

Policy Inform: Families and Wellbeing

Directorate Policy: July 2015

The Directorate Policy briefings will provide an overview of ongoing and recent national legislation, bills presented to Parliament, emerging policies and upcoming consultations. The Directorate Policy briefing will be produced specifically to inform Portfolio Holders and Elected Members and will be taken to Policy & Performance Committees for discussion.

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Introduction

The policy briefing paper is intended to provide Members of the Policy and Performance Committee with the latest position on emerging policy and legislative developments to support the committees work programme and future scrutiny work.

During the course of the 2015-16 municipal year, it is proposed that the Council's Policy and Strategy team prepares four policy briefings papers for consideration by the Committee. The following table outlines the timetable for the preparation and reporting of policy briefing papers:

Policy & Performance Committee Briefings	
July 2015	The first policy briefing will focus predominately on the Queen's Speech, which will establish the Government's legislative programme for the parliamentary year ahead.
September 2015	The second policy briefing will be produced in September and will focus predominately on the Chancellor's July 2015 Budget Statement. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
January 2016	The third policy briefing will be produced in accordance with the local government finance settlement which informs the annual determination of funding to local government. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.
March 2016	The fourth policy briefing will focus upon the Chancellor of Exchequers Budget. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

The July Policy Briefing paper focuses predominantly on the policies and legislation that have emerged from the newly formed Conservative Government. The paper provides initial information based on the available information released by Central Government at this time. It is expected that the September Briefing Paper will be more detailed following the release of further information from Government and will also consider the implications for Wirral.

The Committee may wish to identify specific policy areas to focus upon which are in line with the Committee's work programme. Detailed briefing papers can be prepared for these subject matters at the request of the Committee which would be in addition to the regular policy briefing papers outlined above.

Conservative Manifesto

Conservative Manifesto- Key Points :

On 14th April 2015, the Conservative Party launched their Manifesto which outlined their party pledges for the parliamentary year ahead if they were elected into Government. The columns below identify the manifesto themes that are of most relevance to local government and more specifically to the Families and Wellbeing Policy and Performance Committee. The majority of the pledges identified have recently been referenced in further detail within the Queen's Speech, following the success of the Conservative Party in the 2015 General Election.

Education

- Investing £7bn over the course of the next Parliament to provide "good school places"
- Opening at least 500 new free schools and turning failing schools into academies
- Protecting the schools budget; increasing the amount spent on schools as the number of pupils increases
- Scrapping the cap on higher education student numbers
- Support primary school sport with £150 million a year, paid directly to headteachers, until 2020
- Introduce new standards for literacy and numeracy in primary schools.
- Require secondary school pupils to take GCSEs in English, maths, science, a language and history or geography.
- Expand the National Leaders of Education programme to let the best headteachers take control of failing primary schools
- Increase the number of teachers able to teach Mandarin and train an extra 17,500 maths and physics teachers over the next five years.
- Expand the National Citizen Service and guarantee a place for every 16 and 17-year-old who wants one

Health and Social Care

- Provide seven-day-a-week access to NHS services
- Signed up to NHS Forward View and increase NHS spending to £8bn a year by 2020
- Continue to integrate the health and social care systems, joining up services between homes, clinics and hospitals and pilot new approaches like the Greater Manchester one and the Better Care Fund.
- Tackle health tourism and recover up to £500 million from migrants who use the NHS by the middle of the next Parliament
- Deliver the Prime Minister's Challenge on Dementia 2020
- Support commissioners to combine better health and social care services for the terminally ill so that more people are able to die in a place of their choice
- Ensure that there are therapists in every part of the country providing treatment for those who need mental health treatment
- Increase funding for mental health care.

