People Board at **11.00 am on Tuesday, 7 June 2022** Victoria Room, 8th Floor, 18 Smith Square, London, SW1P 3HZ.

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### **Apologies:**

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<b>Conservative:</b>	Group Office: 020 7664 3223	email: <a href="mailto:lgaconservatives@local.gov.uk">lgaconservatives@local.gov.uk</a>
<b>Labour:</b>	Group Office: 020 7664 3263	email: <a href="mailto:labgp@lga.gov.uk">labgp@lga.gov.uk</a>
<b>Independent:</b>	Group Office: 020 7664 3224	email: <a href="mailto:independent.grouplga@local.gov.uk">independent.grouplga@local.gov.uk</a>
<b>Liberal Democrat:</b>	Group Office: 020 7664 3235	email: <a href="mailto:libdem@local.gov.uk">libdem@local.gov.uk</a>

### **Attendance:**

Your attendance, whether it be in person or virtual, will be noted by the clerk at the meeting.

### **LGA Contact:**

Tahmina Akther  
[tahmina.akther@local.gov.uk](mailto:tahmina.akther@local.gov.uk)

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## Children & Young People Board – Membership 2021/22

Councillor	Authority
<b>Conservative ( 7 )</b>	
Cllr Teresa Heritage (Vice Chairman)	Hertfordshire County Council
Cllr Patricia Bradwell OBE	Lincolnshire County Council
Cllr Roger Gough	Kent County Council
Cllr Laura Mayes	Wiltshire Council
Cllr Antony Mullen	Sunderland City
Cllr Janet Sanderson	North Yorkshire County Council
Cllr Mark Sutton	Staffordshire County Council
<b>Substitutes</b>	
Cllr Ryan Brent	Portsmouth City Council
Cllr Ruth Buttery	Dudley Metropolitan Borough Council
Cllr Damian White	Havering London Borough Council
<b>Labour ( 7 )</b>	
Cllr Anntoinette Bramble (Chair)	Hackney London Borough Council
Cllr Eamonn O'Brien	Bury Metropolitan Borough Council
Cllr Sara Rowbotham MBE	Rochdale Metropolitan Borough Council
Cllr Fiona Venner	Leeds City Council
Cllr Imran Khan	Bradford Metropolitan District Council
Cllr Mili Patel	Brent Council
Cllr Denise Scott-McDonald	Royal Borough of Greenwich
<b>Substitutes</b>	
Cllr Helen Godwin	Bristol City Council
Cllr Adam Ellison	South Tyneside Council
Cllr Edward Davie	Lambeth London Borough Council
<b>Liberal Democrat ( 2 )</b>	
Cllr Lucy Nethsingha (Deputy Chair)	Cambridgeshire County Council
Cllr Mark Cory	Colchester Borough Council
<b>Substitutes</b>	
Cllr Dine Romero	Bath & North East Somerset Council
<b>Independent ( 2 )</b>	
Cllr Julie Fallon (Deputy Chair)	Conwy County Borough Council
Cllr Judy Jennings	Epping Forest District Council
<b>Substitutes</b>	
Cllr Julian Dean	Shropshire Council
Cllr Edward Maxfield	Norfolk County Council
Cllr Charlie Hull	South Somerset District Council
Cllr Tessa Hodgson	Pembrokeshire County Council
Cllr Jon Hubbard	Wiltshire Council

## Agenda

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### Children & Young People Board

Tuesday 7 June 2022

11.00 am

Smith Square 1&2, Ground Floor, 18 Smith Square, London, SW1P 3HZ

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Item	Page
1. Welcome, Apologies and Substitutes, Declarations of Interest	
2. Note of the Previous Meeting	1 - 10
3. SEND Green Paper	11 - 16
4. Mental health and wellbeing action plan	17 - 20
a) Mental health and wellbeing plan consultation	21 - 26
5. UK Youth Parliament	27 - 30
6. Independent Review of Children's Social Care	31 - 34
7. End of Year Report 2021/22	35 - 42

**Date of Next Meeting:** Thursday, 29 September 2022, 1.00 pm, Hybrid Meeting - 18 Smith Square and Online

## Note of the last Children & Young People Board

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Title:	Children & Young People Board
Date and time:	Tuesday 15 March 2022
Location:	Hybrid, 18 Smith Square and videoconference via Microsoft Teams

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### Attendance

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

Item	Decisions and actions
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### 1 Welcome, Apologies and Declarations of Interest

The Vice-Chair welcomed members to the Children and Young People Board meeting on behalf of the Chair (Cllr Antoinette Bramble) as she was running late to the meeting.

Apologies were received from Cllr Laura Mayes with Cllr Ryan Brent in substitution, Cllr Patricia Bradwell OBE with Cllr Damien White in substitution, Cllr Antony Mullen, Cllr Janet Sanderson, Cllr Sara Rowbotham and Cllr Julie Fallon.

### 2 Notes of the previous meeting

Members of the Children and Young People Board agreed the notes of the last Board meeting, held on Tuesday 11 January 2022.

The Vice-Chair informed the board that due to last minute changes with speaker availability, items of the meeting would be rearranged, with item 6 being taken next.

### 3 Competition and Markets Authority Market Study - Children's Social Care Placements, final report (verbal update) – (Item 6)

The Vice-Chair introduced the item and invited Louise Smith, Senior adviser to discuss the Competition and Markets Authority Market (CMA) Study - Children's Social Care Placements, final report to the board.

Louise informed the board that the CMA launched an investigation into the Children's Social Care market last year, in response to concerns over availability and prices paid for placements. The final report confirmed a number of concerns that both the LGA and local authorities had raised over a period of time, which included the following:

- significant issues with how the market was functioning
- clear issues in relation to the availability of placements, particularly for older children and those with more complex needs

07 June 2022

- profits for largest individual providers were higher than the CMA would have expected in a well-functioning market
- private equity backed providers held particularly high levels of debt, which increased the risk of disorderly exit from the market.

Louise concluded the item by outlining the recommendations from the review, on which she sought comments from the Board.

Following the discussion, the following comments were made:

- Members welcomed removing planning distinctions as this would help local authorities set up small children's homes. As well as, ensuring responsibilities and powers which should not be taken away from local authorities, but rather focused on empowering them to work better.
- Members felt that there was scope for local authorities to collaborate more on a sub-regional or regional level. Supported by some national intervention on more complex cases, which were more of a challenge and often more expensive.
- The children's social care sector had increasingly faced significant challenges with recruitment and retention of good quality staff, with high levels of staff turnover.
- Members raised that the involvement of health was omitted from the final report and should be considered.
- A national recruitment drive for foster care workers may be beneficial as this was currently localised. Louise replied that this was something that they had been campaigning for a while along ADCS and have yet to receive agreement from the Department of Education. Given that there was a recommendation in the CMA report that central government should do more to support councils, this may help support lobbying on this.

The Vice-Chair informed the board that item 7 would be taken next.

**Direction:**

Members of the Board noted the update.

**4 Update paper (Item 7)**

The Vice-Chair introduced the report which outlined issues of interest to the Board not covered under the other items on the agenda.

Following the brief introduction. Members made no comments.

The Vice-Chair informed the board that item 4 being taken next.

**Direction:**

Members of the Board noted the report.



07 June 2022

**5 Recommendation 4 of the National Food Strategy: extending eligibility for Free School Meals (Item – 4)**

The Vice-Chair introduced the item which considered recommendation 4 of the National Food Strategy (NFS), to extend eligibility for Free School Meals (FSM) in England and move to the automatic enrolment of pupils eligible for FSM, rather than relying on applications from families.

