

POLICY INFORM: FAMILIES AND WELLBEING

Policy Inform- January 2016

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.

Contents

Content	Page Number
Introduction	p.1
Autumn Statement and Comprehensive Spending Review	p.2
Autumn Statement and Comprehensive Spending Review Further Analysis	p. 5
Queen's Speech- Designation to Policy and Performance Committees	p.7
Queen's Speech- Developments and Implications	p.9
Childcare Bill	p.9
Education and Adoption Bill	p.12
Welfare Reforms and Work Bill	p.14
Policing and Criminal Justice Bill	p.17
Psychoactive Bill	p.19
Policy Developments	p.21
Useful Sources	p.35

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.

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 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 focus on the Autumn Statement and the Spending Review which sets out how Government money will be allocated. 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 2016 Chancellor of Exchequers Budget. The policy briefing will provide an update on policy and legislation and will consider relevant implications for Wirral.

The January policy briefing outlines the key features of the Autumn Statement and the Spending Review which, was announced on the 25th November 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 September.

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.

Autumn Statement and Spending Review - 25th November 2015

The Spending Review sets out how £4 trillion of government money will be allocated over the next five years. The key announcements outlined in the statement have been divided into themes:

Local Councils

- The main grant to local government will be phased out. Other sources of income such as council tax and business rates are forecast to grow in cash terms by £6.3 billion by 2019-20.
- From 2016/17 local councils will be able to add 2% to council tax bills that can be spent exclusively on adult social care in their areas. This is intended to raise £2 billion a year by 2019-20.
- From April 2016, police forces will be able to increase the amount they require from council tax collections by 2%.
- Extension of the doubling of small business rate relief (SBR) in England for 12 months to April 2017.
- The government will allow local authorities to spend up to 100% of their fixed asset receipts (excluding Right to Buy receipts) on the revenue costs of reform projects.
- The government will deliver its commitment to a £12 billion Local Growth Fund between 2015-16 and 2020-21.

Housing

- The housing budget will be doubled to £2m a year. Stamp duty will be 3pc higher, raising almost £1b by 2020.
- 400,000 new homes by 2020.
- The right-to-buy scheme will be extended to housing association tenants, with a new pilot in five housing associations.
- A series of other schemes, including Help to Buy: Shared Ownership to help people get on the housing ladder.
- From April 2016 people purchasing additional properties will pay an extra 3% in stamp duty. Money raised will be used to help those struggling to buy their first home.
- 300,000 homes will be better protected from flooding by 2021, with £2.3 billion for over 1,500 flood defence schemes.
- A cap on the amount of rent that Housing Benefit will cover in the social sector. The reform will apply to tenancies signed after 1 April 2016, with Housing Benefit entitlement changing from 1 April 2018 onwards.

Planning, Transport and Regeneration

- Further reforms to the planning system, including establishing a new delivery test on local authorities, to ensure delivery against Local Plans.
- Support for the availability of appropriate land for housing, including by releasing public sector land with capacity for 160,000 homes.
- Support for the regeneration of previously developed brownfield sites in the green belt by allowing them to be developed in the same way as other brownfield land, providing it contributes to Starter Homes, and subject to local consultation.
- Consultation on updating the Transparency Code to require all local authorities to record details of their land and property assets in a consistent way on the government's e-PIMS.
- The Roads Investment Strategy will see £15 billion of investment.
- HS2 will go ahead.
- Commuters will soon be able to claim compensation if their train is more than 15 minutes late.

David Armstrong- Project Sponsor
for Good quality housing that meets the needs of residents

David Armstrong- Project Sponsor
for Transport and Technology Infrastructure fit for the future

Digital Government

- £1.8 billion invested in digital technology and transformation projects across the public sector.
- £450 million to support the Government Digital Service's role as the digital, data and technology centre for government.
- DCLG will work closely with the Valuation Office Agency to digitise the collection of local taxes.

Community Cohesion

- Current levels of funding for community integration programmes will be maintained. This funding will be targeted to support the recommendations of Louise Casey's review of opportunity and integration in isolated and deprived communities.

DCLG

- 20% reduction in the department's payroll, with total savings of £94 million by 2019-20.
- At least £74 million of funding for the Emergency Services Mobile Communications Programme.
- DCLG will operate the £12 billion Local Growth Fund.
- Continue to oversee delivery of devolution deals.

David Armstrong- Project Sponsor
for Transport and Technology Infrastructure fit for the future



Arts and Sport

- Funding for museums and galleries will be maintained so they remain free to the public.
- The government will fund capital investments in culture across the country through a total of £1.6 billion by 2020-21.
- £5 million of the Northern Powerhouse investment fund will go to Manchester museum to create a new South Asia gallery in partnership with the British Museum, and £150 million to help make oyster style ticketing a reality across the whole of the North.
- The government will support the Rugby League World Cup bid for the UK in 2021 so matches can be held across the North.



Businesses

- The business budget has been slashed by 17 per cent. This is partly achieved by offering £165million of loans to companies, rather than the current grants.
- Universal rates scrapped in favour of devolving powers to local councils who will now collect 100pc of the tax, which brought in £23bn this year.
- The government is creating 26 new Enterprise Zones, including expanding 8 Zones on the current programme. These include 15 Zones in smaller towns and rural areas.
- A £400 million Northern Powerhouse investment fund will be created to help small businesses to grow.

Devolution

- Councils will be allowed to cut business rates to boost growth and elected city-wide mayors allowed to raise them for specific projects.
- There will be further commitment to the Northern Powerhouse, including: investment of £13 billion on transport in the North by 2020, a range of investments in scientific research, and supporting further Northern Powerhouse trade missions to key emerging economies.
- In 2017-18 the government will devolve and reform increased funding for managing temporary accommodation, giving local authorities 'more control and flexibility'.
- In 2016 DCLG will shortly consult on changes to the local government finance system to pave the way for the implementation of 100% business rate retention. As part of these reforms, additional responsibilities will be devolved to local authorities.

**Clare Fish- Project Sponsor
for Leisure and Cultural
Opportunities for all**

**Paula Basnett- Partner
pledge led for Thriving
Small Businesses**



Tax Credit

- The government will borrow £8 billion less than forecast – making faster progress towards eliminating the deficit.
- Because of the improvement in public finances, the £4.4 billion of proposed cuts will no longer happen.
- Tax credits are being phased out as we introduce universal credit.
- The government will propose no further changes to the universal credit taper, or to the work allowances beyond those that passed through Parliament.

