

29 June 2016

## Queen's Speech

### Purpose

For discussion and direction.

### Summary

Three Bills of relevance to the Board's work were announced in the Queen's Speech on 18 May: the Children and Social Work Bill, Education for All Bill and National Citizen Service Bill. This report summarises the main purposes of the Bills and the LGA work to date on them.

### Recommendation

The Board's views are sought on the Bills of relevance to its remit, to inform LGA lobbying during their passage through Parliament.

### Action

Officers to take action as directed by members.

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## Queen's Speech

### Children and Social work Bill

1. This Bill, which received its second reading in the House of Lords on 14 June, aims to improve support for children in care and care leavers, foster innovation by relaxing regulations around the delivery of children's social care services, and establish a new regulatory regime for social workers. Provisions include:
  - 1.1 a clear set of corporate parenting principles for local authorities;
  - 1.2 a new duty on councils to consult on and publish a local offer for care leavers;
  - 1.3 the extension of personal adviser support for care leavers up to the age of 25;
  - 1.4 measures aimed at ensuring social workers and the courts take account of a child's;
  - 1.5 need for stability up until the age of 18 when making placement decisions;
  - 1.6 the establishment of a national Child Safeguarding Practice Review Panel;
  - 1.7 powers to exempt local authorities from children's social care legislation to test new ways of working;
  - 1.8 the establishment of a new regulatory regime for social workers.
2. The LGA prepared a full second reading briefing for the Bill, which is attached for information (appendix A). We are supportive of the early parts of the Bill, which focus on improved support for children in care and care leavers, while warning that any new burdens need to be fully funded to ensure that resources are not diverted from other services for vulnerable children.
3. However, we also raised concerns that both the national review panel and the new social work regulator are insufficiently independent from government, and that the range of legislation potentially exempted under clause 15 may require additional safeguards to ensure that such decisions are always rooted in the best interests of children and young people. We are particularly concerned that clause 18 allows for the Secretary of State to relax duties on local authorities in intervention without any form of local democratic scrutiny.
4. The Bill enters Lords Committee Stage on 27 June, and the initial amendments to be considered are radical. These include cross-party support for the removal of clauses 11 – 14 (the national Child Safeguarding Practice Review Panel), opposition from Labour Peers and a Crossbencher to all aspects of clauses 15-19 (covering exemption from legislation), and Labour opposition to the proposed model of social worker regulation.

5. The Board is asked whether it wants to comment or expand on the LGA's current lines as outlined in the attached briefing.

### **Education for All Bill**

6. This Bill, which is expected to start its Parliamentary passage in the Autumn, will end the statutory role of councils in school improvement by removing their duty to promote high educational standards in local schools. This removal of statutory duties was announced in the Spending Review last year and will be accompanied by a £600 million, or 75% cut to the Education Services Grant paid to councils and to academies.
7. Although the Government announced on 6 May that it will step back from forcing all schools to become academies, the Bill will give the Secretary of State new powers to force all schools in a council area to become academies if she considers that the council is underperforming or unviable in its support for local schools. It also announced that £300 million will be available to support schools to convert to academy status and, in particular, support sponsors to turn around failing schools. A further £300 million has been allocated to support strong and effective multi-academy trusts to grow and improve. The announcement also said, in recognition of the costs that local authorities and church dioceses face in relation to academy conversion, "funding will also be provided to them" but no detail was given as to the amount.
8. In the on-the-day briefing on the Queen's Speech the LGA view was:
  - 8.1 The LGA remains opposed to any forced academisation. Councils are among the country's most effective education leaders with 81 per cent of council maintained schools rated by Ofsted as Good or Outstanding, compared to 73 per cent of academies and 79 per cent of free schools.
  - 8.2 Only a handful of Multi-Academy Trusts currently maintain more than 10 sponsored academies, compared to councils, which maintain large numbers of schools with significant experience and expertise. In addition, councils will continue working with all schools to deliver the education needed by individual communities, from making sure every child has a suitable school place, to protecting vulnerable children. Greater clarity is needed as to in what circumstances councils will be considered underperforming or unviable to maintain schools.
  - 8.3 If the statutory role of councils in school improvement ends, parents will have to raise any problems with remote Regional Schools Commissioners (RSCs). We have serious concerns about the capacity and local knowledge of each individual commissioner to hold more than 2,500 schools to account effectively, particularly when each RSC already has between 53 and 133 failing academies to turn around. The LGA opposes the transfer of significant powers relating to education to unelected civil servants. Councils must be allowed to work with RSCs to drive up education standards in their areas.
9. The Board is asked whether it wants to comment or expand on the views in the on-the-day briefing.

### **National Citizen Service Bill**

10. This Bill is also expected for the Autumn, and will create a new statutory framework to deliver an expanded National Citizen Service (NCS). It will also place a duty on secondary schools and local authorities to promote the NCS to young people and their parents.
11. In the on-the-day briefing on the Queen's Speech the LGA view was:
  - 11.1 The National Citizen Service Bill makes a clear statement about the value of youth services, and underlines the Government's commitment to boosting the engagement of young people in positive activities.
  - 11.2 The National Citizen Service is a good scheme that provides positive experiences for many children and young people. The Government is proposing to allocate £1.1 billion in funding for it over the course of this Parliament. With many local services under pressure since 2010 following substantial cuts to local government funding, it is vital that money to run the NCS should not be at the expense of local services for young people. Councils - who know their communities best - must be able to provide services tailored to local needs.
  - 11.3 If local authorities are to actively promote the NCS, it is essential that there is a reciprocal duty on providers to engage with local authorities, including a duty to share relevant data, to make sure that promotion is effectively targeted to meet local needs.
12. The Board is asked whether it wants to comment or expand on the views in the on-the-day briefing.

### **Financial implications**

13. There are no specific additional financial implications for the LGA arising from this report.