

LGA Lobbying Headlines – June 2024

Hot Topics

General Election The prime minister announced a general election for July 4. As a result, the current parliament sat for the last time on 24 May and was dissolved on Thursday 30 May. A number of pieces of legislation of interest to the LGA were not included in the wash-up process and will therefore not proceed in their current form, including the Renters (Reform) Bill and the Tobacco and Vapes Bill.

Regulation of funeral directors Following the uncovering of potentially criminal activities at a Hull funeral directors, there has been significant discussion at ministerial level around the suitability of the largely voluntary regulatory system for funeral directors in England. Ministers are asking councils to provide public reassurance through inspections, but there is currently no legal basis for councils to undertake this role or additional resource being provided by government. Discussions are ongoing around the future regulatory around the industry and potential local government role.

Oflog Following an article in The Times reporting a 'ranking' of council performance using Oflog data, the LGA Chair and Vice Chairs wrote to Michael Gove expressing concern about the use of this data, that inaccuracies and misleading content were not corrected by DHLUC and the undermining of trust in Oflog that arises from this.

Emerging Issues

International recruitment Councils have been affected by situations where agencies bringing in social care workers from abroad are closed down by central government on the grounds that they are not bona fides organisations delivering social care. The impact includes dealing with people who can suddenly find themselves homeless, without a source of income, and lacking support networks. The LGA and ADASS have been working with central government to find a way to enable these people to find alternative employment with social care providers as quickly as possible, and have made the case to central government that enforcement action should be proportionate and give advance information to relevant councils.

Better Care Fund Some councils have been finding that their Integrated Care Boards are seeking to challenge or repurpose the element of the BCF which is for core social care funding. The LGA has reminded DHSC and NHSE of the rules and original purpose of the fund, and advocated strongly against the behaviour shown by some ICBs. In addition to this the LGA is offering some support to councils in systems which cannot agree the use of the BCF.

CQC assessment of adult social care The LGA has, throughout the introduction of CQC assessment, advocated for local government on certain policy lines (mainly around the timing of its introduction, single word ratings, and the burden on councils of this new policy). It has also worked alongside ADASS with DHSC and CQC to find ways to implement assessment in a way that is proportionate and consistent. The LGA continues to track how implementation is working and is in close and regular dialogue with CQC, and where necessary DHSC. The LGA has also through its support programme Partners in Care and Health developed support for councils before or after assessment, and this support will continue to be adapted to what councils are feeding back and more general learning from assessments.

Thinkers

Institute for Government: [How the Next Government should complete the job of English devolution](#): recommends extending devolution to at least 85% of England's population; expanding the 'trailblazer' devolution offer to Greater Manchester and West Midlands to include strategic spatial planning, holding a Prime Minister-Metro Mayors summit held within two months of taking office.

[NEU state of SEND survey found that](#) seven in eight teachers and support staff said that the resources they have are insufficient and that 76% are asking for more learning support assistants in class, with one in three respondents saying they have no behaviour support team whatsoever.

Anna Freud Centre: [Thinking Differently: a manifesto on how prevention and early intervention can close the gap in children and young people's mental health](#): the report proposes a five point plan, including giving young people a meaningful say in an expanding approach to prevention and adopting a whole-school approach to mental health and wellbeing.

Children and Young People's Health Coalition: [Not in School: Mental Health Barriers to Attendance](#) identifies key mechanisms for change, including: introducing a mental health code of absence, improving the availability of mental health support and addressing the drivers of absenteeism

Early Education and Childcare Coalition: [Manifesto](#) Guaranteeing that all children can access inclusive, high-quality provision that is affordable for parents, committing to sustainable and fair funding for all types of providers, establishing and investing in an early years workforce strategy.

Royal Foundation: [Prioritising early childhood for a happier, healthier society](#): investing in early childhood could bring about £45.5bn worth of economic benefits through the impact of children developing well, and the support available for the adults around them.

Institute for Government: [A Preventative Approach to Public Services](#): calls for prevention to be embedded into the government's spending and performance frameworks, with accompanying political priority. Also calls for freedoms for local areas to spend preventative funding as they see fit.

Demos: [Driving Disinformation: Democratic deficits, disinformation and low traffic neighbourhoods](#): examines the experience of several councils in implementing LTNs and facing substantial disinformation-led backlashes. Recommends a new 'civic accord' for standards of community engagement around controversial projects and proposals, and establishing a dis-information standard in public life.

