

# **POLICY INFORM: FAMILIES AND WELLBEING**

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## **Directorate Policy: September 2015**

The Directorate Policy briefings will provide an overview of key political events, ongoing and recent national legislation, and emerging policies. 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

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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.

The following table outlines the timetable for the preparation and reporting of policy briefing papers:

<b>Policy &amp; Performance Committee Briefings</b>	
<b>July 2015</b>	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.
<b>September 2015</b>	The second policy briefing will be produced in September and will focus 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.
<b>January 2016</b>	The third policy briefing will focus on the Autumn Statement and 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.
<b>March 2016</b>	The fourth policy briefing will focus upon the 2016 Chancellor of Exchequers Budget. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

The September policy briefing outlines the key features of the Chancellor of Exchequers Budget Statement, which was announced on the 8<sup>th</sup> July 2015. The policy briefing also alludes to any potential implications that have been highlighted by relevant Officers for Wirral Council, and elaborates on any legislation or policy updates that have been implemented or developed since the last policy briefing in July.

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.

# Chancellors Statement- 8<sup>th</sup> July 2015

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On 8<sup>th</sup> July 2015, the Chancellor of the Exchequer George Osborne gave his Budget statement to the House of Commons. The budget set out £17bn of savings and deferred announcements on another £20bn to the autumn's Spending Review. The key announcements outlined in the statement have been divided into themes and are displayed below:

## Social Housing

- The budget details plans to legislate to freeze working-age benefits, including tax credits and the Local Housing Allowances, for 4 years from 2016-17 to 2019-20. This is forecast to save £4 billion a year by 2019-20.
- Rents in social housing in England will be reduced by 1% a year for 4 years.

## Welfare

- Working-age benefits, including tax credits and Local Housing Allowance, will be frozen for 4 years from 2016-17 (this doesn't include Maternity Allowance, maternity pay, paternity pay and sick pay).
- The household benefit cap will be reduced to £20,000 (£23,000 in London).
- Support through Child Tax Credit will be limited to 2 children for children born from April 2017.
- Those aged 18 to 21 who are on Universal Credit will have to apply for an apprenticeship or traineeship, gain work-based skills, or go on a work placement 6 months after the start of their claim.
- From April 2017 the Budget will remove the automatic entitlement to housing support for new claims in Universal Credit from 18-21 year olds who are out of work.

## Housing

- Rents for social housing will be reduced by 1% a year for 4 years.
- £800 million of funding is designated for Discretionary Housing Payments over the next 5 years.
- Social housing tenants with household incomes of £40,000 and above in London, and £30,000 and above in the rest of England, will be required to "Pay to Stay", by paying a market or near market rent for their accommodation.

## Children and Education

- From the 2016-17 academic year, cash support for new students will increase by £766 to £8,200 a year. New maintenance loan support will replace student grants. Loans will be paid back only when graduates earn above £21,000 a year.
- From September 2017, the free childcare entitlement will be doubled from 15 hours to 30 hours a week for working parents of 3 and 4 year olds.
- Parents with a youngest child aged 3 or older (including lone parents) who are able to work will be expected to look for work if they are claiming Universal Credit.
- £30 million will be provided to further speed up the adoption process while paving the way for the introduction of regional adoption agencies.

## Pay

- From April 2016, a new National Living Wage of £7.20 an hour for the over 25s will be introduced. This will rise to over £9 an hour by 2020.
- Public sector pay will increase by 1% a year for 4 years from 2016-17.
- The budget details plans to increase the National Insurance contributions (NICs) Employment Allowance from £2,000 to £3,000 a year.

## Efficiency

- The budget supports plans to continue to pursue more efficient ways of working and further reform to public services. The government will provide funding for the Cabinet Office to explore a number of cross-cutting savings proposals. The Treasury, working with Cabinet Office, will develop specific proposals to inform the Spending Review.

## Devolution

- The budget commits to transport devolution in all of the country's city regions that elect a Mayor, as well as the country's counties. This includes the rollout of Oyster-style smart and integrated ticketing systems.
- The government is working towards further devolution deals with the Sheffield City Region, Liverpool City Region, and Leeds, West Yorkshire and partner authorities, to be agreed in parallel with the Spending Review. The Budget notes that agreement will be reached based on combined authorities agreeing to an elected mayor working with local leaders to oversee any new powers devolved from ministers.
- The Budget announces further devolution of powers to Manchester, including devolving Fire Services under the control of the new directly-elected Mayor, establishing a Greater Manchester Land Commission and granting the city region more powers over planning subject to the agreement of the Cabinet member representing the district in which the power is used.
- The Budget states that it will be offering towns and counties the opportunity to agree devolution deals.