The Vice-Chair invited Charlotte Maguire, Adviser, who informed the Board that the strategy was a government commissioned independent review of the NFS, led by Henry Dimbleby. Department for Environment, Food and Rural Affairs (DEFRA) were due to respond to the water paper in the coming weeks, which the LGA planned to respond to. The purpose of the NFS was to lay out the negative health and environmental impact that the current food system caused. Findings showed that within children's health, children in lower income households were more than twice as likely to be obese than those in higher income households. This was partially due to health food being considerably more expensive than unhealthy food and was often less accessible in deprived areas.

The NFS recommendations included the following:

- Raising the current earning threshold from £7,400 per year to £20,000 per year after tax and benefits.
- Making temporary extension of free school meals to households with no recourse to public funds permanent.
- Using existing government data to automatically enrol all children eligible for free school meals.

Following the discussion, Members made the following comments:

- All children should have access to free school meals which would go beyond the £20,000 threshold per household. Additionally, children being enrolled automatically had always been an issue that had been raised previously when pupil premium was introduced. Charlotte replied that free school meals automatic enrolment used existing housing benefit data to capture children that were eligible. Since then, universal credit was introduced in which all data was held by the Department of Work and Pensions (DWP) and not by local authorities.
- Free school meal vouchers should be extended to cover all school holidays and half terms. Charlotte answered that this was something she could look into as she was aware that free school meal vouchers weren't available during half terms.
- Members commented if additional cost of auto-enrolment would mean more children would be entitled to free school meals, as well as if data of children who were entitled free school meals would be available to local authorities. Charlotte replied that the automatic enrolment project was already underway with Department for Education (DfE). Additionally, the LGA would like local authorities to have access to data held by DWP and work together to ensure councils can retain data.
- Language had changed from food poverty to food insecurity, which seemed to take away from the fact the lack of money led to issues such as not being

07 June 2022

able to afford food. Furthermore, housing costs superseded food costs and disadvantaged London children far greater than elsewhere in the UK. Charlotte replied that by raising eligibility she hoped this would enable more parents to save money and stressed that obviously this wouldn't be enough to fill the current income gap. Also, the household threshold did not take into account the regional variation of income.

- The government needed to do more to reduce child poverty, by giving people more money to have the dignity to choose more healthy meals and reinstating the minimum nutrition level.
- Members raised that the pupil premium could impact the decision and recommendations as it seemed to give with hand and take with the other, as schools were heavily reliant on pupil premium funding Charlotte replied that she would get in contact with DfE. In terms of automatic enrolment for free school meals, nothing would change as funding had been agreed. As for pupil premium funding there was potential that the government could say free school meals for all children could not be matched.
- Members highlighted that many children were not claiming free school meals and fully supported the automatic enrolment.

The Vice-Chair suggested a vote and the board agreed that work on free school meals should continue before publication of the white paper.

The Vice-Chair informed the board that item 3 would be taken next.

**Direction:**

Members of the Board noted the report.

**Actions:**

- Officers to obtain figures of maximum number of children eligible for free school meals and inform Board.
- Officers to contact DfE to get figures on pupil premium funding.

**6 Moving beyond the foodbank: the local partnership approach to tackling food insecurity (Item 3)**

The Vice-Chair introduced the report in which the government commissioned National Food Strategy Part 2 contains a recommendation to obligate all councils to have a local food partnership or strategy.

Charlotte invited Tom Andrews, Soil Association and Ben Reynolds, Sustain, who would be presenting sustainable food places, which was the largest network local food partnerships in the UK.

Ben highlighted six key issues which were as followed:

- Food governance and strategy
- Good food movement
- Healthy food for all
- Sustainable food economy

07 June 2022

- Catering and procurement
- Food for the plant

Ben then went on to explain how these would work in local authorities which were as followed:

- Establish a cross-sector food partnership involving local authority and public sector bodies, third sector organisations, businesses and academic institutions.
- Develop a vision, strategy and action plan for making healthy and sustainable food a defining characteristic of where they live.
- Work together to realise that vision through concerted and coordinated action across a wide range of food issues.

Ben said that over the last 20 years 69 partnerships had been set up, with the biggest growth happening in the last 5 years. Tom added that in the last 12 months, 25 partnerships had been established.

Tom explained that within the NFS there was a recommendation for each local authority to have an integrated food strategy. But, without a food partnership in place they felt that this would not work, as they were fundamental to food system change and brought together cross-sector partners to develop and deliver change.

Following the brief discussion, Members made the comments:

- Members commented how would local authorities connect through schools, particularly academies as they were spread across country which made it increasingly difficult to deliver outcomes addressed by food partnerships. Ben replied that a joint approach to calling for changes nationally and also caterers understanding the needs locally would address changes needed in both schools and academies.
- Members asked whether there were any examples of how planning issues were addressed with food partnerships and if there were any issues promoting food partnerships. Ben replied that they worked with a planner who provided support and advice for partnerships on how to engage with the planning system on food.
- Sugar tax incentivised companies to reduce amount of sugar in their food and drinks, with the money raised going back to public health teams to do work on childhood obesity. But this was shortly ended by the Treasury. Ben responded that public health along with many national organisations wanted to work on sugar, but a lot of demand and action on sugar came from local authorities through food partnerships.
- Given that the public health grant was cut, central government need to do more to fund health care and prevention work in local government.

Charlotte concluded that the LGA were looking to showcase and demonstrate examples of work that councils were doing.

The Vice-Chair thanked Ben and Tom for attending the meeting to share their insightful presentation.

The Vice-Chair informed the board that item 5 would be taken next.

07 June 2022

**Direction:**

Members of the Board noted the report.

**7 Family Hubs and Start for Life – CONFIDENTIAL (Item 5)**

The discussion for this item is confidential and has been distributed to members of the Board separately.

**8 SEND dispute resolution research**

The Vice- Chair introduced the report in which the LGA commissioned the Isos Partnership, an independent consultancy, to undertake research on the effectiveness of the current Special Educational Needs and Disability (SEND) dispute resolution arrangements.

The Vice-Chair introduced Natalie Parish, Partner - Isos Partnership, informed the Board that the research was recently published and looked at arrangements for avoiding disagreements and resolving disputes in the SEND system.

Key findings from the research showed that:

- The number of appeals to tribunal were going up, in line with the number of statements in EHCP.
- The rate of appeals was also going up, both an increase in the likelihood as well as actual number.
- Almost 50% of cases that went to the tribunal by primary need for children and young people with autism, went by in the last six years by 47%. Which mirrored the growing number of children with autism in the SEND system.
- The number of tribunal cases were withdrawn or conceded before going to tribunal were going down.
- High proportion of tribunal decisions favoured parents, 96% in 2021.

Following the brief discussion, Members made no comments.

**Decision:**

Members of the Board noted the report.

**9 AOB**

Cllr Patel and Cllr O'Brien raised that as members of the Children and Young People Board that they think about safeguarding around children of Ukraine and the housing scheme, as they were mainly children and women. Sally Burlington, Head of Policy (People) responded that this was a key issue being raised in conversations with the Government.

The Chair brought the meeting to a close.

Action:

- Officers to report back to the Board.

