
Decision Maker: **Children and Young People Portfolio Holder**

Date: **For Pre-Decision Scrutiny by the Children and Young People PDS Committee on 24 January 2012**

Decision Type: Non-Urgent Executive Non-Key

TITLE: AN UPDATE ON THE RECENT GOVERNMENT REFORM DEVELOPMENTS: INCLUDING THE ACADEMY PROGRAMME

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Ward: Boroughwide

1. Reason for report

- 1.1 This report is the eleventh in a series of progress update reports since May 2010, from the Director of Children and Young People Services (Director CYP), on the policy developments within the Government's reform programme for education and wider children's services. The report also features an update on the academy programme, developments within Bromley and the strategic implications for the Council.

2. **RECOMMENDATION(S)**

2.1 **The Children and Young People Policy Development and Scrutiny (PDS) Committee is asked to consider:**

- (i) **the position for Bromley regarding the Academy Programme as at 9 January 2012;**
- (ii) **an update on the proposed Paxton Free School; and**
- (iii) **updates on specific developments within the Government Reform Programme including: the Education Act 2011; the revised school admissions and appeals codes; introduction of a "phonics check" for all six-year-old children; changes to the free early years education entitlement; the government strategy to maximise the participation of 16-24 year olds in education, training and work; the national plan for Music Education; the Munro Review of Child Protection; the Family Justice Review final report; the national Tackling Child Sexual Exploitation Action Plan; tackling troubled families; the Youth Justice Board; and basic needs Capital funding and consultation on school premises regulations.**

2.2 **The Children and Young People (CYP) Portfolio Holder is asked to:**

- (i) **consider the views of the CYP PDS Committee and to endorse the approach being taken by the Director CYP in response to the overall policy changes including local Academy developments.**

Corporate Policy

1. Policy Status: Existing policy: Children and Young People's Plan 2011-12
Building a Better Bromley
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Various - Children and Young People Services - £48.078m net of income.
 4. Total current budget for this head: The total budget for Children and Young People Services combines non-schools' budget share, approved elements of the Dedicated Schools' Grant, Government grant (Area Based Grant, Standards Fund), Revenue Support Grant and Council Tax.
 5. Source of funding:
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Staff

1. Number of staff (current and additional) – Estimated to be 702 (Full-Time Equivalents as at October 2011)
 2. If from existing staff resources, number of staff hours – N/A
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Legal

1. Legal Requirement: Statutory requirement: Bromley Council's Children and Young People Services are directly responsible for the delivery of a wide range of statutory functions resulting from legislation pre and post the Children's Act 2004.
 2. Call in: Call-in is applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected) - Boroughwide: The Children and Young People Services impact upon over 70,000 children and young people and their families and carers.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Director of Children and Young People Services (CYP) has provided a series of report updates on the Government's reform agenda for education, schools and wider children's services at meetings of the CYP PDS Committee and the Portfolio Holder on: 20 July 2010 (DCYP10113), 7 September 2010 (DCYP10124), 30 November 2010 (DCYP10158), 24 January 2011 (DCYP11019), 22 February 2011 (DCYP11039), 15 March 2011 (DCYP11051), 3 May 2011 (DCYP11065), 14 July 2011 (DCYP11085), 6 September 2011 (DCP11101) and 18 October 2011 (DCYP11116). These reports have provided an overview of the policy direction and key areas for reform with a specific focus on the Academies programme and changes to school status within the Borough.
- 3.2 This report provides a further update on recent policy announcements on aspects of the Government's reform agenda for education and wider children's services (Section 4), together with the Academy Programme within Bromley (Section 5) and the Paxton Academy Free school proposal (Section 6).