## Economic Development

- The government is inviting bids for a new round of Enterprise Zones. The existing Enterprise Zones have supported the creation of over 15,000 jobs throughout England.
- To ensure that local areas have a greater say over their own economies, the government will consult on devolving powers on Sunday trading to city mayors and local authorities.
- The budget details plans to invest £23m in 6 Next Generation Digital Economy Centres over 6 sites (London, Swansea, Newcastle, Nottingham, York and Bath), leveraging £22 million of additional funding, and partnering with LEPs, regional councils, and local SMEs. These centres will exploit opportunities across sectors of the digital economy including the creative industries, finance, healthcare and education.

# Queen's Speech 2015- Designation to Policy and Performance Committees

On Wednesday 27<sup>th</sup> May 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.

# Queen's Speech 2015- Developments and Implications

## Childcare Bill

### Synopsis and Key Points:

#### **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.

#### **Key Points:**

- 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.

### Further Developments:

- The Childcare Bill was introduced in the House of Lords on 1 June 2015, and published the following day. The Second Reading of the Bill took place on Tuesday, 16 June. The Bill is likely to complete its Lords stages by the Summer recess (likely to be around 16 July), and complete the Commons Stages by the end of November with Royal Assent before the end of 2015.

#### **The Government issued a press release on 1 June 2015 giving further information about the Bill and Government policy. Key points include:**

- There will be pilots in some areas offering 30 hours a week from September 2016 (it is understood that the original plan was to introduce the new entitlement from April 2017)
- There is a promise of more money 'to increase the average childcare funding rates paid to providers (the hourly funding provided for each free place)' ... 'with a review promised before summer'.
- A new government taskforce, headed by Minister of State for Employment Priti Patel, will 'drive forward the plans and ensure not a moment is wasted in passing the benefits onto working families'.

### Wirral Implications:

- Capacity to respond to additional child care places (from 15 to 30 hours a week) based on the current profile of parents of 3 and 4 year olds. The current take-up of 3 and 4 year old places is 80%. At present there appears to be sufficient estimated growth for those 3 and 4 year old places for working parents to extend from 15 to 30 hours. Within the maintained and non- maintained childcare sector (over 450 new places have been registered in the last 12 months).

## Wirral Implications Continued:

- However, the precise impact of the measures in the Bill and the additional capacity required to respond to all eligible three year olds, is currently unclear. This is due to further clarity being required on the implications of the proposed changes to the welfare reform and child care capacity, required to meet the demand from parents whose youngest child is three years old or older and who need to make themselves available for work. It is currently unclear if the conditions of grant (from 15 to 30 hours entitlement a week) extends to parents in training and/or education or if parents in training and/or education are exempt from making themselves available for work and if so for how long. There is currently very limited information with regard to implementation of the increased offer which will be piloted in 2016 with roll out planned for 2017.
- Capacity to provide places within schools – the impact on schools is even more unclear, and this has and will continue to be discussed with Head Teachers. Currently schools are being actively encouraged to extend provision to develop provision for disadvantaged 2 year olds. This has been supported by recent changes in legislation; in that schools providing or seeking to provide this facility, where they already provide 3 year old provision (F1), no longer require a separate Ofsted registration. This focus on the 2 year old offer could potentially limit capacity to deliver the extended offer for three and four year olds (from 15 to 30 hours a week), within the school environment. The offer is not a universal offer and is dependent on parents being in employment which is likely to make the administration of the offer of 30 hours for some children and schools more complex.
- Wirral has nearly 50% of its 2 year olds eligible to take up the offer for disadvantaged two year olds (not evenly spread across the Borough). The additional funding (available when a child is 3) may be seen as an incentive for those parents currently eligible for the free 2 year old entitlement, encouraging and enabling them to seek work or to extend hours of paid employment to take the family income above the benefits thresholds. We will work with partners such as Job Centre Plus and employment agencies to support an increase in the take up of the offer and actively seek to support parents to move to a work ready position.
- Identifying families - working together with Job Centre Plus we need to ascertain the current level of worklessness amongst parents with young children across Wirral in order to assess the potential need for additional capacity as parents move into employment. In addition, the wider impact of the Welfare Reforms needs to be better understood for this group of parents.
- Impact on child poverty - for parents who move into work or extend their hours of employment this policy is seen as positively contributing to the targets to reduce child poverty within the Child Poverty Act, 2010. Many parents who intend to go back to work or enter employment do find the costs of childcare unaffordable. Whilst the additional childcare entitlement may make this more affordable, the wider implications of universal credits remain unknown.
- Identifying eligibility for take up – in Wirral, the current 3 and 4 year old funding is managed through the Early Years Business Support Team and the Finance Department. The current process to manage payments is labour intensive and will be made more complex to match eligibility for this new policy requirement.