07 June 2022

**Date of the next meeting:** Tuesday, 7 June 2022, 11.00 am.

**Appendix A – Attendance**

<b>Position</b>	<b>Authority</b>	
Chair	Cllr Antoinette Bramble	Hackney London Borough Council
Vice Chairman	Cllr Teresa Heritage	Hertfordshire County Council
Deputy Chair	Cllr Lucy Nethsingha	Cambridgeshire County Council
Committee Member	Cllr Patricia Bradwell OBE	Lincolnshire County Council
	Cllr Roger Gough	Kent County Council
	Cllr Mark Sutton	Staffordshire County Council
	Cllr Eamonn O'Brien	Bury Metropolitan Borough Council
	Cllr Fiona Venner	Leeds City Council
	Cllr Imran Khan	Bradford Metropolitan District Council
	Cllr Mili Patel	Brent Council
	Cllr Denise Scott-McDonald	Royal Borough of Greenwich
	Cllr Mark Cory	Colchester Borough Council
	Cllr Judy Jennings	Epping Forest District Council
Apologies	Cllr Julie Fallon	
	Cllr Laura Mayes	
	Cllr Patricia Bradwell OBE	
	Cllr Anthony Mullen	
	Cllr Sara Rowbotham	
	Cllr Janet Sanderson	
Substitutes	Cllr Ryan Brent	
	Cllr Damien White	
	Cllr Dine Romero	
	Cllr Adam Ellison	
	Cllr Edward Davie	
	Cllr Tessa Hodgson	
LGA Officers	Ian Keating	
	Flora Wilke	
	Clive Harris	
	Louise Smith	
	Charlotte Maguire	
	Emily Hackett	

07 June 2022

Sally Burlington  
David Mills  
Bushra Jamil  
Amelia Sutton  
Tahmina Akther

In attendance

Tom Andrews  
Ben Reynolds  
Charlotte Hollom  
Charlotte Dring  
Natalie Parish

Soil Association  
Sustain  
Department for Education  
Department for Health and Social Care  
Isos Partnership

Press

Jessica Hill

LGC

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## SEND Green paper

### Purpose of report

For direction.

### Summary

On the 29<sup>th</sup> March the Department for Education (DfE) published the SEND Green paper, *SEND Review: right support, right place, right time*. The Green paper sets out a number of proposals that seek to improve outcomes for children and young people with Special Educational Needs and Disabilities (SEND) via reforms to the SEND system.

Will Quince MP, Minister for Children and Families, will be attending the Board meeting to discuss the proposals set out in the Green paper in more detail. This discussion provides an opportunity for Members to discuss those proposals, with that feedback informing the LGA's response to the Green paper.

Is this report confidential? Yes  No

#### Recommendation

Members are asked to comment on the LGA's main lobbying priorities as set out in the paper, as well as using the content of the paper to inform discussions with the Minister.

#### Action

Officers to take forward Member's comments in our response to the proposals set out in the SEND Green paper.

**Contact officer:** Clive Harris  
**Position:** Senior Adviser  
**Phone no:** 07747 636931  
**Email:** clive.harris@local.gov.uk

## **SEND Green paper**

### **Background**

1. On the 29th March the Department for Education (DfE), published the SEND Green paper, SEND Review: right support, right place, right time. The Green paper sets out a series of proposals that seek to improve outcomes for children and young people with Special Educational Needs and Disabilities (SEND) via reforms to the SEND system.

### **SEND Green paper – LGA response**

2. In our initial response to the Green paper we highlighted that previous reforms to the SEND system set out in the Children and Families Act 2014 have failed to achieve the goal of improving provision for children with special educational needs and disabilities. Placing children and young people at the centre of the SEND system was right, but the reforms set out in the Act were not supported by sufficient powers or funding to allow councils to meet the needs of children with SEND or hold health and education partners to account for their contributions to local SEND systems.
3. The proposals contained in the SEND Green paper are grouped under the following five headings, followed by the LGA's initial response to each.

#### *A single national SEND and alternative provision system*

4. We understand the need for greater consistency of approach across the SEND system, including through a single, digitised Education, Health and Care Plan (EHCP). The Green paper does however acknowledge that even in such a system there will be a need for some flexibility to reflect available provision and differing levels of need. We are concerned that too great a focus on the 'national' part of the system could raise expectations amongst parents and carers that the same support will be available in every area and delivered in the same way.
5. The establishment of local SEND partnerships, convened by councils is welcome. For these partnerships to work effectively, councils must have backstop powers to hold partners to account if they fail to make appropriate contributions to meet the needs of children and young people with SEND.
6. The LGA supports the proposal to introduce mandatory mediation with the aim of resolving disputes earlier. This supports findings of LGA-commissioned research, which found that the increased proportion of mediation cases going to Tribunal appeal reflected the trend of increasing proportions of appeals relating to the contents of EHCPs, specifically Section I and that it was more difficult to resolve such disputes through mediation.

*Excellent provision from early years to adulthood*

7. The LGA welcomes the focus on improving levels of mainstream inclusion. Councils want to see more children and young people with SEND in their local mainstream schools wherever possible and it is crucial that parents have confidence in the quality of local provision. This will result in both improved outcomes and a reduction in the use of special and independent and non-maintained special school places that are by their very nature more expensive than mainstream provision.
8. Further detail is needed on how schools will be incentivised to become more inclusive, however. We are concerned that every school becoming part of a strong Multi-Academy Trust (MAT) by 2030 will not of itself drive a sufficient increase in mainstream inclusion. More detail is also needed on how incentives to be inclusive will be aligned with higher expectations on all schools to increase levels of achievement numeracy and literacy for all children, as set out in the Education White paper.
9. We support the proposed introduction of a SENCo National Professional Qualification (NPQ). This reflects the complexity of the system in which SENCos work and will help equip them with the skills needed to lead on the delivery of SEND support within schools.
10. We welcome the recognition of the importance of getting it right in the early years to ensure children are enabled to thrive, needs are identified early and staff have the skills and confidence they need to provide support to children. Providing training and support to staff is essential and the proposals setting out a review of Level 3 early years educator qualification is welcomed, as is a greater focus on specific support for SEND.
11. The sector has experienced significant challenges which have been exacerbated by Covid-19 and recruitment and retention of skilled staff remains an ongoing concern. The LGA has conducted research looking into the Special Educational Needs Inclusion Fund and believe there are some quick fixes that could be made so the proposals set out to look at this is welcomed. However, we have long highlighted that early entitlements are underfunded and that the early years sector needs to be properly resourced to support the Government's ambitions set out in this paper, therefore consideration of a wider review of early years funding is welcomed.
12. The Green Paper recognises the interconnection between special educational needs, emotional needs and mental health which is welcomed. However, the current system does not work for children and their families and this paper does not go far enough in recognising the steps that need to be taken, particularly for those young people with acute needs who require specialist support.

13. An additional £2.6 billion over three years for SEND capital is also welcome, as is the flexibility to spend this money on specialist units in mainstream settings, as well as new special schools. Feedback from councils is that the speed at which new special school places can be brought onstream is too slow. We are keen to work with the Department to identify opportunities to speed this process up.
14. The Government's Education White Paper acknowledges that the existing education system is fragmented and, as evidenced by their work supporting all schools in response to COVID-19, councils have a continued role at the centre of local education systems with powers to match their duties around place-planning and ensuring pupils out of school return to the classroom as soon as possible.
15. Allowing councils to set up and lead their own Multi-Academy Trusts (MATs) is also welcome; this should be on offer in every area where that is the preference of schools and parents. We are pleased that the Department for Education (DfE) recognises that councils have an excellent track record in providing a high-quality education for pupils, with 92 per cent of maintained schools rated by Ofsted as outstanding or good – a higher proportion than any other type of school, and that this will continue in a fully-academised system.
16. The Green Paper acknowledges that young people with SEND may need additional support to navigate their ways through the post-16 education and training offer and may need flexible approaches to study including part-time or through a modular approach. At the same time, some Level 2 provision (BTEC and apprenticeships) have been removed resulting in a reduction of pathways to further learning. Young people need a broad offer with alternative choices that are not unduly restricted. This must be backed up by targeted and independent careers advice and guidance, but the system as it is, is fragmented. Councils have a key role in helping to join up advice and provision on the ground.
17. Work Local is the LGA's blueprint for an integrated and devolved employment and skills service, which would enable councils and combined authorities to bring together information, advice and guidance alongside the delivery of employment, skills, apprenticeships and wider support for individuals and employers. By enabling this approach, local leaders would be able to design services that are targeted to local needs while meeting national skills priorities, and deliver significant social and economic benefits.