Other areas of interest

- Cut £12 billion from Welfare Spending
- Abolish Human Rights Act and replace with British Bill of Rights
- Retain Police and Crime Commissioners
- Police reform to continue with a commitment to keep people with mental health problems out of police cells, a pledge to boost police diversity and mandatory action to scale back untargeted police stop and search operations.
- Increasing the minimum wage to £6.70 by the autumn and to £8 by the end of the decade
- Support Living wage and encourage employers to pay it
- Replacing Jobseeker's Allowance for 18-21 year-olds with a Youth Allowance time-limited to six months. After that, they will have to take an apprenticeship, traineeship or do community work to claim benefits

Queen's Speech 2015

On Wednesday 27th March 2015, the Queen unveiled the Government's legislative plans for the year ahead. Below is a list of each individual Bill which will have implications for local government that were announced during the speech. The list identifies the Policy and Performance committee with whose remit the legislation most closely aligns:

Legislative Plans	Policy and Performance Committee
National Insurance Contributions Bill/ Finance Bill	Transformation and Resources
Full Employment and Welfare Benefits Bill	All Policy and Performance Committees
Trade Unions Bill	Transformation and Resources
Housing Bill	Regeneration and Environment
Cities and Local Government Devolution Bill	Regeneration and Environment
Buses Bill	Regeneration and Environment
High Speed Rail Bill	Regeneration and Environment
Childcare Bill	Families and Wellbeing
Energy Bill	Regeneration and Environment
Education and Adoption Bill	Families and Wellbeing
Enterprise Bill	Regeneration and Environment
Policing and Criminal Justice Bill	Families and Wellbeing Transformation and Resources
Draft Public Service Ombudsman Bill	Transformation and Resources
Psychoactive Substances Bill	Families and Wellbeing

Additional bills that have been announced are outlined below. These will be monitored in relation to any emerging implications for Local Government and reported to the relevant Policy and Performance Committee as appropriate.

Additional Legislative Plans
EU Referendum Bill
Scotland Bill
Immigration Bill
Extremism Bill
Investigatory Powers Bill
Charities Bill
Armed Forces Bill
Bank of England Bill
Northern Ireland (Stormont House Agreement) Bill
Wales Bill
Votes for Life Bill

The bills relevant to the Families and Wellbeing Committee are discussed in further detail below. The information provided has been sourced predominately from the LGiU, as well as SOLACE and the LGC and therefore solely represents a fact-based introduction to the bills.

Childcare Bill

***“Help working people by greatly increasing the provision of free childcare.”
(The Queen’s Speech)***

Synopsis:

The purpose of the Childcare Bill is to help support working people from the start of their family life and help hard-working families with the costs of childcare and support parents in work. The changes aim to help 600,000 children a year from 2017.ⁱⁱ

Key Points:

The main elements of the Bill are to:

- Deliver on the Government’s election manifesto commitment of giving families where all parents are working an entitlement to 30 hours a week of free childcare for their three- and four-year olds for 38 weeks of the year (equivalent of the school year).
- Require local authorities to publish information about the provision of childcare in the local authority area, and other services or facilities which might be of benefit to parents or prospective parents, or children or young persons in their area.ⁱⁱⁱ

Any Further Detail:

Childcare plans had been outlined in the Conservatives' election manifesto, which identified that the £350m-a-year cost of the Bill would be funded through reductions in tax relief on pension contributions.

Currently, all three-and-four-year-olds in England are entitled to 570 hours a year of free early education or childcare at nurseries, play and pre-school groups, Sure Start children's centres, or with childminders. Two-year-olds from the poorest families also qualify. The 570 hours equate to 15 hours a week over a 38-week school year but can be spread over the year.^{iv}

The new legislation requires local authorities to publish information about the provision of childcare in each local authority area, and other services or facilities which might be of benefit to parents or prospective parents, or children or young persons in their area.^v

Education and Adoption Bill

***“Improve schools and give every child the best start in life.”
(The Queen’s Speech)***

Synopsis:

The purpose of the Education and Adoption Bill is to strengthen the government’s intervention powers in failing maintained schools and to introduce measures that will enable them to deliver regional adoption agencies.^{vi}

Key Points:

The main elements of the Bill are to:

- The Bill would give Regional Schools Commissioners powers to bring in leadership support from other excellent schools and heads, and would speed up the process of turning schools into academies.