Families & Childcare

- Spending levels on homelessness services will be maintained.
- £40 million will be allocated for services for victims of domestic abuse.
- Continued investment into the Troubled Families programme with the aim of better outcomes for 400,000 families by 2020.
- Doubling the free childcare entitlement- 15 hours to 30 hours a week for working families with 3 and 4 year olds from Sept 2017.
- Tax-Free Childcare from early 2017, providing up to £2,000 a year per child.
- From 2017-18 an investment of £300 million to increase the average hourly rate childcare providers receive, and at least £50 million of capital funding to create additional places in nurseries.



Environment

- The current Energy Companies Obligation runs until March 2017. This will be replaced from April 2017 with a new cheaper energy supplier obligation to reduce carbon emissions which will run for five years. The changes will mean that on average 24 million households will save £30 a year on their energy bills from 2017.
- The Warm Home Discount scheme will also be extended to 2020-2021. This currently gives certain low-income households a one-off reduction of £140 on their electricity bill.

**John Martin- Partner pledge lead
for Zero Tolerance to Domestic
Violence & Julia Hassall- Project
Sponsor for Vulnerable children
reach their full potential**

Our Partners:



NHS

- The NHS will become a 7-day service in primary care and in hospitals. £750 million of investment and a new national voluntary contract for GPs .
- £300 million per year will be invested in diagnostics by 2020 to fund new equipment and additional staff capacity, including 200 additional staff trained to perform endoscopies by 2018.
- £150 million will be invested in a new Dementia Research Institute .
- £4.8 billion allocated for health every year for the next 5 years. This includes funding for a shift in the way urgent and emergency care services are provided and improving out of hospital services to deliver more care closer to home. New investment of £1 billion in technology will support this transformation and integrate patient records across health and social care by 2020. Over the next 5 years, at least £500 million will be invested in building new hospitals.
- £10 billion extra a year in real terms. £6 billion of which will be delivered in 2016, particularly to mental health services.
- This will fund:
 - 800,000 more operations and treatments
 - 5.5 million more outpatient appointments
 - 2 million more diagnostic tests
 - access to GP services in the evenings and at the weekend
 - 7-day access to hospital services by 2020
- Whilst the NHS is receiving increased funding, there is also a commitment to find a further £22 billion in efficiency savings.

**John Develing- Pledge lead
for Wirral Residents Live
Healthier Lives**



Police

- No cuts to the police budget. The government will protect overall police spending in line with inflation – an increase of £900 million by 2019-20. "The police protect us and we are going to protect the police."
- Additional funding will be provided for forces that have strong proposals to support efficiency and reform.
- The National Crime Agency's budget will also be protected in cash terms to help cut organised crime.

**John Martin- Pledge lead
for Zero Tolerance to
Domestic Violence**



Schools and Apprenticeships

- Schools funding will be protected in line with inflation. £23 billion will be invested in school buildings, creating 600,000 extra school places and 500 free schools.
- Sixth form colleges will now be able to become academies.
- Savings of £600million will be made from the education services grant that goes to local authorities as more schools become academies. - "We will make local authorities running schools a thing of the past".
- The current 'unfair' school funding system will be phased out and replaced with a new national Funding Formula from 2017.
- Funding for adult education will not be cut.
- The government will spend twice as much on apprentices- 3 million apprentices by 2020.
- A new apprentice levy of 0.5 per cent will be introduced for employers. The levy will raise £3 billion a year to fund three million apprenticeships. Less than 2% of UK employers will pay the levy.
- Maintenance loans will be available to higher education students who study part time from 2018.

Further Analysis & Impact on Local Government and Partners

Local Government:

Funding

- There has been a £4.1 billion funding cut over this Spending Review period and this comes on top of almost £10 billion in further demand-led cost pressures facing councils by the end of the decade. Local communities will suffer as a result.
- The general government grant to local councils will be removed completely by 2020.
- Even if councils stopped filling in potholes, maintaining parks, closed all children's centres, libraries, museums, leisure centres and turned off every street light they will not have saved enough money to plug the financial black hole they face by 2020.
- The Local Government Association (LGA) warn that the spending review represents a 24% reduction in real terms to the local government grant, including the £1.5bn increase to the Better Care Fund.

Business Rates

- Retaining 100% of business rates will, nationally, add up to an estimated £26 billion. As part of the 'devolution revolution' local authorities will also be able to lower business rates to attract business investment in their area. It is hoped that this will correct the 'geographical imbalance' and encourage local authorities to become more competitive and focus their attentions on attracting private investment into their own areas.
- Changes will hit the poorest parts of the country hardest, where there are fewer businesses and taxpayers to make up for lost Whitehall grants. Rich councils will get richer at the expense of already struggling councils.

Social Care

- From 2016/7, local councils will be able to add 2% to council tax bills that can be spent exclusively on adult social care in their areas. This will go some way to allowing a number of councils to raise the money needed to offset some of the cost of social care.
- The new care precept will generate very different levels of revenue across the country, with no equalisation system planned.
- The additional Better Care Funding will not be available until 2017 leaving a shortfall to be addressed between now and 2017.

Local Growth Fund

- DCLG will operate the £12 billion Local Growth Fund, which is more than double the size of equivalent funds in the last Parliament. This will empower local communities to deliver growth by giving them greater control of public spending, allowing them to target their own priorities.
- Secretary of State for DCLG, Greg Clark: "On top of building the homes our country needs across the nation we are devolving powers to local people who know their communities best to drive jobs, nurture businesses and improve local services."

Housing

- Increased investment in schemes to help people to rent or buy has weighted in favour of private developers, at the expense of opportunities to deliver affordable social housing for communities. Tackling local housing need would also help to regenerate local economies and provide jobs and skills. ASPE argue councils are best placed to address specific local housing need.
- Under the new reform, Housing Benefit will no longer fully subsidise families to live in social houses that many working families cannot afford, and will better align the rules in the private and social rented sectors. It will also ensure that Housing Benefit costs are better controlled and will help prevent social landlords from charging inflated rent for their properties
- In areas of Wirral where the Local Housing Allowance rate for the Borough is below the rent charged by housing associations, prospective tenants, particularly those on out-of-work benefits, may be unable to fund the difference between rent and Housing Benefit. The profile of tenants may shift further away from single, younger households on lower incomes or welfare benefits. It may also have implications on the property type and financial appraisals for new-build social housing in the pipeline.