*A reformed and integrated role for alternative provision*

18. We support proposal to make alternative provision (AP) an integral part of local SEND systems and that their focus should be on ensuring that as many children as possible stay in or return to mainstream education as soon as possible. The Department must

ensure councils are provided with sufficient, long-term funding to allow AP settings to meet the needs of children and young people as set out in local inclusion plans.

*System roles, accountabilities, and funding reform*

19. The clarification that health and care are 'truly integrated partners' in local SEND partnerships, convened by councils is welcome. As mentioned previously, councils must have backstop powers to hold partners to account if they fail to make appropriate contributions to meet the needs of children and young people with SEND. A duty to co-operate for Integrated Care Boards is welcome, but we believe this duty should also apply to Integrated Care Partnerships. The forthcoming regulatory review of MATs, set out in the Education White paper, should propose a similar duty on schools to co-operate with councils (this is also a recommendation in the Independent Review of Children's Social Care).
20. We are concerned that arrangements through which the DfE Regions Group seeks to hold councils to account for delivery and high needs spending will place an unnecessary additional burden on councils, when sitting alongside Ofsted/CQC SEND area inspections and is likely to divert resources away from meeting the needs of children and young people with SEND. Such an approach, with the DfE focussed on the role of councils and the Department of Health and Social Care holding NHS and health partners to account risks the fragmentation of accountability arrangements.
21. While a 0-25 data dashboard will provide some information on the performance of the national and local SEND system, it will not on its own show how well any local SEND system is working. Data should not be used in isolation by the Department when deciding whether to intervene in a local SEND system.
22. We would like to work with the Department, partners, and the inspectorates to develop a new SEND area inspection framework. Local SEND systems are incredibly complex, and any new inspection framework must therefore retain the existing narrative judgement which reflects this complexity in a way that isn't possible with a one-word graded judgement. Inspections should focus on the system as a whole, including the contribution of each of the key partners schools, councils and health

*Delivering change for children and families*

23. Additional funding for council high needs budgets, via the 'safety valve' and 'Delivering Better Value in SEND' programmes is welcome. Implementing the proposals set out in the Green paper will take several years and, in the meantime, we can expect demand for SEND support to continue to rise. The Department must therefore bring forward a comprehensive plan that manages down and eliminates council's Dedicated Schools Grant deficits.



24. The SEND Green paper, 'SEND Review: Right support, Right place, Right time' is available [here](#). The full list of consultation questions can be found on pages 80-82.

#### **Implications for Wales**

25. Special Educational Needs and Disability policy is a devolved issue and the findings of the report and the LGA's on-going SEND policy work applies to councils in England only.

#### **Financial Implications**

26. There are no financial implications for the LGA arising from this report.

#### **Next steps**

27. Comments from Members will be used to inform the LGA's response to the SEND Green paper. Members are also encouraged to share council's responses to ensure the LGA's lines reflect the views of members councils.



## Mental health and wellbeing action plan

### Purpose of report

For direction.

### Summary

The government has committed to developing a new cross-government, 10-year plan for mental health and wellbeing for England. As part of the process to develop the plan they have recently published [a discussion paper and call for evidence consultation](#).

The 10-year Mental Health and Wellbeing plan will apply to all ages and cover a wide spectrum of mental health issues from prevention up to crisis. The government has stated it is committed to improving mental health and wellbeing outcomes, particularly for people who experience worse outcomes than the general population. They state that this is part of their commitment to 'level up' and address unequal outcomes and life chances across the country.

The closing date for submission to the consultation is 7th July 2022. The final LGA submission to the consultation will be signed off by the Lead Members of the Community Wellbeing Board and the Children and Young People's Board.

### Recommendations

Members are asked to give their views on items that should be included in the LGA response to the 10 year cross-government mental health and wellbeing plan.

### Action/s

Officers will;

- Also work closely with the Community Wellbeing Board to develop a consultation response
- Continue to engage with the department to ensure the view of the local government sector is taken into consideration.
- Circulate the LGA's response with lead members for sign off

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## Mental health and wellbeing action plan

### Background

1. Mental health needs of children and young people were rising even before the pandemic but these have been exacerbated by Covid-19. There are now 1 in 6 children and young people who have a probable mental health disorder, an increase from 1 in 9 in 2017. This has had a significant impact on the system; with a 25 per cent rise in children presenting to councils with mental health needs and a 77 per cent increase in referrals for specialist mental health, although an overall reduction in referrals for mental health to NHS for the first time in four years.
2. Supporting young people's mental health should not be seen as solely an NHS issue, however it needs to be recognised that council funding has not kept pace with that of the NHS resulting in councils being unable to provide vital services that are essential to supporting children and young people's wellbeing.
3. There is a range of work ongoing in children's mental health by the Government and the NHS at the moment, including the roll out of mental health support teams in schools (MHSTs) which provide mid to low level support in schools and will be rolled out to 35 per cent of pupils by April 2023. Schools have also been provided with funding to apply for support for training for teachers to become senior leads for mental health. These initiatives are part of the 2017 Green Paper.
4. There has not been a significant investment or plan for recovery from the pandemic for children and young people outside of academic catch up. Some limited funding was awarded to councils through the Wellbeing for Education Recovery and Wellbeing for Education Return programmes.
5. The cross-government mental health and wellbeing action plan does not introduce new funding or legislation, but it provides the opportunity to ensure that mental health is front and centre of government policy going forward.

**Summary of LGA views to date** (please see appendix for further detail of our proposed topics for submission)

6. Local government has a key role in supporting communities to be and stay well and councils require an equal level of funding with the NHS to ensure that they can undertake this role.
7. Although we supported the intentions set out in the 2017 Green paper 'Transforming children and young people's mental health provision,' the roll out of this has been too slow, particularly in the face of growing need. The government urgently needs to build on the progress made through the Green





Paper and empower councils to develop a systemic approach to mental health, that effectively brings together all local partners and is underpinned by investment in prevention and early intervention.

8. Significant elements of the Green Paper focus on support in schools and it is important that children and young people can access support in these spaces, however, there also needs to be support available for children who do not wish to access mental health support at school, such as early help hubs or through supportive digital platforms. Furthermore, there are increasing pressures on teachers and there needs to be appropriate wrap-around support for them.
9. Ensuring that all women receive access to the right type of care during the perinatal period is needed to reduce the impact of maternal mental health problems for the mother and family during pregnancy and beyond, for the first two years of life on infant mental health and the child's future adolescent and adult mental health. Infant mental health is crucial to the long-term development of good mental, physical and emotional health and wellbeing throughout the whole life course.
10. We are concerned about the growing difficulties in accessing the right help and support for children and young people with the most complex and overlapping needs, finding themselves on the edge of the criminal justice or care systems and/or the brink of hospitalisation.
11. We need to ensure that support for children with additional needs is well integrated with support for mental health needs.
12. Family and household circumstances can have a major influence on young people's mental health and wellbeing. A whole household approach to young people's mental health recognises the important roles that parents, carers or siblings can play in supporting young people's mental health.
13. There is a strong link between poor mental health, poverty and wider health inequalities. We are working with government on a range of projects to support residents in this space but there needs to be a cross-system recognition on the impact that poverty can have on people's mental health.

#### **Questions for members**

14. Do members agree with the priority areas set out in the summary of LGA views to date, and appendix?
15. Do members have any further comments regarding the key questions presented as part of the consultation document?
  - How can we all promote positive mental wellbeing?
  - How can we all prevent the onset of mental ill-health?
  - How can we all intervene earlier when people need support with their mental health?