- An inadequate Ofsted judgment would usually lead to a school being converted into an academy, and barriers would be removed to ensure swift progress towards conversion.
- It would make schools that meet a new coasting definition, having shown a prolonged period of mediocre performance and insufficient pupil progress, eligible for academisation.
- A coasting definition will be set out in due course according to a number of factors.^{vii}

Any Further Detail:

The Bill introduces measures aimed to create regional adoption agencies which will operate across local authority boundaries, increasing the speed and scale at which adoption services are delivered. In order to create regional adoption agencies, this legislation will give the Secretary of State new powers to direct a number of local authorities to have adoption functions carried out on their behalf, these are: the recruitment, assessment and approval of prospective adopters; decisions about which prospective adopters a child should be matched with; and the provision of adoption support services.^{viii}

For More Information:

[John Fowler, Education and Children's Services- Queen's Speech and Conservative Manifesto Commitments, LGiU, 28/05/15](#)

Full Employment and Welfare Benefit Bill

“Achieve full employment and provide more people with the security of a job.”
(The Queen's Speech)

Synopsis:

The aim of this bill is to achieve full employment. The legislation will continue to expand the Troubled Families Programme as well as continue welfare reform, capping benefits and requiring young people to 'earn or learn'.^{ix}

Key Points:

The main elements of the Bill are to:

- A working-age benefit freeze.
- The new legislation would freeze the main rates of the majority of working age benefits, tax credits and Child Benefit for two years from 2016-17. Pensioners would be protected, as would benefits relating to the additional costs of disability. Statutory payments, such as Statutory Maternity, Paternity, and Adoption Pay would also be exempted.
- The new legislation would lower the benefit cap so that the total amount of benefits a non-working family can receive in a year would be £23,000.
- Households are exempt where someone is entitled to Working Tax Credit or is in receipt of benefits relating to additional costs of disability, or War Widow's and Widower's Pension.
- The Bill includes a duty to report annually on progress against meeting our target of 3 million new apprenticeships.
- Troubled Families Programme: The Bill includes a duty to report annually on progress of the Troubled Families programme. The Bill also seeks to place a requirement on public bodies to provide information to the Secretary of State in order that he may fulfil that duty.

- Put in place a new Youth Allowance for 18-21 year olds with stronger work related conditionality from Day 1. After 6 months they will be required to go on an apprenticeship, training or community work placement;
 - Remove automatic entitlement to housing support for 18-21 year olds;
 - Provide Jobcentre Plus adviser support in schools across England to supplement careers advice and provide routes into work experience and apprenticeships.^x
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Policing and Criminal Justice Bill

***“Improve the law on policing and criminal justice”
(The Queen’s Speech)***

Synopsis:

This legislation is intended to continue the reform of policing with the aim of enhancing protections for vulnerable people.^{xi}

Key Points:

Aspects of the Bill potentially relevant to local government:

- The Bill would ensure 17 years olds who are detained in police custody are treated as children for all purposes under PACE.
 - In particular, the amendments to the provisions of PACE concerning 17 year olds include:
 - Ensuring an appropriate adult is present for drug sample taking;
 - Ensuring appropriate consent is granted by both the 17 year old and parent/ legal guardian for a range of interventions, including intimate searches; and
 - The ability to impose conditional bail to ensure the welfare and interests of the 17 year old.
 - Reforming legislation in relation to the detention of people under sections 135 and 136 of the Mental Health Act 1983 to ensure better outcomes for those experiencing a mental health crisis.
 - Prohibiting the use of police cells as places of safety for those under 18 years of age and further reducing their use in the case of adults;
 - Reducing the current 72 hour maximum period of detention; and
 - Extending the power to detain under section 136 to any place other than a private residence^{xii}
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Psychoactive Substance Bill

“Ban the new generation of psychoactive drugs” (The Queen’s Speech)

Synopsis:

The legislation introduces a blanket ban on so-called legal highs.^{xiii}

Key Points:

The main elements of the Bill are to:

- The move is to protect UK citizens from the risks posed by untested, unknown and potentially harmful drugs.
- It would be an offence to produce, supply, offer to supply, possess, import or export psychoactive substances.
- The ban on legal highs will carry prison sentences of up to seven years.^{xiv}

Recent and Ongoing National Legislation

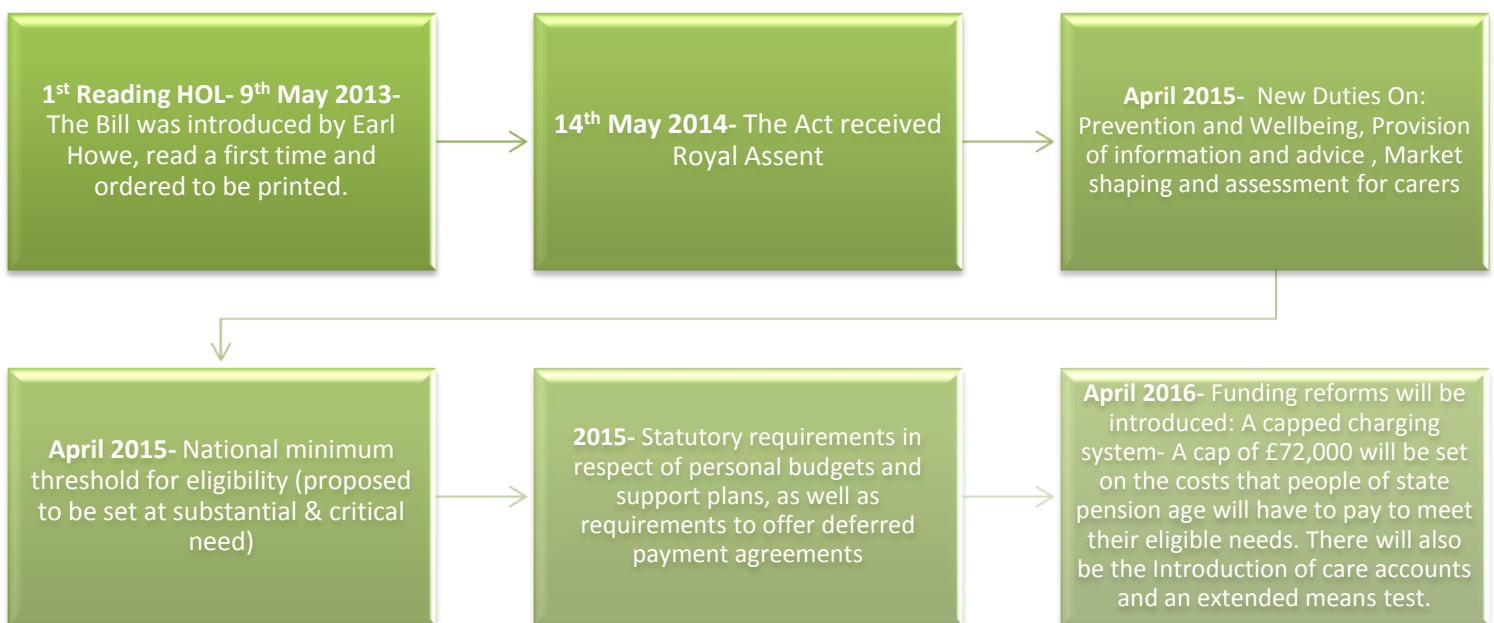
The Care Act

Synopsis:

The Care Bill received Royal Assent on the 14th May 2014 and has now been passed into law as the Care Act 2014.

The Care Act 2014 reforms the law relating to care and support for adults and support for carers. The new legislation makes provision about safeguarding adults from abuse, or neglect and makes provision about care standards, to establish and make provision about Health Education England and about the Health Research Authority. The Care Act presents major opportunities to improve local support for carers, giving a duty to local authorities to identify carers' needs as part of their preventative responsibilities, and a duty to NHS bodies to cooperate with local authorities on its functions.