Our Partners:

NHS

- The NHS will become a 7-day service in primary care and in hospitals, this means that by 2021 everyone will be able to access GP services in the evenings and at weekends with an extra 5,000 doctors in general practice.
- An additional £600 million invested in mental health services will mean that significantly more people will have access to talking therapies every year by 2020.
- Investment into the new Dementia Research Institute will accelerate the pace of research and tackle the progression of the disease. This is the government's latest step in a long term strategy to combat dementia.
- Health Secretary Jeremy Hunt: "For doctors and nurses working harder than ever on the frontline this upfront investment means we can implement the NHS's own ambitious plan to transform services for the future." "This new money will help us finish the job."

Police

- Protecting police funding will allow forces to adapt to changing crime threats and train more firearms officers to make sure the country can be protected from terrorist threats.
- £1 billion will be spent on 4G communications for police forces and other emergency services, allowing officers to take mobile fingerprints and electronic witness statements. This will free up officers' time, saving around £1 million a day when fully operational.

Schools and Apprenticeships

- The Education Services Grant helps ensure that children are getting the education they deserve including School Improvement, Education Social Workers, and Strategic Management. Last year, £815 million was spent on the ESG. The LGA say urgent clarification is needed on how the £600 million cuts will be achieved, and how quickly, without impacting on welfare and standards.
- Currently a child from a disadvantaged background in one school can receive half as much funding as a child in identical circumstances in another school. The changes to the allocation of school funding will set a national rate for each pupil, with extra funding for those with additional needs.
- Introducing a new system will mean some schools will face relative budget reductions. LGA recommend changes should be introduced in a phased way to protect these schools. Government should also allow for local discretion to be applied to take into account individual local needs.
- 250,000 students will benefit from extra loans. This will include tuition fees for students studying for higher level skills in further education, part-time students and postgraduates.

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

On Wednesday 27th 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 completed its Lords stages on 26 October 2015 and was introduced to the House of Commons with its first reading on the same day.
- The second reading of the Bill in the House of Commons took place on 25 November where the general principles of the bill were debated. The bill has now been committed to a Public Bill Committee, the first meeting of the committee is expected to be on 8 December.

Education and Childcare Minister Sam Gyimah delivered a speech on 11 November 2015, detailing developments of the Bill:

- We have supported parents by commissioning the 'What to expect when' guide. The literacy strategy which the Secretary of State launched in September has a strong focus on the early years.
- 'Our commitment to childcare is made clearer nowhere else than in the Childcare Bill'. The Bill will double the existing entitlement for 3- and 4-year-olds of working parents and represent a huge change in the market, with government becoming a bigger buyer of childcare than ever before.
- I am pleased that when government budgets are being cut across Whitehall, that this government has made a strategic decision to invest in childcare.
- The overall spend on childcare across government will rise from £5 billion to more than £6 billion a year over this Parliament, which through Tax-Free Childcare and tax credits means greater spending power for parents.
- In October a Policy Statement was published detailing progress made with the 30 hours pledge so far. Parents who are self-employed and lone parents get the 30 hours; support will also be available for those who are away from the labour market temporarily. The statement shares the next key steps towards full implementation of the entitlement from 2017 and early implementation in some areas in 2016. Early implementation will test capacity, flexibility and innovation, as well as ensure that all eligible children can access the 30 hours.

Further Developments Continued:

- A review of the costs of delivering the childcare has been undertaken to ensure a sustainable rate of funding to deliver the entitlement; the results will be part of the Autumn Statement.

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 100%. 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).
- 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 75% 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.

Wirral Implications Continued:

- 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.
- 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 had its reading at the House of Lords on the 20 October 2015. Line by line examination of the Bill took place during the third day of committee on 17 November. Amendments discussed covered clauses 9-13 and 17 of the Bill. A date for the report stage is yet to be scheduled.

The Education Secretary, Nicky Morgan delivered a speech at Policy Exchange on 3 November 2015, about the government's reforms to promote educational excellence:

- The Education and Adoption Bill will allow us to turn around failing schools much more quickly.
- We'll offer coasting schools the support and challenge they need to improve. Where they rise to that challenge we'll get out of the way, where they don't, we'll bring in new leadership and new sponsors.
- Evidence shows that excellent sponsors are making a real difference in some of our most challenging schools. We need such strong sponsors everywhere. A significant proportion of the underperforming local authorities are located in the north of England.
- To try and tackle this the Chancellor announced last year the creation of a Northern Sponsor fund of £10 million.
- The first recipients of that fund have been announced; they will set up 7 high-performing academy hubs in areas with some of the greatest need.
- The DfE is currently consulting on 'Schools Causing Concern: Intervening in failing, underperforming and coasting schools: Guidance for local authorities and RSCs', a major revision of the 'Schools Causing Concern' guidance. The draft updates the guidance to take account of the Education and Adoption Bill currently and provides non-statutory guidance on related local authority functions.
- The consultation seeks views on the proposed definition of a mainstream school which is coasting as well as the options for developing a coasting definition for special schools and for pupil referral units. Consultation closes on 18 December 2015.

Wirral Implications:

- Wirral has a strong commitment to improving standards in schools, and whilst this Bill is intended to strengthen the governments 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 has implemented a new approach to providing "school to school support". This is strengthening the approach of schools supporting each other to raise standards. Support is now being 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, is providing the framework to drive this approach and monitor its effectiveness.
- In terms of the Adoption aspect of the Bill; discussions have taken place across the Liverpool City Region and a proposal has been submitted by the Government to develop some aspects of adoption practice on a regional footprint. Plans are being developed, supported by a government grant and a nationally selected partner organisation. Firm proposal will be submitted by March 2016 to progress this.

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:

- A number of changes were made to the Welfare Reform and Work Bill at report stage. The Bill passed its third reading in the House of Commons on Tuesday, 27 October 2015. The Bill was introduced to the House of Lords on 28 October and passed its second reading on 17 November. The committee stage is scheduled to begin on 2 December.