- How can we improve the quality and effectiveness of treatment for mental health conditions?
- How can we all support people living with mental health conditions to live well?
- How can we all improve support for people in crisis?

### **Implications for Wales**

16. None, it is a plan for England

### **Financial Implications**

17. None

### **Next steps**

18. Officers will draft the consultation response using input from the Children and Young People Board and the Community Wellbeing Board with a final draft going to lead members for sign off.

## **Mental health and wellbeing plan consultation**

The government has committed to develop a new cross-government, 10-year plan for mental health and wellbeing for England. As part of the process to develop the plan they have recently published [a discussion paper and call for evidence consultation](#).

The 10-year Mental Health and Wellbeing plan will apply to all ages and cover a wide spectrum of mental health issues from prevention up to crisis. The government has stated it is committed to improving mental health and wellbeing outcomes, particularly for people who experience worse outcomes than the general population. They state that this is part of their commitment to 'level up' and address unequal outcomes and life chances across the country. The discussion paper asks six main questions:

- How can we all promote positive mental wellbeing?
- How can we all prevent the onset of mental ill-health?
- How can we all intervene earlier when people need support with their mental health?
- How can we improve the quality and effectiveness of treatment for mental health conditions?
- How can we all support people living with mental health conditions to live well?
- How can we all improve support for people in crisis?

The LGA will be submitting a response, and this is an opportunity for Children and Young People Board members to contribute their views on what the response should highlight. The Community Wellbeing Board has also discussed the consultation. The submission will also include contributions from other LGA policy areas, such as welfare and leisure, to reflect the wider contribution of councils to mental health.

The closing date for submission to the consultation is 7th July 2022. The final LGA submission to the consultation will be signed off by the Lead Members of the Community Wellbeing Board and the Children and Young People's Board.

### **Key messages to highlight in our submission:**

**Local government has a key leadership and delivery role in promoting good mental health and wellbeing in local communities.**

Councils make a vital contribution to promoting good mental health in individuals and communities. Roles and responsibilities include:

- system-wide local leadership through health and wellbeing boards, integrated partnerships and place-based care and support systems

- public health responsibilities to promote mental wellbeing and prevent poor mental health throughout the life course and commission a range of services that can be considered part of the wider mental health support system, such as school nursing mental health support in schools and drug and alcohol misuse services.
- statutory duties and powers related to mental health for children and young people and for adults under the Mental Health Act
- the overview and scrutiny of mental health provision
- councils have a critical role to play in reducing health inequalities and enhancing inclusion and cohesion within their communities. Covid has worsened inequalities and led to increased mental health.
- provision of wider council services that promote wellbeing and combat loneliness and social isolation, such as libraries, green spaces and commissioned voluntary and community services.
- a range of support to refugees and asylum seekers
- promotion of economic growth and employment and how it relates to mental health. Positive support for the workforce in councils.
- wider council functions contribute to good mental health and wellbeing – not just social care - but housing, employment, culture and leisure.

### **Support for children’s mental health is a priority.**

Local authorities have a vital role in helping children have mentally healthy childhoods, including the provision of affordable and secure housing, green spaces, leisure and culture activities, and crucially through the provision of community-based early intervention and prevention services, which help children and families stay well and address issues before they reach crisis point.

The pandemic has exacerbated existing mental health issues among children and young people. The number of children with mental health problems seen by social workers has increased by a quarter, amounting to 1500 children presenting to councils each week<sup>1</sup>. However, even before this children’s mental health services had seen a massive increase in demand, with the number of children referred to mental health services increasing by nearly 60 per cent between 2017/18 and 2019/20<sup>2</sup>.

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<sup>1</sup> <https://www.local.gov.uk/about/news/surge-children-mental-health-problems-seen-councils-during-pandemic>

<sup>2</sup> <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2021/01/cco-the-state-of-childrens-mental-health-services-2020-21.pdf>

We are calling for fully funding the whole system of children's mental health support to make sure that children get the help they need, when they need it. That includes early help to prevent children reaching crisis point.

The LGA says that the wellbeing for education return and recovery funding the government provided to councils is "a small amount of money given the scale of need being presented to schools, councils and health services". It wants to see "long-term sustainable investment in the whole system of children's mental health support"

### **Maternal and perinatal mental health**

Ensuring that all women receive access to the right type of care during the perinatal period is needed to reduce the impact of maternal mental health problems for the mother and family during pregnancy and beyond, for the first two years of life on infant mental health and the child's future adolescent and adult mental health. Infant mental health is crucial to the long-term development of good mental, physical and emotional health and wellbeing throughout the whole life course.

Councils want a properly resourced, integrated workforce plan that underpins the recently refreshed Healthy Child Programme. A workforce strategy should recognise that health visitors working in local government play a pivotal role in improving maternal mental health and ensuring all children get the best possible start in life, as well as recognising vital mental health support provided by school nurses.

### **Investment in early intervention and prevention helps reduce long term mental health.**

To achieve better mental health for everyone, we need a system wide focus on early intervention and prevention. 75 per cent of mental health disorders start by 24 years of age. Good mental health starts at conception and continues into childhood. Intervening early to prevent mental health problems developing, or to treat and support children, parents and families before problems progress is essential.

### **Local government needs sufficient and sustainable funding.**

Local government needs sufficient and sustainable public health and social care funding to enable councils and their partners to harness all their services and assets to help the whole population to be mentally healthy, prevent the escalation to more costly clinical services and work with health colleagues to support people of all ages while they are mentally unwell and to support their recovery.

We want councils to be regarded as equal partners alongside the NHS in improving the nation's mental wellbeing. The mental health and wellbeing plan is an opportunity to recognise local government's role and ensure that local, regional, and national partners can best work together.

## Health inequalities

Councils have a critical role to play in reducing mental health inequalities and enhancing inclusion and cohesion within their communities.

There are clear links between poor mental health and health inequalities<sup>3</sup>. Children from low-income families were four times more likely than those from the wealthiest households to have a serious mental health difficulty by the time they left primary school. Unemployment and poverty have always been associated with poorer mental health and a higher risk of death from suicide. And rates of mental health problems can be higher for some BAME groups than for White people<sup>4</sup>.

Furthermore, studies of the mental health impacts of the pandemic have indicated that the inequalities that were already there have been exacerbated during the last two years. People with the least resources and lowest incomes; communities experiencing racial injustice; women and children facing violence and abuse at home; and people living with long-term physical conditions have all been hit harder by the pandemic and its impacts on mental health. People living with mental health conditions have reported losing both informal networks and essential services during the lockdowns, and there is evidence that deaths from COVID-19 have been three times higher than average for people with psychosis<sup>5</sup>.

## Poverty and mental health

There is a strong link between poverty and poor mental health<sup>6</sup>. The LGA and councils are undertaking some projects addressing this issue.

As part of the Cabinet Office Fairness Group, we are working with a range of partners, including government and advice providers, on the development of the 'vulnerability toolkit', which provides advice and guidance to public sector organisations on identifying and supporting vulnerable debtors. This includes people with mental health conditions. We also worked with government on the development of the debt respite scheme for mental health called Breathing Space.

Councils are working with DWP alongside other key stakeholders to ensure that appropriate support is provided to vulnerable claimants during the final stages of implementation of Universal Credit.

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<sup>3</sup> [CentreforMH Inequalities Factsheet.pdf \(centreformentalhealth.org.uk\)](#)

<sup>4</sup> [BAME and mental health | Mental Health Foundation](#)

<sup>5</sup> <https://www.manchester.ac.uk/discover/news/people-with--schizophrenia-five-times-more-likely-to-die-from-covid-19/>

<sup>6</sup> <https://www.mentalhealth.org.uk/statistics/mental-health-statistics-poverty>

## **The mental health needs of asylum seekers, refugees and people resettling from Ukraine**

Asylum seekers and refugees often have significant underlying physical and mental health problems, caused by factors arising before, during and after migration. These include experiencing conflict, violence, danger, exploitation and loss, uncertainty around housing, finances and employment during the process of seeking asylum, challenges accessing care, and potential discrimination from healthcare professionals and the local community<sup>7</sup>.