4. THE ACADEMY PROGRAMME

- 4.1 The Government's Academy Programme is underpinned by the Academy Act which received Royal Assent on 27 July 2010. Detailed updates on the national academy programme and the conversion profile within Bromley have been provided by the Director CYP through earlier reports (identified in paragraph 3.1 above).
- 4.2 At the start of the 2010/11 Academic Year, there were **95 maintained schools in Bromley** which included: **17 secondary, 74 primary phase and 4 special schools**. This broad spectrum of schools included Foundation, Trust, Community, Voluntary Aided and Voluntary Controlled. In addition, Bromley maintains a Pupil Referral Service (PRS). The overall pupil population across our school and PRS provision is currently **46,539 pupils (including post-16)**. Educational standards in Bromley and the outcomes achieved by children and young people across our schools, places the borough in the top quartile of overall performance nationally.
- 4.3 The position in Bromley regarding academy conversion as at **9 January 2012** is illustrated in Tables A-F below.

TABLE A: Overall Summary

Type	Converted		Conversion in Progress		Potential Conversion		Maintained		Total	
Secondary	15	88%	2	12%	0	0%	0	0%	17	100%
Primary	11	15%	3	4%	3	4%	57	77%	74	100%
Special	0	0%	0	0%	0	0%	4	100%	4	100%
Total	26	27%	5	5%	3	3%	61	65%	95	100%

TABLE B: Secondary Schools that have Converted

SECONDARY SCHOOLS		POSITION	TIMESCALE
1	Kemnal Technology College	Conversion	1 September 2010
2	Darrick Wood Secondary School	Conversion	1 December 2010
3	Beaverwood School for Girls	Conversion	1 March 2011
4	Bishop Justus CE Secondary School	Conversion	1 March 2011
5	Coopers Technology College	Conversion	1 March 2011
6	Charles Darwin School	Conversion	1 April 2011
7	Hayes School (Secondary)	Conversion	1 April 2011
8	Langley Park School for Boys	Conversion	1 April 2011
9	Newstead Wood School for Girls	Conversion	1 April 2011
10	Ravens Wood School	Conversion	1 April 2011
11	The Ravensbourne School	Conversion	1 April 2011
12	Bullers Wood School	Conversion	1 May 2011
13	Langley Park School for Girls	Conversion	1 August 2011
14	Kelsey Park Sports College (Harris Academy Beckenham)	Conversion	1 September 2011
15	Cator Park Schools (Harris Academy Bromley)	Conversion	1 September 2011

TABLE C: Primary Schools that have Converted

PRIMARY SCHOOLS		POSITION	TIMESCALE
1	Hayes Primary School	Conversion	1 July 2011
2	Warren Road Primary School	Conversion	1 July 2011
3	Balgowan Primary School	Conversion	1 August 2011
4	Biggin Hill Primary School	Conversion	1 August 2011
5	Darrick Wood Infant School and Nursery	Conversion	1 August 2011
6	Green Street Green Primary School	Conversion	1 August 2011
7	Pickhurst Infant School	Conversion	1 August 2011
8	Pickhurst Junior School	Conversion	1 August 2011
9	Stewart Fleming Primary School	Conversion	1 August 2011
10	Valley Primary School	Conversion	1 August 2011
11	Crofton Junior School	Conversion	1 December 2011

TABLE D: Secondary Schools Seeking Conversion

SECONDARY SCHOOLS		POSITION	TIMESCALE
1	St Olave's Grammar School	Notification to Local Authority (October 2010). Conversion approval 'on hold' pending resolution of governance composition between the Diocese of Rochester, the School and the Department for Education.	TBC
2	The Priory School	Application to Convert – 18 May 2011 Notification to Director CYP, via meeting on 30 November 2011, of governors' decision to pursue academy status.	TBC – estimated 1 September 2012

TABLE E: Primary Schools Seeking Conversion

PRIMARY SCHOOLS		POSITION	TIMESCALE
1	Tubbenden Primary School	Decision to apply to DfE – 29 June 2011 LA receipt of Secretary of State Academy Order – 18 October 2011	1 March 2012
2	Raglan Primary School	Confirmation of Registering Interest with DfE – 20 May 2011 Confirmation to Director CYP of intent to convert – 5 December 2011	1 March 2012
3	St James' RC Primary School	Notification of intention to convert, with Diocesan endorsement, to Director CYP – 11 November 2011.	1 April 2012
4	Hillside Primary School	Preliminary discussions have taken place involving the LA, DfE and governors regarding conversion.	TBC
5	Crofton Infant School	Initial exploratory discussions via meeting with Director CYP on 8 December 2011:	TBC
6	Highfield Junior School	Confirmation of Registering Interest with DfE – 20 May 2011	TBC