Wirral Implications:

- **Freeze Working Age Benefits** - This will impact on household disposable income, not previously frozen albeit uprating has been nominal 2013/14. This will potentially increase the strain on Wirral's Council Tax Support, Discretionary Housing Payment (DHP), Local Welfare Assistance (LWA) schemes, as more people apply; more people become entitled to support. With consequential harder to collect charges, key revenue streams such as Council Tax, charges in respect of adult social care, Benefits overpayments will be detrimentally affected. Rent arrears locally are expected to increase as with all cuts and will continue at least whilst (social) landlords maintain rent levels and annual increases in lieu on the 12% target reduction by 2020-21.

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. The recent judgement at the Upper Tier Tribunal, supporting the DWP position in Social Sector Size Criteria cases confirms that the activity to reduce the impacts of this reform have ultimately had little effect on a case by case basis at local level. In the private sector is 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 benefits in payment that LA are unable to identify from records held. The Percentage reduction to the total maximum in Benefits that can be paid are relatively high, with the maximum for couples reducing from 26k per annum and for a single claimants reducing from 20k to £13,400. The LA's HB service administers the Cap not the DWP who advise us of each situation. There are currently 60 cases live (but cases go on and off and DWP projected our numbers would be 130). The change would bring some 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 (LW – 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, as impacts emerge, which will be ongoing, there will be a need to make provision for continued review of 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 fund). The definition of 'vulnerable' will need review given the ratio of those reasonable 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 in respect of 35, 230 recipients. This will provide a significant challenge for officers reviewing the Council Tax Support Scheme for 2016/17 onwards and will see collection issues increase as more people face difficulty paying, coupled with more strain on the scheme impacting on its capacity and ultimately having their national benefits reduced at source to pay Council Tax. Many people will be affected by more than one of the reforms outlined, which will present complexities, uncertainly and increased need for advocacy and advice, particularly if we are to ensure that their income, often translating to the Wirral Pound, is to be maximised. Broadly we can expect from these changes increased contact to service, both front facing public contact and back of house processing (including the Welfare Right Unit) and decision making services with an increased need and reliance on knowledgeable, experience, skilled resources, ensuring accessibility, thereby support where at all possible anti-poverty measures.

Wirral Implications Continued:

• **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 Benefits non dependant charges being applied and more rent to pay (as adult is meant to contribute as resident). These cases which will increase provide issues for the LA with collection of information and provision of evidence of household occupants. There is also a risk of young people going missing from benefit record, with difficulties operationally in determining their primary place of residence which will be key given the increasing drive of the DWP to reduce level of error and fraud within Welfare Benefits.

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 by the relevant officers with any future implications reported in future policy papers to Elected Members.

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:

- The Bill will:
- 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 Public Bill Committee on the Bill has now concluded. The Bill will next be considered at report stage. A date for the report stage has not yet been announced.
- 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

Briefing: Ofsted and good practice examples: further education and skills

Ofsted has published three new good practice examples on further education and skills: 'Preparing vulnerable young people for employment – Developing Initiatives for Support in the Community'; 'Helping women from disadvantaged backgrounds make a new start'; 'Women's Technology Training Limited'; and Using the power of football to involve, educate and inspire young people and their families: Foundation of Light.

'Preparing vulnerable people for employment – Developing Initiatives for Support in the Community'

Developing Initiatives for Support in the Community (DISC) provides education and training opportunities for vulnerable young people. Over a 26 week period training, counselling and optional one-to-one support sessions are provided to help develop the skills needed for adulthood.

'Helping women from disadvantaged backgrounds make a new start: Women's Technology Training Limited'

Women's Technology Training provide courses specifically for women to help them progress into further education or employment that meets the identified needs of local communities. A significant proportion of learners are refugees, asylum seekers, long term unemployed or carers, and around 40% are from minority ethnic groups.

Using the power of football to involve, educate and inspire young people and their families: Foundation of Light

Foundation of Light, the registered charity of Sunderland Football Club, runs programmes that use football to encourage children, parents and carers to develop their English, Maths, and parenting skills. Courses are 10 to 12 weeks long and families who complete the course are awarded match tickets.

Source: [Martin Rogers, Briefing: Ofsted good examples: further education and skills, LGiU, 18th September 2015](#)

Briefing: People, places, possibilities: progress on local area coordination in England and Wales

The report by the Centre for Welfare Reform in association with Inclusive Neighborhoods explores the implementation of local area coordination (LAC) in the UK, specifically in Derby City and Thurrock. It suggested that LAC can be a fundamental part of the health and social care system; through helping to build capacity in communities and reducing dependency on expensive statutory

services, LAC is helping to 'bring services back to core functions and principles and closer to the communities they serve.'

The report illustrates a range of benefits for communities where LAC has been implemented, including:

- An overall cost effectiveness
- Increased informal support networks
- Reduced isolation
- Services better integrated

The report recognises the challenges associated with implementing and maintaining LAC with a need for strong ongoing commitment and partnerships between the statutory sector and communities.

Source: [Christine Heron. Briefing: People, places, possibilities: progress on local area coordination in England and Wales, LGiU, 24th September 2015](#)

Briefing: The experiences of parents in the childcare market – Citizens Advice research

This report by the Citizens Advice explores parent's experiences of the childcare market, concluding that the childcare system is not set up in the interests of working parents.

Parents found childcare to be expensive and inflexible, particularly those who require childcare at unusual hours, with some having to change jobs or leave the labour market altogether. For working parents sessions offered under free childcare provision were found to be very restrictive.

The report also outlines the complexity of available funding around childcare provision and the difficulties parents faced in finding the right childcare. It is concluded that parent's needs should be central in childcare policy. To support parents in continuing to work we need more flexible and affordable childcare and equitable access for all.

Citizens Advice provides a range of recommendations to help ensure this. These include:

- Local authorities providing greater support to parents to find childcare
- Local authorities working to ensure that there is truly flexible local provision available
- Employers offering greater flexibility to help parents balance work and childcare
- Central Government working towards a simplified range of provision, to make choosing childcare easier for parents
- Free childcare provision to be fully funded in a way that allows providers to offer childcare at times suitable for working parents, or;
- The "more radical option" of extending free provision to all 2, 3, and 4 year olds regardless of parents working status

Source: [Mark Upton. Briefing: The experiences of parents in the childcare market – Citizens Advice research. LGiU. 2nd October 2015](#)

Commission on Assessments without levels – report of DfE response

The briefing outlines the ‘Final report on the Commission on Assessment without Levels’ and the Government response to this report.