Critical issues

Financial and service pressures – We welcomed the additional £600 million in the 2024/25 Final Local Government Finance Settlement although it fell short of the £4 billion funding gap, in this year and next, identified in our October 2023 funding gap analysis. Our analysis excludes the resources needed to address existing underfunding in areas such as adult and children's social care, SEND and homelessness, nor does it include funding to improve or expand council services. We are working on our 2024 funding gap model, which we hope to publish the results of in July. In the meantime, we will continue to make the case to the Government for sufficient funding through multi-year settlements for local government and for certainty on reforms such as the Fair Funding Review, the business rates reset and the New Homes Bonus.

Workforce capacity – According to our latest Workforce Survey, more than 9 in 10 councils are experiencing difficulties with senior leadership and front-line service delivery roles. We are calling for medium-term financial settlements and sufficient funding to enable effective workforce planning, recruitment and retention in addition to compliance with government's future National Living Wage policy (which so far is unknown). The pay offer made by the National Employers amounting to a 4.03% increase in paybill will cost more for councils with more staff at the lower end of the pay spine and will be an additional cost burden on schools as a direct result of the NLW. The LGA is running ongoing campaigns to attract talent into the sector, such as the graduate Pathways to Planning scheme, and the first national workforce campaign for the sector, which is being piloted in the north east during 2024.

Private rented sector reform – The Renters (Reform) Bill, which aims to improve the system for private renters and landlords in England, has completed its Commons

stages, however it did not subsequently complete its passage through the Lords before prorogation and will therefore not receive Royal Assent in its current form. Under the bill, Households being served with Section 21 'no fault' eviction notices is the most common reason for being at risk of homelessness, and with no-fault evictions increasing by 23 per cent over the past year, the LGA has urged the government to keep firm on its promise to abolish Section 21 notices before the election.

Housebuilding – Following publication of the LUHC Select Committee report on the sustainability of the social housing sector, we continue to make the case for councils to be able to resume their historic role as major builders of affordable homes through implementation of [a six-point plan](#) for social housing. Our plan includes rolling out five-year local housing deals to all areas of the country that want them by 2025 – combining funding from multiple national housing programmes into a single pot; government support to set up a new national council housebuilding delivery taskforce; continued access to preferential borrowing rates through the Public Works Loans Board (PWLB); further reform to Right to Buy; reviewing and increasing where needed the grant levels per home through the Affordable Homes Programme, and a minimum 10-year rent deal for councils landlords, to enable councils to invest.

Homelessness – We have commissioned research that will support our lobbying to uprate the Local Housing Allowance rate that determines the subsidy for claims in respect of people living in temporary accommodation - this currently remains capped at 90 per cent of the January 2011 rates. This work will also support our lobbying for LHA rates to continue at the 30th percentile of market rents from 2025-26. We continue to seek an explicit, national-level focus on homelessness prevention work (with an associated long-term, multi-year funding regime) that addresses the drivers and levers of homelessness, enables councils to avoid residents reaching crisis, and reduces demand for temporary accommodation and emergency homelessness responses. We have expressed concern that the government's proposals to further restrict eligibility criteria for social housing and extended qualification periods could result in a rise in homelessness.

Asylum and resettlement – We continue to stress the need for Government to take account of the cumulative impact of asylum and resettlement on local areas. Whilst it is anticipated smaller numbers are moving on from asylum accommodation, the impact of the Home Office's continuing [clearance of the asylum backlog](#), the lack of equitable approach accommodation procurement and lack of funding is being compounded by housing and support pressures from Afghan resettlement and ongoing issues with councils' support for [Ukrainians](#). Following the National Audit Office report on alternative asylum accommodation, the LGA called for more advance engagement on alternative sites and urgent confirmation of funding for councils for their role in asylum.

Oflog – The LGA is keen that Oflog succeeds in delivering real benefits to the local government sector and the wider public. We continue to press for Oflog to be established as a body independent of government and have expressed our concern

to the Secretary of State regarding the lack of response by Oflog and government to the use of Oflog data to 'rank' councils in ways that are fundamentally flawed and misleading.

Children's social care – Challenges around placements for children in care, particularly those with the most complex needs, remain critical, with costs escalating rapidly amid difficulties in finding placements able or willing to provide appropriate support. We are speaking with the Department for Education about potential measures to improve sufficiency and alleviate pressure. Some councils are looking to make cuts to early help services due to ongoing budget pressures which risks increasing demand in the longer term.