### Wirral Implications Continued:

- The pilot sites are yet to be determined and Wirral will bid to be included in any early delivery cohort, if it was deemed possible through the range of providers – work to ascertain the likelihood of this will be undertaken once the criteria is understood.
- There are implications about how we make information available about this change in eligibility for families, through the family information service and other communication mechanisms, to ensure maximum take up. This is being considered as part of the early years and children’s centre remodelling.
- Wirral’s childcare providers meet as part of local networks, and discussions to understand the impact of the Bill will be planned through children’s centre leads.

## Education and Adoption Bill

### Synopsis and Key Points:

#### **Synopsis:**

- The purpose of the Education and Adoption Bill is to strengthen the government's intervention powers in failing maintained schools. Separately the Bill introduces powers to deliver regional adoption agencies.

#### **Key Points:**

- 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.

### Further Developments:

- The Education and Adoption Bill is now at its reporting stage and is scheduled to have its third reading at the House of Commons (date has not yet been confirmed).
- Since the announcement of the Education and Adoption Bill, the use of the term 'coasting school' has become commonplace. Briefings by the LGiU have reviewed the development of the term 'coasting school' and have connected the 'coasting schools' agenda with school improvement.
- The Education and Adoption Bill will provide a legal framework to define 'coasting schools' and subject them to a notice to improve. They will be given support from a DfE team of expert headteachers with those schools that continue to be unable to demonstrate a clear plan for improvement also given new leadership. The implementation of this new approach will be consulted on this summer.

### Wirral Implications:

- Wirral has a strong commitment to improving standards in schools, and whilst this Bill is intended to strengthen the government's powers to intervene in "coasting schools"; the Council is continuously developing its approach, using all powers currently enshrined in regulation and guidance, to support and where necessary intervene to raise standards in schools. For example, from September 2015, Wirral is implementing a new approach to providing "school to school support". This will strengthen the approach of schools supporting each other to raise standards. Support will be delivered through three clusters, each with a teaching school and a school improvement officer. An overarching Board involving head teachers from the clusters, chaired by the School Commissioning Manager, will provide the framework to drive this approach and monitor its effectiveness.
- In terms of the Adoption aspect of the Bill; preliminary discussions have taken place across the Liverpool City Region and there is a commitment develop proposals to progress the regionalisation of adoption on a geographical footprint.

## Welfare Reform and Work Bill

### Synopsis and Key Points:

#### Synopsis:

- The overriding aim of the Bill is to reduce expenditure and “help to achieve a more sustainable welfare system.” A related aim is to support efforts to increase employment and “support the policy of rewarding hard work while increasing fairness with working households.”

#### Key Points:

- It is essentially a Bill of three parts. First, it will introduce a duty to report to Parliament on:
  - Progress towards achieving full employment.
  - Progress towards achieving 3 million apprenticeships in England.
  - Progress with the Troubled Families programme (England).
- Second, it will repeal almost all of the Child Poverty Act 2010 and introduce a new duty for the Secretary of State to report annually on “life chances”: children living in workless households and educational attainment at age 16, in England.
- Finally, the Bill allows for the introduction of extensive changes to welfare benefits, tax credits and social housing rent levels. These will account for around 70% of the £12-13 billion in welfare savings identified in the Summer Budget 2015. The welfare/housing measures include:
  - Lowering the benefit cap threshold and varying it between London and the rest of the UK.
  - A four year benefits freeze.
  - Limiting support through Child Tax Credits/Universal Credit.
  - The abolition of Employment and Support Allowance Work-Related Activity Component.
  - Changes to conditionality for responsible carers under Universal Credit.
  - Replacing Support for Mortgage Interest with Loans for Mortgage Interest.
  - Reducing social housing rent levels by 1% in each year for four years from 2016-17.

### Further Developments:

- The Welfare Reform and Work Bill was presented on 9 July 2015. The Bill passed its second reading on 20 July 2015. MPs also agreed a programme motion which schedules the Bill to be considered in a public bill committee. Proceedings in the public bill committee are scheduled to conclude by Thursday 15 October 2015, but could finish earlier.