The use of levels in assessment created too much focus on pace and progression onto the next level before ensuring pupils had a good knowledge and understanding of the curriculum.

It is argued that assessment without levels will take away the unnecessary burden of recording and tracking for teachers and allow them to instead use formative assessment methods to identify pupil’s strengths and gaps in knowledge and understanding.

The Commission encourages a move away from a focus on data to demonstrate progress, to schools instead developing their own approach that is effective in assessing pupil’s progress and supporting their achievement.

Guidance for developing clear and effective assessment policies is provided.

It is recognised that schools’ approaches are driven by expectations of what Ofsted inspectors are looking for and recommends that a ‘shared understanding of all aspects of summative and formative educational assessment’ is needed for school leaders and Ofsted.

A number of further recommendations and next steps are proposed by the Commission. The Government’s response to the Commission report is positive: ‘We support the Commission’s view that schools should place a higher value on day-to-day formative assessment’.

Source: [Kathy Baker. Briefing: Commission on Assessment without Levels – report and DfE response. LGiU. 2nd October 2015](#)

Briefing: Private Tuition for school children and its impact

This briefing considers what is currently known about patterns of private tuition within the UK, its impact on educational outcomes and the various policy responses possible.

Private tuition for school-aged children is growing both in the UK and globally. Research found that the most affluent are the most likely to employ private tutors and children from economically disadvantaged backgrounds are much less likely to receive it.

Parent stated reasons for employing additional tutors were; to improve a child’s performance in an individual subject; to achieve the highest possible examination grade and; to improve a child’s self-confidence.

Much of the research on the impact of private tutoring on education attainment points to limited and mixed outcomes and it is hard to say with any certainty that it will have a positive impact.

The evidence of an impact on attainment at GCSE or A Level is limited in most subjects, although there is measurable impact in mathematics and science. Evidence suggests that tuition is much better if it is part of a long term approach rather than short term cramming for an exam or test.

The briefing concludes that the effective policy responses that should be considered include; considering some form of regulation including minimum standards and training of tutors and; the approach of the Sutton Trust and Educational Endowment Trust of actively engaging to ensure better access to additional study for those without the financial resources to pay.

Source: [Andrew Crompton. Briefing: Private Tuition for school children and its impact. LGiU. 8th October 2015](#)

Briefing: Funding for disadvantaged pupils – PAC report

The House of Commons Public Accounts Committee report sets out the conclusions and recommendations of the Committee's inquiry following the Nationalist Audit Office's value for money report and evidence taken from the DoE, the Education Endowment Foundation and two practicing head teachers.

The Permanent Secretary welcomed the NAO report, and 'endorsed everything written in it', pointing out that it was extremely timely 'because the Government has a lot of decision to take in the spending review and beyond about how it wishes to evolve policy'.

The reports provides an overview of progress made on the Department's objective of narrowing the attainment gap between disadvantaged pupils and their peers, largely through the use of the Pupil Premium, and raises some key issues of concern for the administration of the Pupil Premium in the period ahead.

It argues that local authorities have an important role to play in a number of issues arising from the PAC inquiry, including; monitoring the effectiveness of Pupil Premium expenditure in schools in their area; making effective efforts to ensure that all parents eligible to claim free school meals do so and; providing support to schools that struggle to recruit high quality teachers.

Source: [Martin Rogers. Report: Funding for disadvantaged pupils – PAC report. LGiU. 15th October 2015](#)

Briefing: The Family Justice Review: The Effect on Local Authorities

The 'Impact of the Family Justice Reforms on Front-line Practice Phase One: The Public Law Outline' research report, published in August 2015, set out to gather the views of frontline practitioners as well as strategic managers on how reforms brought into place by the Children and Families Act 2014 and the resulting Practice Direction 12a are working in practice. This briefing summarises the

background to reform and the key points raised in the research. A phase two report is due to report in 2016.

Challenges to local authorities at this stage include effectively managing social worker workload, and ensuring budget allocations make clear where the funding for early pre assessment work is to come from.

A further key area of improvement for local authorities raised by the report is in supporting social workers to improve the quality of evidence provided to courts. The case manager role seems important and this research indicates that developing social worker confidence and competence in this area is key.

The report also suggests case managers can helpfully work alongside lawyers and local Family Justice Boards in tracking cases through the PLO process thereby improving partnership working.

Source: [Andrew Crompton, Family Justice Review: The Effect on Local Authorities, LGiU, 15th October](#)

Briefing: Ofsted and CQC Consultation: inspection of local area SEND arrangements

The DfE has requested that Ofsted and the Care Quality Commission inspect local areas on their effectiveness in fulfilling their duties. There will be a new form of inspection (under section 20 of the Children Act) and the present consultation seeks views on proposals for how they will be conducted.

The new proposals have been shaped by discussions over recent months held by Ofsted and CQC with young people, their parents and carers, disability and special educational needs support groups, local authorities and health groups about the most important responsibilities that should be inspected.

The common themes to emerge from all groups were that inspection should evaluate whether disabled children and young people and those who have special educational needs are identified properly and whether their needs are met and their outcomes improve.

The consultation includes a questionnaire for children and young people, in line with the intention that their views will be a significant aspect of the inspection themselves.

Source: [Martin Rogers, Ofsted and CQC consultation: inspection of local area SEND arrangements. LGiU. 22nd October.](#)

Briefing: Key stage 3: The Wasted Years? – Ofsted survey

This briefing outlines the Ofsted survey report 'Key Stage 3: The Wasted Years?'

Her Majesty's Chief Inspector's (HMCI) Annual Report 2013-14, reported that primary schools had continued to improve but the performance of secondary schools had stalled.

It was identified that '...too often, the transition from primary to secondary school was poorly handled. Consequently, the gains made by pupils at primary school were not embedded and developed at Key Stage 3'.

The Ofsted survey was commissioned to gain a more accurate and detailed picture of this and identify any weaknesses in the Key Stage 3 curriculum.

The report concludes that Key Stage 3 must become a higher priority for secondary school leaders. A number of recommendations as to changes required are proposed for both school leaders and Ofsted.

A number of good practice case study examples are identified and summarised, suggesting 'pockets of innovative practice that co-exist with other less effective approaches'.