TABLE F: Schools that have notified the LA of withdrawal from Pursuit of Academy Conversion

PRIMARY SCHOOLS		POSITION	TIMESCALE
1	Darrick Wood Junior School	Application to DfE – 24 May 2011. Confirmation withdrawal of application – 12 July 2011	N/A
2	Parish CE Primary School	Application to DfE – May 2011. Confirmation withdrawal of application – 7 September 2011	N/A
3	Keston CE Primary School	Application to DfE – 9 May 2011. Confirmation withdrawal of application – 18 November 2011	N/A

- 4.4 Bromley continues to demonstrate high volumes of academy conversions when compared to the national and regional picture. Bromley has the highest number of academy conversions in the London region and is in the top ten nationally. The conversions in Bromley reflect a number of factors: the overall high performance of schools in Bromley and the percentage that are graded by Ofsted as 'Outstanding' or 'Good with Outstanding Features' and where there is strong leadership and governance; Bromley has a relatively high proportion of Foundation status schools (formerly Grant Maintained); the number of Head Teachers who are accredited National Leaders in Education (NLE) or Local Leaders in Education (LLE) (a total of 20); and the autonomy and additional funding offered by academy status.
- 4.5 The Secretary of State for Education has confirmed (4.1.12) the national academy conversion position as follows:
- 1,529 academies open in England of which
1,194 are converters, and
335 are sponsored
 - 37 local authorities where over 50% of secondary schools are academies
 - 4 local authorities where 80% or more of secondary schools are academies (North East Lincolnshire 90%; Bromley 88%; Swindon 82%; Thurrock 80%).

5. PAXTON ACADEMY: FREE SCHOOL PROPOSAL

- 5.1 On 28 July 2011, the Department for Education (DfE) informed the Director CYP of a proposal by a parent group to establish a Free School in the North West of Bromley for September 2012 (report DCYP11101). Outline plans indicated that the proposal would be to create a 2 form of entry (2 FE), all-through, 3-18 age group school, which will be Christian in ethos, but will admit all faiths. The DfE gave the proposal approval in principle to progress to the next stage.
- 5.2 On 16 October 2011, the Director CYP was advised by the DfE that the bid was unsuccessful.
- 5.3 On 29 December 2011, the Director was advised that the proposers are currently in the process of re-applying to the DfE to establish the school in September 2013.

6. WIDER REFORM AGENDA: RECENT POLICY ANNOUNCEMENTS

6.1 EDUCATION ACT 2011

- (i) The Education Bill (report DCYP11039) received Royal Assent on 15 November 2011. The Education Act 2011 provides the legislative framework for the Government to implement many aspects of its education reform programme as set out in the Schools' White Paper, *The Importance of Teaching* (report DCYP11019). It also incorporates measures from the Department for Business, Innovation and Skills to improve skills, including two elements of the reforms to higher education funding.
- (ii) In summary the Education Act 2011:
- determines the future role and responsibilities for schools and LAs in the context of the academies programme and free schools as the 'key driver to raise standards';
 - indicates that, over time, LAs will move to a strategic commissioning and oversight role;
 - acknowledges that, in the short term, the majority of schools will continue as LA maintained schools with LA's continuing to support school improvement and the provision of services;
 - indicates that the Local Authority's role can be summarised as:
 - supporting parents through a good supply of strong schools including academies and free schools and supporting the interests of children and parents;
 - ensuring fair access;
 - supporting vulnerable pupils, including Looked After Children, children with special educational needs and disabilities, and those out of school;
 - support to maintained schools below floor standards to improve through targeted school improvement strategies;
 - supporting academy conversions and collaboration between schools.
- (iii) The main aspects of the Education Act 2011 are:
- Freedoms for schools and colleges**
- (a) It supports the Government's commitment to remove legal requirements on governing bodies, teachers and local authorities.
- (b) It **repeals the duty on local authorities to appoint a School Improvement Partner** in each maintained school
- (c) It frees 'outstanding' schools and colleges from **routine inspection**

- (d) It **expands the Academies programme** to allow 16-19 and alternative provision academies.
- (e) It **introduces a presumption** that when local authorities set up new schools they will be Academies or free schools.