The mental health needs of people being resettled from Ukraine are likely to be substantial. Resettlement needs are likely to be longer term, as recognised in other schemes. In addition, the £10,500 is only for the Homes for Ukraine scheme, whereas those coming under the family visa scheme will still need local services which will need to be funded by councils.

There are existing capacity issues with translation services, English for Speakers of Other Languages (ESOL) provision and health services, particularly mental health support.

### **Mental Health Act reform**

The Government announced in the Queens Speech on 10th April that it will publish draft legislation to reform the Mental Health Act. The LGA supports the reform of the Mental Health Act. We welcome the ambition to achieve meaningful change for people living with severe mental illness, and the central role of local government in supporting this.

The new Act will represent a significant and complex change with wide-ranging practice, workforce, service delivery and funding implications for councils. Reform must be supported through investment in social care, and the funding for partners to develop a broader range of appropriate specialised mental health support in the community.

Achieving a reduction in people being detained in hospitals due to their mental health is not solely about legislative change. There also needs to be alternative treatments and services available commissioned by councils in the community, as well as NHS services. There needs to be a system-wide shift in policy and resources away from medicalisation of mental ill health, to early intervention, prevention, and support for recovery through integrated community-based services.

The success of the new Act will require the NHS and councils working in partnership. More needs to be done to fully embed mental health into integrated care teams, primary care, urgent and emergency care pathways. The Health and Social Care Act provides a base on which to build a more collaborative culture.

### **Employment**

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<sup>7</sup> <https://www.rcpsych.ac.uk/international/humanitarian-resources/asylum-seeker-and-refugee-mental-health>

The effect of lockdown took its toll on peoples' mental health, with the Health Foundation predicted a rise in referrals across England for the next three years at an annual additional cost of around £1.1 billion. Joined up services are critical to support some groups back into work, especially long-term unemployed people and those with long-term physical and mental health issues who may struggle to get into, retain and progress in work which affects their confidence, pay, living standards and productivity.

Alongside this there is a growing awareness of the relationship between health and prosperity, with differences in health helping to explain productivity gaps between places. The Levelling Up White Paper rightly stresses the link between people's health, education, skills and employment prospects and focuses on policies to ensure everyone, wherever they live, has the opportunity to lead healthy and productive lives. The forthcoming Disparities White Paper and the Cross Government Forum on Health Disparities should offer more place-based solutions. Where local government has more flexibility to work hand in hand with providers from the outset, there are positive outcomes.

Poor health is one of the greatest barriers to finding and retaining a satisfying and rewarding job and wider involvement in society. Conversely, having high-quality employment and being socially connected are key factors in a person's health and wellbeing. Councils have developed [many innovative interventions](#) over recent years in these areas. Such interventions help their citizens to acquire the skills and opportunities to find work that suits them, overcome barriers to work and engagement in society, and become more healthy, active and resilient.

Councils themselves provide a range of support to staff to support health and wellbeing and we will provide examples and benefits of support.





## UK Youth Parliament

### Purpose of report

*For discussion.*

### Summary

Members of the UK Youth Parliament will join the Board meeting to discuss their work and the outcomes of the Make Your Mark survey of young people across the UK.

Is this report confidential? Yes  No

### Recommendation

Members are recommended to consider the issues raised by Members of the UK Youth Parliament and use these to inform the Board's priorities for 2022/23.

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## UK Youth Parliament

### UK Youth Parliament

1. UK Youth Parliament provides opportunities for 11-18 year olds to use their elected voice to bring about social change through meaningful representation and campaigning.
2. Members of Youth Parliament (MYPs) are elected every two years by other young people in their area. Any 11-18 year old can stand or vote in the election, with elections taking place in March this year. Elections are supported by councils and take place in a range of venues including schools, youth groups and online to ensure as many young people as possible can take part. MYPs are currently elected in 110 council areas in England and Wales.
3. When elected, MYPs work with young people in their area and represent their views to decision-makers on a local, regional and national level. This includes working with their MP and government departments, campaigning and working with other MYPs to develop a UK Youth Parliament Manifesto.

### Make Your Mark

4. Make Your Mark gives all young people aged 11-18 in the UK a chance to have a say on the biggest issues facing young people. It is a survey run every two years alongside elections for MYPs and is supported by hundreds of schools, colleges, youth groups and councils. Almost half a million young people took part this year.
5. The biggest issue identified by young people this year was health and wellbeing, followed by jobs, money, homes and opportunities. The [Make Your Mark report](#) breaks down the priorities of young people in individual upper tier authority areas.

### Discussion with Children and Young People Board

6. Members of the UK Youth Parliament will join the Children and Young People Board meeting today to outline the work of the UKYP and to discuss with councillors what young people have indicated are their priorities for action.
7. Members joining are:
  - Julija Solovjova, former MYP for North Lincolnshire
  - Marjaan Aman, MYP for Hounslow
  - Callum Parr, member of the Steering Group representing the East Midlands

### Implications for Wales

8. The UKYP operates across England and Wales.



**Financial Implications**

9. None.

**Next steps**

10. Members are recommended to use the priorities highlighted by Members of the UK Youth Parliament to inform the Board's priorities for 2022/23.





## Independent Review of Children's Social Care

### Purpose of report

For direction.

### Summary

The Independent Review of Children's Social Care published its final report on 23 May 2022. A briefing outlining the report's recommendations and [an initial LGA view is available online](#), with more detailed positions on the recommendations to be developed in the coming months in consultation with councils and partners.

Is this report confidential? Yes  No

### Recommendation

Members are recommended to discuss the report and highlight any areas of particular support or concern to guide the LGA's response and discussions with government in the coming months.

### Action

Officers will use members' comments to inform policy development and discussions with government on the report.

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## Independent Review of Children's Social Care

### Background

1. The Independent Review of Children's Social Care was launched in January 2021, and the LGA engaged with the review from the beginning to ensure the views of councils were represented.
2. The main way in which the LGA engaged with the review was via the [Design Group](#). This was one of three groups supporting the review, alongside the Experts by Experience Group and the Evidence Group. The Design Group was made up of public sector representatives, including the LGA, ADCS and individual councils.
3. The LGA was represented on the Design Group by Baroness Blake of Leeds, who until May 2021 chaired the LGA Children and Young People Board and was Leader of Leeds City Council. Baroness Blake was briefed by LGA officers ahead of meetings to ensure that she was aware of the views of Lead Members and the wider LGA membership on key areas of discussion.
4. As members of the Design Group, the LGA was also consulted outside of meetings to support engagement with councils, and had the opportunity to join one off meetings on particular topics to support the review.
5. The Chair of the Review, Josh MacAlister, attended a meeting of the Children and Young People Board on 16 March 2021 to seek views from board members, and spoke to Lead Members from the Board on 12 March 2021 and 10 May 2022.
6. Finally, the LGA submitted formal evidence to the review at each call for evidence, including [our response](#) to the review's [case for change](#).

### Final report

7. The review team published its [final report](#) on 23 May 2022. Some of the key issues covered in the report include:
  - a) Family help – ensuring children and families receive support as soon as they need it, driven by an investment of £2 billion, including integrating individual pots of funding from across government.
  - b) Child protection – introducing an Expert Child Protection Practitioner role, an experienced social worker to co-work child protection cases with family help social workers.
  - c) Data – a taskforce dedicated to achieving 'frictionless sharing of information' between council and partner systems and improving case management systems.