It is argued that a tangible Government commitment to a national strategy on Key Stage 2/3 transition is needed, supported by funding and a clear sense of what is expected of schools.

Source: [Kathy Baker, Briefing: Key stage 3: The Wasted Years? – Ofsted survey, LGiU, 15th October 2015](#)

Briefing: Health and Social Care Devolution: a commentary

Following the Greater Manchester Devolution Agreement, Greater Manchester and NHS England signed up to arrangements for local integration of NHS and social care budgets. At the same time the Cities and Local Government Devolution Bill is making its way through parliament, proposing an 'enabling' framework within which devolution deals can be negotiated.

This briefing provides a summary of the developments thus far and highlights key issues in the debates in parliament on the Bill. It looks particularly at the compatibility of the Bill with current NHS legislation and issues around governance, accountability and overview.

The Cities and Local Government Devolution Bill is a framework Bill – it provides an enabling structure to transfer function of many public authorities, including NHS bodies, to local authorities. But it cannot be certain how far the powers will be used which raises questions about how the Bill fits with existing NHS law - the Bill is lacking detail.

So far, it is not clear how overspends will be dealt with and there is unlikely to be additional funding. It is also unclear what will happen about NHS debts and liabilities, including private finance initiatives and clinical negligence claims. Devolution highlights again how the boundary between free healthcare and means-tested social care can be negotiated.

[Janet Sillett, Health and Social Care devolution: a commentary, LGiU, 21st October 2015.](#)

Briefing: Care and Continuity: contingency planning for provider failure

This briefing provides an overview of the business continuity and contingency planning guide to help councils plan and deal with social care provider failure.

The guide is delivered in two parts. Part 1 is an overview of the causes and potential mitigation of social care provider failure. It outlines the statutory and safeguarding obligations have in place in case of provider failure. Part 2 contains step-by-step guidance and checklists for developing continuity and contingency plans. These checklists can also be used to ensure that existing plans are fit for purpose.

The guide includes links to other useful and relevant resources. It has several case studies and materials from councils and a special section on working with insolvency practitioners.

Source: [Ingrid Koehler, Care and Continuity: contingency planning for provider failure, LGiU. 26th October.](#)

Briefing: Post-16 Education and Training Institutions BIS Guidance on Area Reviews

The government is seeking to reform post-16 education through a programme of area reviews, intended to cover all FE and Sixth Form colleges, some of which are likely to face closure or merger as a result. The reform is expected to produce fewer, larger and more specialised providers, including a network of new Institutes of Technology.

The briefing provides an overview of the guidance published by the BIS on performing these area reviews. The reviews will either be proactively initiated by a group of institutions in a local area, or by government where it sees a need to progress rapidly.

Each area review will be led by a local steering group, composed of a range of stakeholders including local authorities, LEPs, chairs of governors, and the FE and Sixth Form College Commissioners. Each review will proceed through a number of phases:

- An analysis of current provision and delivery arrangements in the area
- An options analysis

- Governing body deliberations
- Implementation

Source: [Toby Hill, Briefing: Post-16 Education and Training Institutions: BIS Guidance on Area Reviews, LGiU, 29th October 2015.](#)

DfE consultation – Intervening in failing, underperforming and coasting schools

The DfE is consulting on ‘Intervening in failing, underperforming and coasting schools’ – a major revision of the May 2014 ‘Schools Causing Concern’ guidance. The draft contains non-statutory guidance on related local authority functions including how LAs should act as champions of excellence and school governance.

The draft consultation documents relate only to LAs maintained schools, though academies will be subject to the same general disciplines through RSCs, and local authorities are advised to alert the relevant RSC ‘where they have concerns’ about an academy.

RSCs are given considerable powers and discretion to act on behalf of the Secretary of State. The guidance is statutory for LAs, so that they have to ‘have regard’ to guidance.

The draft guidance describes three groups of school which will be eligible for intervention:

- Schools that have been judged inadequate by Ofsted
- Schools that are ‘coasting’ as defined by regulations
- Schools that have failed to comply with a warning notice satisfactorily

Source: [John Freeman, Briefing: DfE consultation – Intervening in failing, underperforming and coasting schools, LGiU, 4th November 2015](#)

Briefing: Tackling social and educational inequality – Cambridge Primary Review Trust

The Cambridge Primary Review Trust has published a review of UK international evidence ‘Mind the Gap: tackling social and educational inequality’ to establish whether unequal educational outcomes are related to social inequality.

The study found that the most important influence on educational attainment is family background including parental outcomes, educational background, and homes which provide an environment for study.

The review finds that educational attainment is better in more equal societies and that unequal educational outcomes are more profound in unequal countries not just for poorer children but across the social spectrum.

However, spending on education, including more targeted spending like the pupil premium can make a difference, but is most likely to do so in already successful schools. The authors conclude that reducing inequality will ultimately depend on reducing socio-economic inequality rather than educationally focused policies and interventions.

Source: [Mark Upton, Briefing: Tackling social and educational inequality – Cambridge Primary Review Trust, LGiU, 5th November 2015.](#)

Briefing: The English Indices of Deprivation 2015

The latest Index of Multiple Deprivation (IMD) for England was released on 30 September 2015.

The IMD is a huge dataset, ranging across the domains of employment, income, health, crime, environment, education, and skills, and housing and access to services; these various domains are combined to create various composite indicators. The IMD can be used at neighbourhood level or for a local authority area as a whole.

This briefing sets out the background and methodology of the IMD and presents a selection of results.

A preliminary analysis indicates a persistence of deprivation in parts of the north and midlands and parts of London, although London appears to be improving in relative terms; there appears to have been some deterioration in the position of some coastal areas.

Data produced from the IMD is of crucial importance for planning, targeting resources, and preparing funding bids.

Source: [Andrew Jones, Briefing: The English Indices of Deprivation 2015, LGiU, 12th November 2015](#)

Briefing: Apprenticeships: Delivering Skills for Future Prosperity – Ofsted Survey

This briefing outlines the Ofsted report ‘Apprenticeships: Delivering Skills for Future Prosperity’. This report finds that a third of apprenticeships surveyed were failing to provide sufficiently high-quality training, suggesting that the drive to create more apprenticeships has diluted their quality.

Growth in apprenticeships has been concentrated in service sectors, where there are too many low-skilled roles being classified as apprenticeships.