Adult social care – We continue to highlight pressures on adult social care, despite the additional funding announced in the Local Government Funding Settlement. In particular we are highlighting directors' concerns about meeting statutory duties on market sustainability and prevention, the scale of the recruitment and retention challenge facing the care workforce, and persistent levels of unmet and under-met need.

We have called for adequate new burdens funding for councils to reflect the time and energy needed in the new CQC assessment process, and adequate notice of assessment for councils.

SEND (Special Educational Needs and Disabilities) – The number of children and young people with an Education, Health and Care Plan (EHCP) grew by 9 per cent between 2022 and 2023. It is estimated that the council high needs block deficit will reach £3.6bn by 2025.

We are engaging with the Department for Education at both Ministerial and official levels on the testing of proposals in the SEND and Alternative Provision Improvement Plan in the nine Change programme partnership areas. The focus on improving levels of mainstream inclusion is also welcome and will be crucial to both improving outcomes for children with SEND and reducing pressures on high needs budgets. However, we remain concerned that the proposals do not fully address the fundamental demand and cost pressures that prevent councils from effectively meeting the needs of all children and young people with special needs. We are calling for councils to be given more powers to lead local SEND systems and to intervene when children are not adequately supported, as well for all high needs block deficits to be written off.

Working with CCN, we have also commissioned independent research that will make a series of recommendations on how a fundamentally reformed SEND system will meet the needs of children and young people with special needs within existing budgets. We expect this research to be published in late June/early July.

Other issues of importance for the sector

Planning – The Government has announced a consultation on a new Permitted Development Right (PDR) for subdividing houses into two flats without changing the façade. It is disappointing that the Government continues to extend national permitted development rights further. We continue to call for PDRs to be urgently revoked as they undermine the plan-led system and local democracy.

Cost of living pressures in communities – Following lobbying from groups including the LGA, the government announced an extension of the Household Support Fund (HSF) to 30 September 2024, which is a welcome decision to prevent a cliff edge in support at the end of March. Alongside this, we continue to explore a clear long-term role for councils in supporting low-income households as part of their wider work to improve life chances, tackle inequalities and improve economic prosperity, and call for local welfare funding put on a sustainable long-term footing.

Early education and childcare – Councils are delivering on the implementation of extended access to free early education and childcare. However, the early years sector is facing financial and sustainability challenges, and these changes will cause further pressure. These changes are also building on a complex and difficult to navigate system and will place significant additional pressure onto council teams. We are stressing the need for additional funding for local government to support the market and parents and carers, workforce support and capital funding, as well as highlighting the challenges facing providers financially. We welcomed the DfE's recruitment campaign for early years workers to help deal with capacity issues facing providers.

Climate change – We have called for government to simplify the bureaucratic system of short-term funding pots and complex bidding processes which hamper councils achieving their net zero targets. A survey commissioned by the LGA found that two thirds of councils were not confident of hitting their net zero targets and that the overwhelming majority are concerned by the excessive burden of bidding for national funding pots.

The LGA continue to work with DESNZ on the Local Net Zero Forum, which is working jointly on a business case for devolving council retrofit funding, initially through MCA trailblazer agreements. LGA Chair and LINZ Lead Members met with Ministers as part of the second Ministerial Local Net Zero meeting, discussing devolution and funding simplification. The LGA is working on a range of policy reforms, including building standards, retrofit skills, transport, renewable energy, nature, electricity grid.

Public health – We continue to make the case for multi-year settlements and for more long-term certainty around public health funding. We are pushing for an increased focus on prevention, achieved through an uplift to the public health grant. This will support the Government's wider aims by improving health outcomes, reducing health spending, and putting social care and the NHS on a better footing for the long term.

Smokefree Generation and single-use vapes – The Government has published draft legislation to ban single use vapes, a move the LGA has campaigned for. Single use vapes are inherently unsustainable, causing issues both around litter and in the recycling process, as well as raising the risk of young people taking up vaping. The Tobacco and Vapes Bill did not complete its passage through parliament before prorogation, but we continue to support the Government and any future government's ambition of creating a smokefree generation. The LGA has also called for a new licensing regime for shisha bars, to tackle health risks, noise and anti-social behaviour.

Education – Since the abandonment of the Schools Bill, we are calling for the Department for Education to bring forward alternative legislative arrangements to introduce a register of children being electively home educated, accompanied by sufficient powers for councils to check that home educated children are receiving a suitable provision, where concerns have been raised that this is not the case. The Schools White Paper proposed that greater inclusion could be achieved by statutory regulation of the academy sector by the DfE. This proposal was also included in the Schools Bill. In the Bill's absence, we are calling for DfE to set out how similar outcomes can be achieved without the need for underpinning statutory powers.