### Wirral Implications:

- **Freeze Working Age Benefits** - This will impact on household disposable income, not previously frozen albeit uprating was nominal in 2014/15. This will potentially increase the strain on Discretionary Housing Payment (DHP) Local Welfare Allowance (LWA) with consequential harder to collect charges. This will affect all Revenues areas such as Personal Finance Unit charges, Benefits overpayments and Council Tax. Rent arrears locally will increase as with all cuts and will continue as (social) landlords maintain rent levels and annual increases.

## Wirral Implications Continued:

- **Freeze Working Age Benefits Continued** - This will increase pressure on LA Housing Benefit services from Social Landlords which is evident already via the rent shortfall in Bedroom Tax and insufficient DHP. In the private sector it may see a freezing of Local Housing Allowance rates which will give Private Sector landlords further issue with taking on tenants who rely on HB. This is likely to have a consequential impact on the levels of people being threatened with homelessness in the Borough.
- **Cutting Household Benefit Cap** – This will certainly impact locally, regrettably we cannot identify how many within present caseload will be affected, nor by how much in monetary terms on a weekly basis, as DWP consider circumstances of household and benefits in payment that LA are unable to identify from records held. The LA's HB service administers the Cap not the DWP who advise us of each situation. There are currently 72 cases live (but cases go on and off and DWP projected our numbers would be 130). The change would bring more case with a consequential impact on resources, both front and back of house. Those affected would have an increased reliance on other means of support, financial, Discretionary Housing Payment (DHP - annual cash limited budget) or the Local Welfare Assistance potentially (LWA - finite residual budget as scheme no longer nationally funded). Likely impact will see increased problems for those in temporary accommodation with large families and again, for LA, placing the homeless or those at risk etc., then reliance on the limited discretionary schemes (DHP).
- **General Issues for Wirral/Benefits Service** - As a consequence of these changes there will be a need to revise local schemes and policies with an increased reliance on any discretion the authority can, within its local policies and resources, exercise (again for example its LWA/DHP funds). The definition of 'vulnerable' will need review given the ratio of those reasonably deemed to be vulnerable which are those financially at risk, including dispossession. This will impact on key grant limited local schemes such as Council Tax Support Scheme which currently awards £27m pa. This will provide a significant challenge for officers reviewing the Council Tax Support Scheme for 2016/2017 onwards and will see collection issues increase as more people face difficulty paying, ultimately having their national benefits reduced at source to pay Council Tax. Broadly we can expect from these changes increased contact to services, both front facing public contact and back of house processing and decision making services with an increased need and reliance on knowledgeable, experienced, skilled resource, ensuring accessibility.
- **Remove Housing Benefit from Young People** 18-21 year olds, this will see more remain at home where it may not be appropriate to do so which will see issues for householder with Housing Benefit non dependant charges being applied and more rent to pay (as adult is meant to contribute as resident). These cases which will increase already provide issues for the LA with collection of information and provision of evidence of household occupants.
- **Troubled Families Programme-** It is expected that approximately 450 of the 600 families Wirral will work with this year, through the Troubled Families Programme (Family Intervention), will be affected by the Welfare Reform and Work Bill through changes to benefits and the implementation of Universal Credit. To support these families Wirral's provision of Advisors from JCP (Job Centre Plus) has increased from 1FTE (full time equivalent) to 2FTE. These staff will work specifically with

### Wirral Implications Continued:

- those affected by the changes. They will also provide the wider Family Intervention workforce with updates and training about the roll out of universal credit and enable them to support their families better. A Manager has been appointed from JCP to oversee all work with Troubled Families across Merseyside and he will be joining Wirral's Troubled Families Board to provide quarterly updates on the progress of moving Troubled Families into employment.
- Wirral will continue to report to the DCLG on progress into employment for Troubled Families and to submit the cost benefit analysis for each of those families.
- At this stage it is hard to predict what the specific implications for families might be. This could be: more reliance on food banks, more families moving out of social housing into private housing, more families unable to secure tenancies, more applications for discretionary payments.
- Reports will be provided outlining the implications as time progresses.

## Policing and Criminal Justice Bill

### Synopsis and Key Points:

#### Synopsis:

- This legislation is intended to continue the reform of policing with the aim of enhancing protections for vulnerable people

#### Key Points:

- 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.

### Further Developments:

- There are no further developments at this time. The Policing and Criminal Bill will be kept under review and developments will be outlined in future Policy Inform briefings.

### Wirral Implications:

- **Appropriate Adult Provision**- The Youth Offending service is in support of this change and we have been anticipating it for over a year. For many years 17 year olds have not been treated as Youths in the Police custody suite / Police and Criminal Evidence Act (PACE) arena, which is inconsistent with other youth justice parameters. Therefore this change supports and recognises 17 years olds as still being youths and not adults during PACE interviews, processing and charging stages of detention.