Trailblazer apprenticeships, which are formulating the standards and assessment procedures of the government’s reformed apprenticeships, are delivering substantial and high-quality training. But they tend to be dominated by large employers.

Most new apprenticeships are going to the over-25s, the number of 16 to 18 year olds being taken on is as low today as it was a decade ago.

The report concludes that, as well as stifling the career opportunities of learners, low-quality apprenticeships devalue the brand at a time when the government is seeking to put vocational education on an equal footing with academic education.

A number of recommendations are provided for government, schools and providers of apprenticeships to ensure sufficient information and training opportunities are available.

Source: [Toby Hill, Briefing: Apprenticeships: Delivering Skills for Future Prosperity – Ofsted Survey, LGiU, 13th November 2015](#)

Briefing: Building the right support: a national plan to develop community services for people with a learning disability and/or autism with behaviour that challenges

Building the right support is the national plan to develop community services and close inpatient facilities for people with a learning disability and/or autism who display behaviour that challenges, including those with a mental health condition.

The national plan is a renewed push on the Transforming Care programme which has been seeking to drastically reduce the numbers of people who are inappropriately placed in NHS funded units.

Some progress has been made over the last four years of the programme. However, the problem remains that although discharges are taking place, people are also being admitted at a similar level, and some discharges are being delayed through lack of community options.

There is also significant variation in performance both of local areas and in regions; for example the regional variation in inpatient levels ranges from about 6 to 61 per million population.

The national plan will build on the progress so far, but with a greater focus on nationally supported implementation. The plan, which should be fully implemented by 2019, includes:

- The closure of between 35 to 50 percent of inpatient capacity across England
- Financial arrangements for shifting money from inpatient beds to community services – £75 million to aid transition over three years within the existing financial envelope
- Establishing 49 transforming care partnerships to drive local change
- A new national service model.

Source: [Christine Heron, Briefing: Building the right support: a national plan to develop community services for people with a learning disability and/or autism with behaviour that challenges, LGiU, 18th November 2015](#)

Briefing: Joining the Dots: Have recent reforms worked for those with SEND? – policy research

The Driver Youth Trust (DYT) is a charity dedicated to improving the life chances of children and young people who struggle with literacy, particularly children with dyslexia. This briefing outlines ‘Joining the Dots: Have recent reforms worked for those with SEND?’ published by DYT.

It is argued that wider changes to the way schools are organised and managed are having an impact on the provision for pupils with special educational needs and disabilities (SEND) and may be holding back the potential positive impact of changes brought in through the Children and Families Act of 2014.

The report suggests that changes to LA’s role, changes to funding, (structural school reforms through academisation, and the gradual emergence of a new ‘middle tier’ with cross-school responsibility have all contributed to increased fragmentation in approaches to pupils with SEND.

The report raises fundamental challenges to many elements of current school system reform, saying in its conclusions that “reform cannot come at the price of equity ... the next phase of reform must focus on ensuring all learners have the educational opportunities currently experienced by those lucky enough to be at the best schools and in the strongest parts of the system”.

Practical and realistic recommendations are made for policy-makers and regulators, local authorities, schools, sector organisations and Ofsted which will help to improve delivery of the SEND reforms. The report calls for immediate action to ensure that outcomes will be improved for a large group of young people who have been consistently let down by the system.

Source: [Andrew Crompton, Briefing: Joining the Dots: Have recent reforms worked for those with SEND? – policy research, LGiU, 19th November 2015](#)

Briefing: Work and Pensions Committee Report: A Reconsideration of Tax Credit Cuts

This report, by the Work and Pensions Committee (WPC), is the result of an inquiry into the changes to Tax Credits proposed in the July 2015 budget.

In particular, the WPC investigated the likely impacts on household incomes of proposals to reduce the earnings threshold for Tax Credits and raise the rate at which Tax Credits are withdrawn as income rises; these proposals are examined alongside any compensatory effects of a higher National Living Wage, a higher personal income tax threshold, and an extension of free child care.

The WPC argue that the proposed changes to Tax Credits will result in very substantial cuts to the incomes of working families which will not be fully compensated for by the other measures announced in the July Budget.

The report also considers possible ways of mitigating the impacts of the cuts to Tax Credits; it concludes that altering the income threshold or the rate at which income is withdrawn cannot simultaneously meet the objectives of protecting the incomes of low income households, maintaining work incentives, or reducing expenditure.

The report concludes by suggesting that a limit has been reached to cuts in working age benefits and states an intention to investigate the generational balance of welfare expenditure over the course of this Parliament.

Source: [Andrew Jones, Briefing: Work and Pensions Committee Report: A Reconsideration of Tax Credit Cuts, LGiU, 19th November 2015](#)

Briefing: School improvement: effective school partnerships – DfE research review

This briefing outlines the research review of evidence commissioned by the DfE from Dr Paul Armstrong, 'Effective school partnerships and collaboration for school improvement: a review of the evidence'.

A key shift within the English school system, particularly since 2000, has been an increase in the number of schools working together in both formal and informal arrangements.

The report provides a comprehensive review of inter-school collaboration research and how and why schools go into a variety of partnerships, their different formations as well as challenges to the effectiveness and sustainability of these arrangements.

It is concluded that there is 'a paucity of independent empirical evidence relating to inter-school collaboration, across a number of areas', with the majority of evidence emanating from evaluations of central government initiatives.

The report highlights a number of gaps in the knowledge base. Two key areas are recommended for further exploration:

- a coherent and comprehensive mapping of the system in relation to the volume, diversity and key characteristics of inter-school collaboration;
- the impact of inter-school collaboration on the attainment and broader educational experience of students.

Source: [Kathy Baker, Briefing: School improvement: effective school partnerships – DfE research review, LGiU, 25th November 2015](#)

Briefing: The costs and benefits of paying all the lowest-paid care home workers in the UK the Living Wage

‘The costs and benefits of paying all the lowest-paid care home workers in the UK the Living Wage’ by Joseph Rowntree investigates the incidence of earnings below the Living Wage (LW) in care homes for older people, and the costs and benefits of increasing pay to this level.

The report also investigates some of the implications of the new National Living Wage (NLW) ahead of its introduction in April 2016.

After this report was published there was growing concern over the rising costs of adult social care which would be worsened by the introduction of the NLW.

It is estimated that if the LW were extended to all employees in the sector earning below the LW in 2014, the total annual cost to employers would rise by £996.2m. Total wage costs of the NLW would be £387m for the UK, which is considerably less than the transition to the LW.