Environment – The LGA continue to press the case for crucial further details in the operation of Biodiversity Net Gain, government is due to publish much of this soon as part of a wider nature strategy. We continue to work with officials on these issues. Defra has now published details of the responsible authorities for Local Nature Recovery Strategies and confirmed funding allocations to develop these. However, vital information still needs to be added around the role of local planning authorities, including guidance on how LNRSs will regard local plans.

Waste – The LGA continues to engage government and councils on the detail of the new Extended Producer Responsibility scheme, which transfers the costs (estimated £900m a year for England) for dealing with packaging waste from the state to producers. We are also engaging government on the detail of the 'simpler recycling' reforms, which while including some significant lobbying wins, present some new concerns. Government has also now published proposals for waste electricals which we are engaging with. We also continue to press the Government on the solution for treating products containing Persistent Organic Pollutants, the Emissions Trading Scheme application to Energy from Waste (we are expecting a consultation soon), waste prevention strategy and fly-tipping.

Adults with care and support needs – We remain concerned about the rollout of the 'Right Care, Right Person' (RCRP) National Partnership Agreement on Mental Health and Policing. Implementation should be planned in partnership with councils and other stakeholders and we need a clearer understanding of the impact on social services. We are asking for an increase in suicide prevention funding alongside the launch of the new Suicide Prevention Strategy.

We are calling for the Government to [invest in therapeutic-led reablement](#). We are also calling for a focus on prevention and recovery services to reduce pressures in hospitals ahead of winter, including steps to support the voluntary sector to provide fast, low-level support. We need more funding for home adaptations so that councils can upgrade existing stock and are pressing for simplification of the Disabled Facilities Grant process.

Digital – We have published the results of a survey of councils about the 2G/3G mobile network switch off. We have used the results of the survey to highlight concerns with the impact on technology and services from this and the transfer of analogue lines, and how the switch off will work in more rural areas.

Within the LG White Paper, the LGA has called for a Local Government Centre for Digital Technology. This centre would have nine functions, including a digital innovation lab serving as a safe space for councils to experiment with new technologies and service models; sector led consultancy; assurance; intelligent procurement; data sharing and standards; as well as research, community of practice, policy development, and advice, information and guidance. If the next government is to simultaneously reduce the digital divide, address public sector reform, and promote economic growth, it must fund and empower Local Government to be more innovative, more technologically inclusive, and more sustainable. The best way to do this is through the establishment of a Local Government Centre for Digital Technology.

Civility in public life – In the run-up to the election period, the LGA issued a joint call with the Electoral Commission and the Jo Cox Foundation for no abuse towards candidates and for voters to treat candidates with dignity and respect. We highlighted our own research that 75 per cent of councillors had experienced some form of intimidation or abuse during the 2023 elections and Electoral Commission analysis that found nearly a quarter of candidates had experienced someone deliberately making them feel unsafe.

Access to elected office – as part of the Cabinet Office/DWP Disability Action Plan, the government committed to introducing funding arrangements to support disabled people seeking election by 2025. We have been calling for a system to mitigate the additional costs faced by disabled candidates to replace the now-closed Access to Elected Office fund.

Elections delivery – The local and PCC elections in May 2024 were completed successfully. However, turnout was low for the PCCs and electoral administrators are raising concerns about the impact of the Elections Act 2022 reforms at higher turnout elections. Additionally, we are receiving reports from councillors about the impacts of negative campaigning and abuse from the public during the pre-election period this year, including concerns about extremist narratives and smear campaigns. We also saw the first digital manipulated video in political campaigning in the West Midlands Mayoral election

Artificial intelligence – we are soon to be publishing the results of our AI survey that achieved a 23% response rate from the sector, covering deployment of AI, perceived risks and opportunities, and council readiness. The CDT team in collaboration with the Misinformation lead is currently finalising a commissioned research report on Local Government risks associated with synthetic media and deep fakes seeking political clearance. The LGA, along with Socitm, Solace, LOTI and iNetwork also recently submitted a response to the [Parliamentary Inquiry into the use of AI in Government](#) that will be published on our website soon. We called for:

- Local Government to be considered a vital part of the public sector innovation ecosystem.
- More support to local government innovation, such as through a Local Government Centre for Digital Technology
- More focus on responsible procurement, assurance and fostering open AI markets.
- More of a political prioritisation of digital inclusion.