Key Dates:



Any Updates:

On the 4th February 2015 the Department of Health published a set of documents which outlined plans for the regulations that will be used by local authorities to introduce a cap on the care costs for self-funding care users aged 65 and over and detail how a cap for working age adults and people under 25 could work.

The government claims an extra 80,000 people will benefit from the cap by 2025-26, while 23,000 people will benefit from the more generous residential care means-test in 2016-17 alone.

For More Information:

The Department of Health- <http://careact2016.dh.gov.uk/>

Serious Crime Act 2015

Synopsis:

The Serious Crime Act 2015 received Royal Assent on 3 March 2015. The Serious Crime Act 2015 (the Act) gives effect to a number of proposals and commitments made in the Government's Serious and Organised Crime Strategy. It updates existing law dealing with the proceeds of crime, cyber-crime, serious crime prevention orders, gang injunctions, child cruelty, female genital mutilation (FGM) and the commission of certain terrorism offences abroad.

Key Points:

The Act is made up of six parts as follows:

1. Proceeds of crime.
2. Computer misuse.
3. Organised, serious and gang-related crime.
4. Seizure and forfeiture of drug-cutting agents.
5. Protection of children and others.
6. Miscellaneous and general.

For More Information:

[Mark Upton, Serious Crime Act 2015: Part 5 Protection of Children, LGiU, 16/04/15](#)

Policy Developments

NHS Five-Year Forward View

Synopsis:

The NHS Five Year Forward View was published on 23rd October 2014 and sets out a vision for the future of the NHS. It has been developed by the partner organisations that deliver and oversee health and care services including NHS England, Public Health England, Monitor, Health Education England, the Care Quality Commission and the NHS Trust Development Authority. Patient groups, clinicians and independent experts have also provided their advice to create a collective view of how the health service needs to change over the next five years.

The purpose of the Five Year Forward View is to articulate why change is needed, what that change might look like and how we can achieve it. It describes various models of care which could be provided in the future, defining the actions required at local and national level to support delivery.

Any Recent Updates:

The Queen's Speech 2015 highlighted that the Government aims to secure the future of the National Health Service by implementing the National Health Service's own five-year plan, by increasing the health budget, integrating healthcare and social care, and ensuring the National Health Service works on a seven day basis. Measures will be introduced to improve access to general practitioners and to mental healthcare.

Key Points:

The main elements of the announcements are to:

- The Government will increase investment into the NHS by £8 billion a year by 2020;
- The Government is committed to 18 million patients having access to a GP at evenings and weekends
- They will continue with long-term plans to join up health and social care services.
- They will increase access to and improve waiting times for mental health services.

For More Information:

[NHS England, NHS Five-Year Forward View](#)

House of Commons Education Report: Apprenticeships and Traineeships for 16-19 year olds

Synopsis:

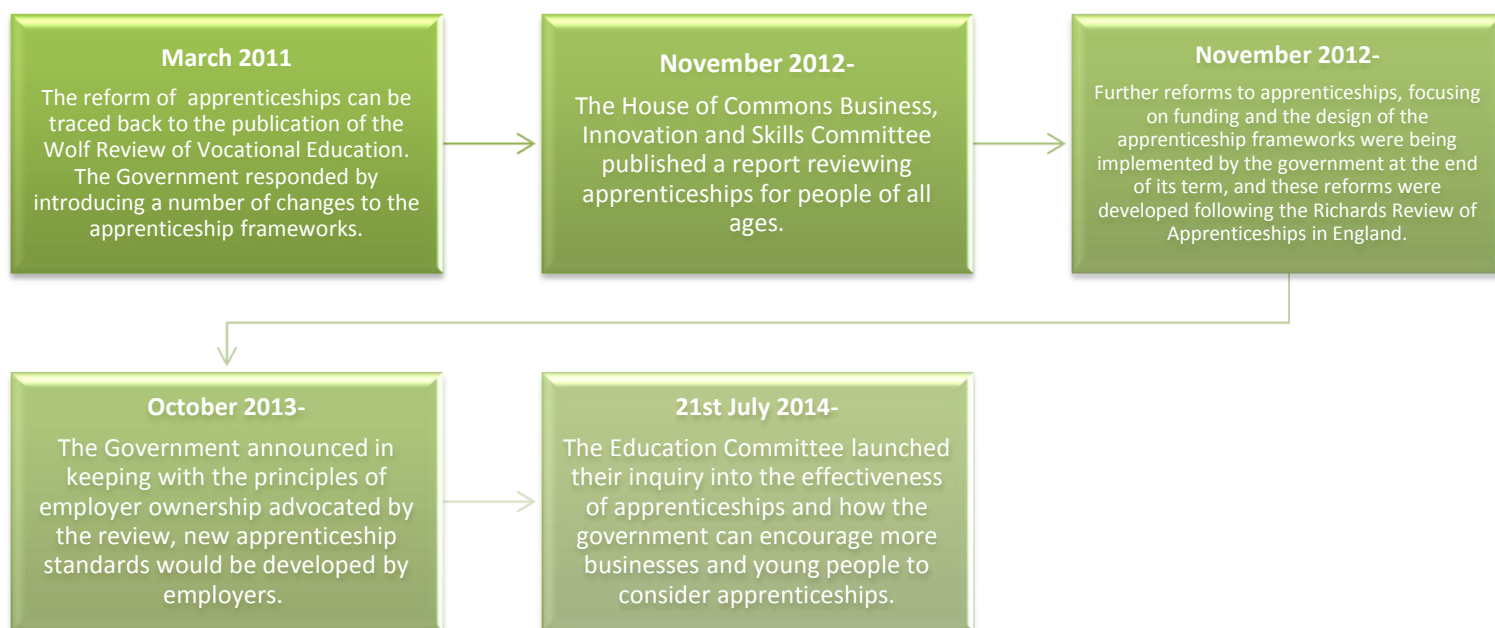
In recent years, the operation of Government-funded apprenticeships and vocational education has undergone significant change due to concerns about the number of young people entering into apprenticeships and the quality of apprenticeships. On the 21st July 2014, the Commons Education Committee launched an inquiry into the effectiveness of apprenticeships, whether apprenticeships represented value for money for the Government and how the Government could encourage more businesses and young people to consider apprenticeships and traineeships.

On the 9th March 2015 the House of Commons published a report entitled 'Apprenticeships and Traineeships for 16-19 year olds' which examined the main findings from the inquiry.

Any Recent Updates:

The report found that the central challenge for the Government's reform programme is to increase the number of young apprenticeship opportunities while ensuring that quality is at least maintained if not improved. The report stated that it supported the Government's efforts to give employers greater say, control and stake in apprenticeships but it must guard against system changes which deter employers, and smaller employers in particular, from participating.

Key Dates:



For More Information:

[Kathy Baker, Apprenticeships and Traineeships for 16-19 year olds: Commons Education Committee, LGiU, 30/04/15](#)

ENDNOTES:

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- ⁱ Janet Sillett, Briefing: Conservative Manifesto Commitments- The Local Government Perspective, LGiU, 12/05/15
- ⁱⁱ Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ⁱⁱⁱ Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{iv} Queen’s Speech 2015: Bill-by-bill, BBC, 27/05/15
- ^v Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{vi} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{vii} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{viii} Martina Cicakova, Queen’s Speech Briefing, SOLACE, 27/05/15
- ^{ix} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^x Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{xi} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{xii} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{xiii} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15
- ^{xiv} Hannah Blythe et al, Briefing: Queen’s Speech 2015, LGiU, 27/05/15

SOURCES EMBEDDED WITHIN THE PAPER:

- The Department of Health- <http://careact2016.dh.gov.uk/>
- [Mark Upton, Serious Crime Act 2015: Part 5 Protection of Children, LGiU, 16/04/15](#)
- [NHS England, NHS Five-Year Forward View](#)
- [Kathy Baker, Apprenticeships and Traineeships for 16-19 year olds: Commons Education Committee, LGiU, 30/04/15](#)