Our **Appropriate Adult** (AA) services are already in place and will accommodate this wider age group. YOS provides this service by day and EDT by night. This may involve an increase in workload, however some 17 year olds who are detained in custody can be deemed to be Vulnerable Adults and the existing AA service covers youths and vulnerable adults anyway, so the increased workload may not be large.

We will monitor any increase in use of AA in respect of 17 years olds but this extension of age group now represents the same 10-18 year age group YOS and the youth courts accommodate, so this is more in line and consistent with other such youth justice services.

### Wirral Implications Continued:

• **Identification of Accommodation for those Young People detained-** The Merseyside Criminal Justice Board **Youth Detention Protocol** may also need to include 17 year olds and this may have an impact on the requirements for Local Authorities to find accommodation for 17 year olds who have been refused Police Bail and the LA has a duty to accommodate them. The compliance of this protocol is monitored by the Police Crime Commissioner and the existing Policy may change to include 17 years olds, and this would then have an impact on CYPS Specialist Services and demands to accommodate 17 year olds at short notice who have been refused Bail. I have attached the existing protocol as this currently only covers 10-16 year olds but maybe amended.

## Psychoactive Substances Bill

### Synopsis and Key Points:

#### **Synopsis:**

- The Queen's speech on 27 May 2015 included a commitment to bring forward new legislation to ban the new generation of psychoactive drugs. The Psychoactive Substances Bill is intended to protect people from the risks posed by untested, unknown and potential harmful drugs. The Bill will create a blanket ban which is seeking to prohibit and disrupt the production, distribution, sale and supply of new psychoactive substances (NPS) in the UK.
- For the purpose of the Bill, a psychoactive substance is a substance which is capable of producing a psychoactive effect in a person who consumes it and is not an exempted substance.

#### **Key Points:**

- make it an offence to produce, supply, offer to supply, possess with intent to supply, import or export psychoactive substances; that is, any substance intended for human consumption that is capable of producing a psychoactive effect. The maximum sentence will be 7 years' imprisonment
- exclude legitimate substances, such as food, alcohol, tobacco, nicotine, caffeine and medical products, from the scope of the offence, as well as controlled drugs, which will continue to be regulated by the Misuse of Drugs Act 1971
- exempt specific persons from certain offences under the bill, such as healthcare professionals, who may have a legitimate need to use NPS in their work
- include provision for civil sanctions – prohibition notices, premises notices, prohibition orders and premises orders (breach of the two orders will be a criminal offence) – to enable the police and local authorities to adopt a graded response to the supply of NPS in appropriate cases
- provide powers to stop and search persons, vehicles and vessels, enter and search premises in accordance with a warrant, and to seize and destroy psychoactive substances

### Further Developments:

- The bill had its 3rd reading in the House of Lords on 20th July and is now waiting to go to the House of Commons for consideration.
- In the meantime it has attracted some criticism and with the Government's advisory body for drug misuse, the Advisory Council for the Misuse of Drugs (ACMD) making 8 recommendations for amendment, including a tighter definition of the drugs that the bill covers, greater clarification of the difference between potentially harmful and harmless substances to avoid possible prosecution of suppliers of benign or beneficial substances, a sharper focus on commercial supply rather than users. These recommendations have now been responded to by the Home Secretary.

### Wirral Implications:

**At this time there are not any apparent major implications for Wirral Local Authority however the following issues will need to be considered;**

- The local prevalence of the use of NPS is not known with any confidence so it would be valuable to carry out some sort of study to gain better

### Wirral Implications Continued:

knowledge of the nature and extent of the use of these substances by the Wirral population.

- There is some consideration for Trading Standards in terms of investigating the so called “Head Shops” and assessing their compliance with the content of the new bill. The bill is setting out to close down the sources of supply and these retail outlets are targets, so Trading Standards, and the Police, will need to consider looking at what their approach is going to be to these retailers, including possible prosecution of those found to be in contravention with the bill.
- The Trading standards and the Police will also need to consider their approach to pubs and clubs where it is found that NPS are being used on their premises.
- A general review of the harm reduction education information offered locally to those groups in the population likely to be possible consumers of NPS.

# Policy Developments

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## [Briefing: Downward mobility, opportunity hoarding and the 'glass floor' – SMCPC report](#)

“Downward mobility, opportunity hoarding and the ‘glass floor’”, a research report published by the Social Mobility and Child Poverty Commission claims there is a ‘glass floor’ which serves to protect less able children from more affluent backgrounds when they reach adulthood whilst simultaneously inhibiting opportunities for more abled students from less advantaged backgrounds.