Accountability

- (f) It **abolishes five arm's length bodies**, and where some of their functions need to be retained, they will revert to the Secretary of State, including:
 - General Teaching Council for England (GTCE) - to be replaced by the Teaching Agency
 - Qualifications and Curriculum Development Agency (QCDA) - to be replaced by the Standards and Testing Agency
 - School Support Staff Negotiating Body (SSSNB)
 - Training and Development Agency (TDA) - to be replaced by the Teaching Agency
 - Young People's Learning Agency (YPLA) - to be replaced by the Education Funding Agency
- (g) It **focuses school inspections on four core areas** of: achievement, teaching, leadership and management, and behaviour and safety.
- (h) It gives the **Secretary of State powers to intervene** in schools that are failing.

Using resources

- (i) It gives parents of **disadvantaged two-year-olds a right to 15-hours free Early Years provision** a week.
- (j) It **increases the cap on the interest rates** that can be charged on higher education student loans and allow fees for part-time undergraduate courses to be capped.
- (k) It **increases the Secretary of State's ability to make land available** for free schools.

Helping teachers maintain good discipline

- (l) It gives **teachers the power to search pupils**, without their consent, for items banned under the school rules and issue same-day detentions, and it will provide better protection for teachers from false allegations by pupils.
 - (m) It **replaces Exclusion Appeal Panels with Review Panels**, which will review decisions but will not have the power to force a school to reinstate an excluded pupil.
- (iv) Most of the provisions in the Act will be commenced before the end of the 2011/12 financial year and the remainder at the start of the school year in September 2012.

6.2 REVISED SCHOOL ADMISSIONS AND APPEALS CODES

- (i) Following a period of consultation (reports DCYP11082 and DCYP11085), the Government published the revised School Admissions and Appeals Codes on 2 November 2011.
- (ii) The revised codes confirm most of the plans set out in the consultation including:
 - Giving greater freedom to good, successful **schools so they can increase the number of places they offer** to children in their area.
 - Allowing **schools to give some priority to children of those staff** who have been employed for at least two years or who have been recruited to meet a school's particular skills shortage.

- Allowing schools to take twins, multiple-birth children, and children of armed forces personnel, into Key Stage 1 classes even if it takes the class over the 30-child statutory limit.
- Allowing academies and Free Schools to prioritise pupils from the poorest backgrounds.
- Introducing a **new in-year admissions process** (when a child moves to a new area) so fewer children face delays in finding a new school with parents applying direct to schools, rather than having to go through a local authority.
- **Banning councils from using area-wide “lotteries”** as the principal method of allocating places across a local authority area.
- Cutting bureaucracy by requiring **admission authorities to consult on arrangements only every seven years**, rather than every three years, if no changes are proposed.
- Allowing **anyone to object to admissions arrangements** - currently only a very restricted list of people can do so.

(iii) The revised codes also include two new proposals:

- **Streamlining the primary school place offer system by introducing a new “national offer day”**. Currently different admissions authorities release primary school offers on different dates. There is already a secondary school national offer day, on 1 March each year, and the primary school day is set to be on 16 April each year, starting in 2014 – for 2012/13 Bromley’s offer day is 18 April 2012; and
- **Giving adopted children who were previously looked after** (and children who leave care under a special guardianship or residence order) **the same, highest priority for places as they had as looked-after children**.

(iv) Further to these publications, the Government launched (10 November 2011) a consultation on the following draft regulations to implement the changes: The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012; The School Admissions (Appeals Arrangements) (England) Regulations 2012; and The School Admissions (Infant Class Sizes) (England) Regulations 2012. The closing date for the consultation was Monday 5 December 2011.