- d) Family networks – improving support for kinship carers and introducing a legal right for all families to access family group decision making such as family group conferencing before they reach Public Law Outline (except in urgent cases).
- e) Children in care – improving placements through the introduction of up to 20 Regional Care Cooperatives, owned and run by councils, which would commission and manage all placements; new oversight powers for Ofsted to oversee the finances of providers (but no ban on profit-making); and the removal of the Independent Reviewing Officer and Regulation 44 visitor roles to be replaced by independent, opt-out advocacy for children.
- f) Care leavers – extending corporate parenting to other public sector bodies; making care experience a protected characteristic; and improving outcomes in relation to relationships, education, housing, employment and health.
- g) Workforce – introducing an Early Career Framework leading to Expert Child Protection Practitioner status; tackling bureaucracy for social workers; introducing national pay scales for social workers; tackling the overuse of agency social workers; and a leadership programme to train up to 700 new children’s home managers in five years.
- h) Multi-agency safeguarding - clarifying the role and improving the transparency of multi-agency safeguarding arrangements; making education a statutory safeguarding partner; incentivising partners to contribute to children’s social care by requiring them to publish their contributions and making full funding for reform contingent on partner contributions.
- i) Improvement – Ofsted inspections to increase transparency in how judgements are made and consider more how families as a whole are supported; DfE to be able to intervene ‘more decisively’ in councils receiving consecutive “requires improvement” judgements; bringing improvement commissioners into the DfE as “regional improvement commissioners” responsible for improvement of all councils in the region; ensure a clear sector-led improvement offer for all councils.
- j) System changes – a National Children’s Social Care Framework to set the purpose, objectives and outcomes for children’s social care; a scorecard of indicators; overhaul of data collections to ensure these are meaningful; oversight mechanism in central government to coordinate children and family policy; youth justice should move to DfE; an updated children’s funding formula.

A [full briefing on the report](#) has also been published with further detail on recommendations and an initial LGA view.

8. The [LGA’s initial response](#):

- a) Welcomed the review’s recognition that councils are best placed to deliver children’s social care, and its focus on issues councils have been raising for some time, including early help and support for children in care and care leavers;

- b) Noted the importance of a cross-government approach to supporting children and families;
  - c) Called for government to work quickly with councils to tackle urgent issues that cannot wait for long-term reform, including placements for children with the most complex needs, and workforce challenges; and
  - d) Noted that reform will require transformational investment to succeed.
9. The Government has committed to issuing a full response and implementation strategy by the end of 2022, but in its initial response committed to:
- a) Establishing a National Implementation Board of sector experts, people with experience of leading transformational change and with experience of the care system.
  - b) Work with local authorities to boost efforts to recruit more foster carers, including pathfinder local recruitment campaigns and providing more support throughout the foster carer application process
  - c) Reframing and refocusing the support social workers receive in the early part of their careers, particularly to enhance their skills and knowledge in child protection
  - d) Joining up data from across the public sector to increase transparency – both between safeguarding partners and to the wider public (more detail will be set out later this year).
  - e) Establishing a new Digital and Data Solutions Fund to help local authorities improve delivery for children and families through technology
  - f) Developing a national children's social care framework which will set direction for the system and point everyone to the best available evidence to support families and protect children.

### **Implications for Wales**

10. The Independent Review only applies to England as children's social care is devolved in Wales.

### **Next steps**

11. The LGA will seek membership on the National Implementation Board in order to represent councils in these discussions.
12. Officers will bring key issues to the Board and Lead Members over the coming months to develop detailed policy positions on the review's recommendations, to feed into ongoing discussions with government.



## **Children and Young People End of Year Report 2021/22 and 2022/23 work plan**

### **Purpose of report**

For direction.

### **Summary**

This paper sets out the Children and Young People end of year report, including initial proposals for the 2022/23 work plan.

### **Recommendation**

That members of the Children and Young People Board note the end of year report and consider the Board's work priorities for 2021/22.

### **Action**

Officers to prepare a paper setting out the proposed work plan for 2022/23 in line with the Board's feedback, for consideration at the September meeting of the Children and Young People Board.

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## **Children and Young People End of Year Report 2021/22 and 2022/23 work plan**

### **Background**

1. At its meeting in September the Board considered its priorities for 2021/22 and agreed nine overarching themes:
  - 1.1. Education and SEND
  - 1.2. Children's social care
  - 1.3. Child-centred recovery
  - 1.4. Early years
  - 1.5. Children and young people's mental health and wellbeing
  - 1.6. Youth Services
  - 1.7. Youth justice
  - 1.8. Supporting disadvantaged families and children
  - 1.9. Unaccompanied asylum-seeking children and refugees
2. This paper provides an overview of the achievements delivered against these themes and seeks an initial steer from the Board on its priorities for 2022/23. Feedback from members on their priorities for next year will subsequently be developed into a full paper for consideration at the first meeting of the 2022/23 Board cycle in September.

### **Education and SEND**

3. We have continued to lobby for councils to have a meaningful role in local education systems, acting as the 'middle tier' between schools and the Department for Education (DfE). The Department's Schools White paper, '[Opportunity for all: strong schools with great teachers for your child](#)', in March, acknowledged that councils have an important role to play in education and that they will need additional powers to fulfil their remaining statutory duties, specifically a power to direct schools to admit 'hard to place' pupils. The White paper (and Schools Bill) includes a proposal for councils to be able to set up and lead their own Multi-Academy Trusts (MATs), something the LGA has been calling for over a number of years. Our briefings on the Schools White paper and Schools Bill are available [here](#) and [here](#).
4. LGA-commissioned research also highlighted the strong role that councils play in maintaining high educational standards. The analysis of [Ofsted inspection outcomes by school type](#) found that 92 per cent of council-maintained schools were rated outstanding or good by Ofsted as of 31 January 2022, compared to 85 per cent of academies that were graded since they converted.

5. During the last year we have continued to highlight the rising demand and funding pressures that councils are dealing with as they provide support to children and young people with Special Educational Needs and Disabilities (SEND). We have engaged in the development of the proposals set out in the SEND Green paper, '[SEND Review: sight support, right place, right time](#)' via the SEND Review steering group, as well as regular meetings with the Minister for Children and Families. [In our response to the Green paper](#) we welcomed the acknowledgment that councils are ideally placed to act as convenors of local SEND systems, bringing together health and education partners to develop local inclusion plans, and that getting the accountabilities, accompanied by the right levers will be crucial. We also stressed the important of parental confidence in a reformed SEND system, that it will take several years for any reforms to be implemented and that in the meantime the DfE should develop a plan that eliminates every council's Dedicated Schools Grant deficit.
6. Separately we published [research on the effectiveness of SEND dispute resolution and tribunal arrangements](#). The research found that the reforms to the SEND system introduced by the Children and Families Act 2014 have failed to prevent a significant rise in legal disputes and tribunal hearings over the support children and young people with special needs receive, highlighting the fundamental imbalances in the SEND system.

### **Children's Social Care**

7. We have engaged throughout this year on the [Independent Review of Children's Social Care](#) and the [Competition and Markets Authority study](#) on children's social care placements, through meetings with review teams, submitting written evidence and facilitating meetings with councils. We were pleased to see that many of our long-standing calls were reflected in the recommendations made by these reviews, including in relation to investment in early help and oversight of children's social care placements providers.
8. We have been working with the Department for Education on reforms to unregulated provision for children in care and care leavers. We have continued to emphasise the importance of good quality provision for these young people while noting ongoing challenges around placement sufficiency. We have also called for more flexibility in the regulatory system to ensure that young people receive the care and support they need, when they need it.
9. In relation to placement sufficiency, we worked with Alma Economics to develop sufficiency statements for councils across the country and have published a [template sufficiency statement](#) for ongoing use by councils. This work was referenced by the

Competition and Markets Authority in its [review of the children's social care placements 'market'](#) as addressing a need identified by councils and providers throughout its review.