The report suggests some ways in which policy responses can help to compensate those deprived children for the benefits that being from a better educated family can bring. These include:

- The setting of homework
- Fostering and nurturing aspiration
- High quality and age appropriate education and careers advice
- Inspirational high calibre teachers deployed where they can have greatest impact
- Encouraging successful alumni to return and talk about their experiences
- Avoiding practices that damage non-cognitive skill development.

The report recognises the difficult in legislating against discrimination based on socio-economic grounds but that the Equality Act of 2010 describes a public sector duty with regards to socio-economic inequalities.

**Source:** [Martin Rogers, Briefing: Downward mobility, opportunity hoarding and the 'glass floor' – SMCPC report, LGiU, 21<sup>st</sup> August 2015](#)

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## [Briefing: The first 100 days: impact on local government](#)

August 14th 2015 marked 100 days since the election of the new government. As per tradition, this milestone provides an opportunity to review government actions during this period and assess the impact on local government.

Key areas of development have been in relation to devolution; social care and housing and planning.

### **Devolution and local government**

- Publication of ‘Cities and Local Government Devolution Bill’ about to go into the Commons from the Lords.
- Cornwall is the first county to have negotiated a deal and groups of authorities are pressing ahead with new deals.

## Heath and Social Care

- Postponement of cap on social care costs until 2020
- Councils affected by proposed £200m cut in 2015-2016 public health grant.
- Progress on improving mental health services.

## Housing and Planning

- Plans to extend the Right to Buy to 1.3m housing association tenants has been confirmed in the Queen's speech and forms part of the housing bill to be published in Autumn.
- A commitment to increase the housing supply by 200,000 homes
- Faster planning application processing

Significant developments have been the momentum behind the devolution bill; however, controversy and concern remain in areas such as social care and the environment.

**Source:** [Janet Sillett, Briefing: The first 100 days: impact on local government, LGiU 19<sup>th</sup> August 2015](#)

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## [Briefing: Options for integrated commissioning: Beyond Barker](#)

The report explores a recommendation by the Independent Commission on the Future of Health and Social Care in England, (established by the Kings Fund and chaired by Katy Barker) for there to be a single ring fenced budget and a single local commissioner to integrate both health and social care.

The report recommended three options for implementation which included:

Option 1 - Build on existing organisational and policy arrangements

Option 2- CCG or local government to take responsibility

Option 3 - A new vehicle – 'health and wellbeing boards plus'

The Kings Fund suggests a combination of options two and three in terms of causing the least disruption or organisational change and provides clear potential to ensure that both local authority and NHS perspectives are given appropriate weight.

Examples of developments around the UK, such as in Sheffield, Greater Manchester, Scotland and North East Lincolnshire demonstrate integration boards in practice. The report makes it clear that a national drive is what is required in order to "encourage local and regional integration that has genuine power and responsibility".

**Source:** [Christine Heron, Briefing: Options for integrated commissioning: Beyond Barker, LGiU, 20<sup>th</sup> August 2015](#)

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## [Briefing: The Hattie Reports: Is Policy on School Improvement correctly aligned?](#)

The Politics of Distraction and The Politics of Collaborative Expertise (both June 2015) produced by John Hattie, raise questions about the direction of education policies across OECD countries that are particularly pertinent to the direction of policy in the UK over the last 25 years, particularly in relation to how one improves schools.

This briefing explores Hattie's thinking and the background to his two most recent papers which are focused on the current issues faced by policy makers.

**Source:** [Andrew Crompton, Briefing: The Hattie Reports: Is Policy on School Improvement correctly aligned?, LGiU, 13<sup>th</sup> August 2015](#)

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## [Ofsted – Teaching and play in the early years – a balancing act?](#)

This briefing focuses on the Ofsted report 'Teaching and play in the early years – a balancing act?' The report has been published in support of Ofsted's second annual report on early years 2015. The report is a good practice survey exploring perceptions of teaching and play in the early years. Eight good practice examples support the survey report, and focus on the interplay between teaching and play in a range of early year's settings.