(v) **The revised codes will come into force on 1 February 2012 and admissions for the September 2013 intake** will be the first to be operated under the new codes.

6.3 INTRODUCTION OF A “PHONICS CHECK” FOR ALL SIX-YEAR-OLD CHILDREN

- (i) The Government has announced that from 2012 a new “phonics check” will be introduced for all six-year-old children. The check will take place during the week commencing Monday 18 June 2012.
- (ii) The Government also confirmed that the individual results from each school will not be published.

6.4 CHANGES TO THE FREE EARLY YEARS EDUCATION ENTITLEMENT

- (i) As part of the Government’s new policy for parents and families (report DCYP11101) the Department for Education launched a consultation (11 November 2011) on changes to the free early education entitlement, including: changes to how the entitlement can be used; the implementation of the free early education for disadvantaged two-year-olds; and the annual childcare sufficiency assessment.

- (ii) The consultation includes proposals to:
- make the **free entitlement to 15 hours per week of early education more flexible**, so it can be taken between 7am and 7pm, and spread across two days instead of the current three days; and
 - use the criteria which is used for free school meals to decide which **disadvantaged two-year-olds should qualify for free early education**, and include two-year-olds who are looked after by the state in the eligibility criteria for free early education.
- (iii) Funding is being given to all local authorities (as part of the Early Intervention Grant) from this financial year in order to build up to the new entitlement – with £64 million in 2011-12, £223 million in 2012-13, £331 million in 2013-14 and £380 million in 2014-15.
- (iv) The Government has also published the number of disadvantaged two-year-olds who stand to benefit from this entitlement, by local authority. Bromley is stated as having approximately 700 families with a child aged two, with an income of £16,190 or less and receiving Child Tax Credit, April 2011.
- (v) The DfE is also consulting on how to improve the way in which local authorities inform parents of the arrangements through which sufficient childcare places are ensured in the local area. An annual report to parents would replace the current requirement on local authorities to publish a **Childcare Sufficiency Assessment** every three years.

6.5 GOVERNMENT STRATEGY TO MAXIMISE THE PARTICIPATION OF 16-24 YEAR OLDS IN EDUCATION, TRAINING AND WORK

- (i) The Government published (15 December 2011) a new cross-government strategy to maximise the participation of 16-24 year olds in education, training and work.
- (ii) The strategy sets out the following five priorities:
- **Raising attainment in school** and beyond to ensure that **young people have the skills** they need to compete in a global economy.
 - Helping local partners to **provide effective and coordinated services** that support all young people, including the most vulnerable, to **achieve full participation** for 16-17 year olds by 2015.
 - Encouraging and incentivising employers to **inspire and recruit young people** by offering more **high quality Apprenticeships and work experience places**.
 - Ensuring that work pays and giving **young people the personalised support** they need to find it, through Universal Credit, the Work Programme and the Get Britain Working measures.
 - Putting in place a **new Youth Contract** worth almost £1 billion over the next three years to help get young people earning or learning.
- (iii) The strategy also announces a new phase of **Raising the Participation Age (RPA) locally-led delivery projects**. This phase will start in April 2012 and run until March 2013. These projects are designed to enable local areas to develop and test their approaches to increasing participation and delivering RPA, and to share learning with other areas in the build up to full participation.