10. Work has taken place throughout the year on support for unaccompanied asylum-seeking children (UASC) and children who have had to leave Afghanistan and Ukraine. We have been engaged in a wide range of discussions around issues including the National Transfer Scheme, support for UASC leaving care and the availability of suitable homes for these children, along with challenges around ensuring children receive the right support including in education and for mental wellbeing.
11. We have continued to update our work on [profit-making and financial risk in the largest children's social care placement providers](#). We have been publishing this research periodically since January 2020 so were pleased to see many of our findings and recommendations reflected in the final CMA report and independent review of children's social care.
12. We have published research looking at the [response of local education and children's services departments to the Covid-19 pandemic](#). The research looked at council's initial response to the lockdown, adapting to the lockdown, the 'new normal' and; the return to lockdown, before identifying a number of opportunities that have arisen from the pandemic period. This research is being used to inform discussions around how children's social care and schools can best work together in the longer term.
13. Two webinars have been held specifically on children's social care. A webinar on corporate parenting for care leavers was attended by 200 councillors and officer, while nearly 300 people joined a webinar on contextual safeguarding in October.
14. To support councils to engage young people effectively in policy-making, we commissioned a [set of case studies](#) highlighting existing good practice in this area.

### Early years

15. We have worked closely with a range of government departments to support the implementation of the [Best Start for Life](#) and subsequent [Family Hubs programme](#). The programme recognises the importance of joined up services and funding has prioritised half of local authorities, in the more deprived areas. We are working with government to ensure that learning from this roll-out is captured, councils are well supported, and current good practice is retained.
16. There has been an increased focus on early years and the cost to parents in recent weeks, we stress to government that the most important aspects of early years provision are

ensuring good outcomes for all children, prioritising their safety and closing the disadvantage gap. We will imminently be publishing research that looks to highlight what makes good early years provision and how best to support children from disadvantaged backgrounds.

### **Children and young people's mental health and wellbeing**

17. With children and young people's mental health needs growing before the pandemic, and even sharper increases as a result of the pandemic, we have continued to lobby on the importance of prioritising health and wellbeing in the recovery. We have raised the impact on councils, with an increasing number of children presenting to councils with mental health needs and called for further support to be put in place for children including early-support hubs.
18. Councils were given additional funding during the pandemic to provide support to schools to support young people, recognising the success of this model, we continue to highlight the importance of councils in their role as community facilitators. Further funding has been announced for increasing the number of [Designated Senior Leads in Schools for mental health](#), recognising our calls for an increase in speed of the implementation of the children's mental health green paper.
19. We welcomed the announcement of a [10-year cross government plan for mental health and wellbeing of all ages](#), as this will give priority to mental health and wellbeing. We have worked closely with the Department for Health and Social Care (DHSC) to ensure the consultation sets out the areas of most importance to local councils and their communities, including an increased priority around children and young people. The LGA consultation response will be submitted at the start of July.

### **Youth Services**

20. We lobbied government on investment into youth services, particularly in response to the increase need to support children and young people following the pandemic. Although we welcomed the ambitions set out in the [youth review response](#), the announcement of the [youth investment fund](#) was a significant amount less than had been promised in 2019, and is targeted in only some areas. We will continue to raise the importance and profile of the youth sector, working alongside local councils.
21. We have continued discussions with the Department for Digital, Culture, Media and Sport regarding statutory guidance for youth services, highlighting the additional burden this would place on councils if it enhanced expectations regarding levels of provision. We have discussed the opportunities around an improvement support offer to councils and facilitating a programme of sharing good practice.

### **Youth justice**



- 22. During the pandemic, the situation for children and young people in the youth justice system worsened with reports of limited time outside of cells, long waits for court hearings and increasing number of children on remand. With the Association for Directors of Childrens Services (ADCS) and the Association of Youth Offending Team (YOT) Managers (AYM) we published a [position paper on youth justice](#). The paper puts forward a series of recommendations to existing policy or practice to better align the current system with Child First principles, including closer working between the police and YOTs and routinely applying rules on vulnerable witnesses to all children appearing in youth courts.
- 23. We published a [report looking at support for the youngest children](#) in the criminal justice system, following the decision made by the CYP Board that the minimum age of criminal responsibility should be increased to 14 years old. The report recognises the lack of clear, evidence-based programmes for the youngest children but still found case studies exemplifying good examples from councils.
- 24. [Further funding has been announced](#) to intervene early where children may become involved in violence and crime. We will continue to meet with the Ministry of Justice and Youth Justice Board to ensure that this funding is targeted at the most appropriate areas.

**2021/22 Priorities**

- 25. It is expected that the themes for the 2022/23 work priorities will remain broadly consistent with 2021/22, with a number of workstreams continuing into the new Board cycle.
- 26. The table below sets out some initial thinking on workstreams that will continue into the new Board cycle, subject to the Board’s views:

Priority area	Proposed activity
<ul style="list-style-type: none"> <li>• Education and SEND</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to lobby for councils to have the powers to fulfil their remaining education statutory duties, including via the Schools Bill.</li> <li>• Continue to lobby for councils to have the powers and funding to lead local SEND systems as proposals set out in the SEND Green paper are developed further. Given the length of time it will take to implement reforms to the SEND system, we will also continue to lobby the Department for Education to develop a plan that eliminates every council’s Dedicated Schools Grant deficit.</li> </ul>
<ul style="list-style-type: none"> <li>• Children’s social care</li> </ul>	<ul style="list-style-type: none"> <li>• Work with Government on the implementation plan for the recommendations arising from the independent review of children’s social care, the competition and markets authority review of the children’s social care market, and the national panel review into the murders of Arthur Labinjo-Hughes and Star Hobson</li> </ul>

	<ul style="list-style-type: none"> <li>• Lobby the government for additional support for councils to tackle challenges in relation to placements for children in care with complex needs, and workforce challenges</li> <li>• Lobby for appropriate funding and policy frameworks to ensure councils are able to effectively support unaccompanied asylum-seeking children and refugee children</li> <li>• Consider ways in which support for disabled children can be improved, including through more partnership working with the NHS</li> </ul>
<ul style="list-style-type: none"> <li>• Early years</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to lobby for support for more disadvantaged children, whilst recognising the current cost of the system requires change. Prioritising the role of councils who know their local areas best.</li> <li>• Continue to work with government and councils on the implementation of family hubs, share learning and inform future planning.</li> </ul>
<ul style="list-style-type: none"> <li>• Children's mental health</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to highlight the need for quicker implementation of the green paper, alongside additional resource and reform in the system, and a clear plan for embedding the proposals set out by the 10-year plan</li> </ul>
<ul style="list-style-type: none"> <li>• Youth Services</li> </ul>	<ul style="list-style-type: none"> <li>• Highlight the need for youth services, prioritise sharing good practice with councils, lobby on the potential reform to the statutory guidance</li> </ul>
<ul style="list-style-type: none"> <li>• Youth justice</li> </ul>	<ul style="list-style-type: none"> <li>• Embed the proposals set out in the position paper, share good practice, support effective implementation of the recently announced additional funding.</li> </ul>

27. The Board's views on any other areas they would like us to focus on would be very helpful, but any new priority work areas will need to be balanced within the resources available to the Children and Young People's team.

**Implications for Wales**

28. Many of the issues covered by the Board, including education and children's services are devolved matters, but we work with the WLGA where appropriate.

**Financial Implications**

29. There are no financial implications associated with this report. The 2021/22 work priorities were delivered within existing staffing budgets and that will continue for 2022/23.

**Next steps**

30. The Board are asked to reflect on the work delivered this year and consider and comment on their priorities for 2022-23.