- Collaborating to support early years teaching and learning
- Improving boys' literacy skills
- Integrating provision for two year-olds in school
- Learning together through play in the early years
- Parents as partners in teaching
- Supporting children's learning through teaching and play
- Teaching young children to develop their communication skills
- Using the physical environment as a tool for teaching

**Source:** [Kathy Baker, Ofsted – Teaching and play in the early years – a balancing act?, LGiU, 13<sup>th</sup> August 2015](#)

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## Briefing: Update on the Care Act

This briefing updates and expands on information in previous briefings on the Care Act. It outlines the Government's decision to postpone implementation of certain aspects of the Act, following representation by local government.

- The cap on the amount an individual will contribute to their own care will be postponed until 2020 in recognition of existing pressures on social care budgets.
- The Government has said it is still committed to introducing the cap.
- A proposed increase in the threshold above which people will start to contribute to residential care has also been postponed.

Source: [Fiona Campbell, Briefing: Update on the Care Act, LGiU, 13<sup>th</sup> August 2015](#)

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## NAO report Care Act first-phase reforms

The NAO has reviewed the Department of Health's implementation of Phase 1 of the Care Act which looks at national eligibility criteria, carers' assessments, preparation for deferred payment or loan agreements and the requirements of local authorities to provide universal information and advice on care and support and also new safeguarding requirements.

Although the NAO has concluded that the Department of Health has provided the necessary support needed to proceed with the legislation, it has noted that the extreme financial pressure of local governments and has challenged the Department's estimation of local government's ability to afford the extra assessments and support demanded by the Care Act.

The NAO makes the following recommendations within its report:

- The department should be notified quickly and respond in the same manner if individual local authorities are struggling to meet the requirements of the Care ACT
- The department must report whether it has achieved government objectives to parliament.
- For Phase 2, the department and sector should work closely together on data improvements to reduce uncertainty in its assumptions.
- In the longer term, the department should maximise their resources and be transparent about its expectations of what funds are required by local authorities and where these should be sourced from e.g. Better Care Fund.

Since the report was written, the government has made the decision to delay Phase 2 as a positive recognition of the warnings that have been made about the lack of funding available. The department has added that they need to be realistic about where scarce resources are needed most.

**Source:** [Fiona Campbell, NAO report Care Act first-phase reforms, LGiU, 21<sup>st</sup> July 2015](#)

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### **Ofsted – 2015 Early years annual report**

Ofsted have released the second annual report on the early years sector.

There are some very positive findings which show that standards are rising in the provision of early education.

- Across the country 85% of early years providers have achieved good or outstanding.
- Rising standards are now more evenly spread across the various providers
- In 2014 60% of children were meeting the ‘good level of development’ by the end of reception.
- There is now a growing recognition of the importance of early years education as a determinant of what happens to an individual later in life.
- Political focus and public investment are developing

However, the report does outline that “we have done better for children who need it least”, drawing attention to the continuing underachievement for disadvantaged young people, highlighting that inequities must be addressed.

- There is a need for a stronger role for primary schools in early education of disadvantaged 2 year olds.
- Debate is needed between Ofsted and sector partners including local authorities with a duty to secure provision and engage wider public conversation about the type of education wanted for disadvantaged children and how best to facilitate and support them.

**Source:** [Kathy Baker, Ofsted – 2015 Early years annual report, LGiU, 23<sup>rd</sup> July 2015](#)

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### **Ofsted and DfE consultations: area multi-agency child protection inspections**

Ofsted are consulting on proposals for delivery of joint targeted area inspections under Section 20 of the Children Act 2004 in order to assess the effectiveness of multi-agency practice to protect children.

The new framework is to be implemented in April 2016 following up to six area inspections focused on particular areas of concern.

The new framework will focus on other areas of practice and cohorts and include:

- Those receiving early help
- Those living with domestic abuse
- Older children at risk
- Children at risk of intra familiar sexual abuse
- Child neglect
- Girls at risk of female genital mutilation.

The Department for Education is consulting on proposed related amendments to the Joint Area Review regulations from April 2016.

**Source:** [Martin Rogers, Ofsted and DfE consultations: area multi-agency child protection inspections, LGiU, 28<sup>th</sup> July 2015](#)

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### Care leavers' transitions to adulthood – NAO

The NAO has published a report which examines support for and challenges facing care leavers, government policy and actions and progress made in improving outcomes.

The findings of the report suggest that for those young people leaving care in England, the system is not working effectively despite the introduction of a new care leaver's strategy and change policy.

The NAO also reported that local authorities' reported spend on care leavers does not correlate with the quantity and quality of their services, with two thirds of all services inspected being labelled inadequate.

Recommendations for the government departments involved with the care leavers strategy include:

- Creating a more joined-up approach across government including an inspection of care leave services
- Develop indicators to measure progress against objectives and collect data in order to provide a better understanding of the social problems that care leavers face
- Examine how incentives such as payment by results could be used to encourage innovation and joint local working towards improving outcomes for care leavers.