It is concluded that government funding required would be relatively small and the gross cost of funding a LW settlement for England for would be offset by increases in NI and tax and benefit reductions. Funding the LW would bring significant benefits in the form of improved staff retention and motivation, and a reduction in in-work poverty.

Source: [Andrew Jones, Briefing: The costs and benefits of paying all the lowest-paid care home workers in the UK the Living Wage, LGiU, 26th November 2015](#)

Briefing: English Baccalaureate implementation – DfE consultation

This briefing is on the DfE Consultation on implementing the English Baccalaureate launched on 3 November 2015. In support of this, the DfE has published Statistical release: EBacc and non-EBacc subject entries and achievement 2010/11 to 2014/15, a Press Release, Nicky Morgan: no tolerance of areas where majority of pupils fail and a speech, Nicky Morgan: one nation education made by the Secretary of State at a Policy Exchange event also on 3 November.

The DfE press release described the consultation as ‘the next phase of the Government’s education reform package designed to tackle underperformance and deliver on the Government’s commitment to give every child an excellent education’.

In June 2015, the Government announced its intention that all pupils starting year 7 in September 2015 take the EBacc subjects when they reach their GCSEs in 2020. This current consultation is about implementing this commitment. The Government’s goal is that over time at least 90% of pupils in mainstream secondary schools will enter the EBacc.

The Government recognise that the current proposals have implications for increased numbers of teachers of EBacc subjects, particularly for numbers of teachers of languages.

The consultation invites responses to cover the challenges and issues for consideration by schools, their experiences of teacher recruitment and retention in EBacc subjects and the central strategies that schools would like to see in place for recruitment and training in this area.

The briefing warns that changes overall will bring a host of practical problems to schools. The Government does need to listen very carefully to the practical experience that schools bring to this consultation and be prepared to adapt the detail of its proposals accordingly.

The deadline for the DfE consultation on implementing the EBacc is 29 January 2016.

Source: [Kathy Baker, Briefing: English Baccalaureate implementation – DfE consultation, LGiU, 1st December 2015](#)

Briefing: Bullying of young people: Recent Research in England and Scotland

The Department for Education (DfE) published Bullying: evidence from the second longitudinal study of young people in England in November 2015. The study provides up to date data on prevalence, types of bullying and characteristics of those bullied in England.

This report is considered in the context of wider international work on bullying and its impact, including an increasingly public health focus in the United States of America and asks whether such a policy focus would also be helpful in England.

The research study which started in 2013, builds on the first longitudinal study of young people in England (LSYPE) which ran from 2004 to 2010. It fills a gap in reporting on this topic since the demise of the national indicator set, and comes to the general conclusion that bullying is declining in schools in England, as well as providing some interesting and more up to date detail of the experiences of children and young people.

Source: [Andrew Crompton, Briefing: Bullying of young people: Recent Research in England and Scotland, LGiU, 2nd December 2015](#)

Useful Sources

Autumn Statement and Spending Review

Key Announcements:

[Chancellor George Osborne's Spending Review and Autumn Statement 2015, Government website, speech, 25th November 2015](#) – *Full speech*

[Spending Review and Autumn Statement 2015: key announcements, Government website, 25th November 2015](#) – *Key announcements emerging from the statement*

[Department of Health's settlement at the Spending Review 2015, Government website, 25th November 2015](#) – *Impacts of the spending review for the Department of Health*

Briefing: Autumn Statement and spending review 2015, APSE, November 2015 – *Analysis of the Autumn Statement and Spending Review and the impact local council frontline services*

[Department for Education's settlement at the Spending Review 2015, Government website, 25th November 2015](#) – *Impacts of the spending review for the Department for Education*

[Department for Communities and Local Government's settlement at the Spending Review 2015, Government website, 25th November 2015](#) – *Impacts of the Spending Review for DCLG*

[Lauren Lucas, Briefing: The Spending Review and Autumn Statement, LGiU, 25th November 2015](#) – *Key points emerging from the statement*

Further Analysis and Impact on Local Government and Partners:

[LGA Responds to 2015 Spending Review, Lord Porter, Chairman of the Local Government Association, 25th November 2015](#) – *LGA response to the spending review*

[Home Office's settlement at the Spending Review 2015, Government website, 25th November 2015](#) – *Impacts of the spending review for the Home Office*

[Department of Health's settlement at the Spending Review 2015, Government website, 25th November 2015](#) – *Impacts of the spending review for the Department of Health*

[LGA responds to Education Services Grant announcement, Cllr Roy Perry, Chairman of the LGA's Children and Young People Board, 26th November 2015](#) – *Outlines the Education Services Grant announcement and highlights concerns*

Briefing: Autumn Statement and spending review 2015, APSE, November 2015 – *Analysis of the Autumn Statement and Spending Review and the impact local council frontline services*

[LGA responds to national schools funding announcement in Spending Review, LGA, 26th November 2015](#) – *Brief outline of the impact of the new national funding formula*

[Laura Sharman, Spending Review: Warning that councils at financial tipping point, LocalGov, 26th November 2015](#) – *Impacts of the Spending Review for council budgets and services*

[William Eichler, Spending Review: Local authorities to retain 100% of business rates, LocalGov, 25th November 2015](#) – *Outlines Business Rates Retention for councils*

[Department for Communities and Local Government's settlement at the Spending Review 2015, Government website, 25th November 2015](#) – *Impacts of the Spending Review for DCLG*

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, 4th June 2015](#) – *Brief analysis of the Childcare Bill*

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

[Government Speech: Sam Gyimah: we are in a golden age of childcare, 11th November 2015](#) – *Details developments of the childcare entitlement and achievements so far*

Education and Adoption Bill

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

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

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

[Government Speech: Nicky Morgan: one nation education, 3rd November 2015](#) – *Brief detail of the Bill and the Northern Sponsor Fund*

[John Freeman, DfE consultation - Intervening in failing, underperforming and coasting schools, 4th November 2015](#) – *Brief outline of draft guidance*

[Government Press Release: Have your say on measures to transform failing schools, 21st October 2015](#) – *Details of consultation launched*

Welfare Reform and Work Bill

[House of Commons, Briefing Paper- Welfare Reform and Work Bill, 16th 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, 20th 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*