In addition, the Department for Education should:

- Make full use of the data collected to help improvement of local services
- Work closely with local authorities to develop reliable and comparable data to provide ways of assessing value for money
- Develop and share good practice by creating a central store, evaluate initiatives and make the findings widely available.

**Source:** [Mark Upton, Care leavers' transitions to adulthood – NAO, LGiU, 29<sup>th</sup> July 2015](#)

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## **Further Education – Overseeing Financial Sustainability – NAO report**

The NAO report records the significant decline in the financial health of the Further Education college sector that has occurred since 2010/11.

The report evaluates:

- The procedures in place for identifying colleges at risk of falling into financial difficulties. This report does not include the Sixth Form College sector.
- The effectiveness of the intervention procedures that can be initiated once struggling colleges have been identified.

**Source:** [Toby Hill, Further Education – Overseeing Financial Sustainability – NAO report, LGiU, 4<sup>th</sup> August 2015](#)

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## **Funding for disadvantaged pupils: NAO Report**

The National Audit Office has published a value for money report ‘Funding for disadvantaged pupils’ examining if the Department for Education is on course to achieve its objective of narrowing the attainment gap between disadvantaged and other pupils.

Within the report NAO make a number of recommendations to the Department for Education:

- develop its understanding of how schools are using the Pupil Premium and take further steps to reduce schools’ use of ineffective, costly activities to support disadvantaged pupils;
- ensure that all Pupil Premium reviews are conducted by approved reviewers and consider whether to make reviews mandatory;
- examine with the Education Endowment Foundation, whether and how to expand the evidence base more quickly;
- use a fairer schools core funding formula so that pupils across England receive similar funding, related more closely to their needs and less affected by where they live;
- work with local authorities to understand the impact of the core funding allocated to schools on the basis of disadvantage and consider how schools could be held accountable for its use;
- clarify instructions to schools about the total value of funding that ought to be available to disadvantaged pupils with special educational needs;
- explore how it can identify disadvantaged pupils more effectively;

- be more specific about how it will measure the Pupil Premium's impact in a comparable way until at least 2023; and
- Research how other potential Pupil Premium impacts, such as the destinations of disadvantaged pupils and savings in terms of other public services, can be measured.

**Source:** [LGIU Associate, Funding for disadvantaged pupils: NAO Report, 16<sup>th</sup> July 2015](#)

# Useful Sources

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## Chancellors Budget Statement

[Chancellor George Osborne's Summer Budget 2015 Speech, Government website, 8<sup>th</sup> July 2015](#) - *Full speech*

[Andrew Jones, July 2015 Budget Analysis, LGiU, 14<sup>th</sup> July 2015](#) - *Brief analysis and key points emerging from the Chancellor Budget Statement*

## Childcare Bill

[Childcare Bill 2015-16, Parliamentary website](#) – *Previous debates on all stages of the Childcare Bill and any latest updates*

[John Fowler, Childcare Bill, LGiU, 4<sup>th</sup> June 2015](#) – *Brief analysis of the Childcare Bill*

[Government Press Release: Government brings forward plans to double free childcare for working families, 1<sup>st</sup> June 2015](#) – *Details current childcare entitlement and changes*

## Education and Adoption Bill

[Education and Adoption Bill, Parliamentary website](#) - *Previous debates on all stages of the Childcare Bill and any latest updates*

[Government Press Release: Hundreds of 'coasting' schools to be transformed, 30<sup>th</sup> June 2015](#) – *Outlines draft regulations to be implemented by 2016 and defines the term 'coasting schools'*

[Andrew Crompton, Coasting Schools: Draft Regulations, LGiU, 8<sup>th</sup> July 2015](#) – *Brief analysis of coasting schools and draft regulations*

## Welfare Reform and Work Bill

[House of Commons, Briefing Paper- Welfare Reform and Work Bill, 16<sup>th</sup> July 2015](#) – *Brief analysis of the Welfare Reform and Work Bill*

[Welfare Reform and Work Bill, Parliamentary website](#) - *Previous debates on all stages of the Childcare Bill and any latest updates*

[Andrew Jones, The Welfare Reform and Work Bill: Welfare Reform Update, 20<sup>th</sup> August 2015](#) – *Brief overview of the Bill and any latest updates*

## Psychoactive Substances Bill

[Psychoactive Substances Bill, Parliamentary website](#)- *Previous debates on all stages of the Psychoactive Substances Bill*