6.6 THE NATIONAL PLAN FOR MUSIC EDUCATION

- (i) The Government published the first national plan for Music Education on 25 November 2011, following a national review of music education.
- (ii) **From 1 April 2012 music education will be provided by new “music education hubs”** which will deliver music education in partnership, building on the work of existing local authority music services. From August 2012, the music education hubs will be funded to bring together local authorities and local music organisations, including orchestras, choirs and other music groups. They will be required to work in partnership to make sure every child has a high-quality music education; the hubs must be fully operational from September 2012.
- (iii) This funding replaces the previous Standards Fund for Music Education and is distributed on the basis of application to the DfE. Members were advised of this in May 2011 (report DCYP11062).
- (iv) **Bromley has been allocated £417,359 for the financial year 2012-13**, and an indicative allocation of £360,094 for 2013-14 and £366,321 for 2014-15.
- (v) The Department for Education has nominated the Arts Council for England to manage the application and approval process for the new music education hubs. Applications will need to demonstrate how they will deliver at least the core roles, which are to:
 - ensure that every child aged 5-18 has the opportunity to learn to play a musical instrument (other than voice) through whole-class ensemble teaching programmes for ideally a year (but for a minimum of a term) of weekly tuition on the same instrument;
 - provide opportunities to play in ensembles and to perform from an early stage;
 - ensure that clear progression routes are available and affordable to all young people;
 - develop a singing strategy to ensure that every pupil sings regularly and that choirs and other vocal ensembles are available in the area.
- (vi) Bromley is well-placed to make a strong application. As part of the Council’s contract with Bromley Youth Music Trust (BYMT), it is intended to nominate the Trust as the lead organisation for the proposed Music Education Hub. Officers have formed a ‘Bromley Music Education Partnership Group’ to provide the broad range of expertise and resource necessary to support the development of a submission to DfE and the Arts Council for England. The application deadline is 17 February 201`2 and the outcome and approval process should be known in late April 2012.

6.7 THE MUNRO REVIEW OF CHILD PROTECTION: AN UPDATE

- (i) The final report from the Munro Review of Child Protection was published in May 2011 and the Government published its response in June 2011 (report DCYP11085).
- (ii) On 13 December 2011, the Parliamentary Under-Secretary of State for Children and Families gave an update to Parliament on progress being made across the range of commitments in the Government response to the Munro Review:
 - The Government will publish a revised **Working Together to Safeguard Children** (Working Together) and the Framework for the Assessment of Children in Need and their Families for consultation early next year;
 - Local child safeguarding **performance information** has been developed and national performance information will be consulted on in the new year;

- Ofsted has consulted on **child-centred inspection**, and relevant inspectorates have agreed to update on a joint inspection model by May 2012;
- The Government has published a work programme, **Safeguarding Children in the reformed NHS**, which will be followed by a stakeholder consultation in January 2012 on a draft Accountabilities Framework, prepared by the Chief Nursing Officer;
- The Government has decided that a new **statutory duty on delivering a transparent and coordinated offer of early help** is not needed, as there is sufficient existing legislation to deliver Professor Munro's vision for children and families. In the meantime, local areas are encouraged to continue to work to provide early help for the reasons articulated by Professor Munro;
- Eight local authorities (Cumbria, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Knowsley, Wandsworth, and Westminster) are trialling more **flexible approaches to assessment** until 31 March 2012 and flexibilities will be consulted on as part of the broader Working Together to Safeguard Children and the Framework for the Assessment of Children in Need and their Families early next year;
- Following a consultation and a market sounding exercise, it has been decided that the National **electronic Common Assessment Framework system (National eCAF) will be decommissioned**;
- To support the local redesigning of child and family social work, the Children's Workforce Development Council (CWDC) and the College of Social Work are supporting local authorities in designating a **Principal Child and Family Social Worker** in every local area;
- The Government has been making preparations for the appointment of a **Chief Social Worker** and is confident that they will be in post in 2012;
- A consultation on new **statutory guidance for Directors of Children's Services and Lead Members** is currently underway to clarify their roles;
- Discussions with groups of **Local Safeguarding Children Board (LSCB) Chairmen** about how to strengthen their central role have also taken place; and
- From January 2012, Ofsted evaluations of **Serious Case Reviews** will be more streamlined, with a greater focus on identifying and embedding learning.

6.8 THE FAMILY JUSTICE REVIEW FINAL REPORT

- (i) The Government published the final report on the Family Justice Review on 3 November 2011.
- (ii) The Family Justice Review includes a number of recommendations aimed at tackling delays in the family justice system and to make sure that children and families are given the service they deserve. The key recommendations are: a new **six month time limit in care cases** so delays are significantly reduced; enabling **people to make their own arrangements** for their children when they separate, and only use courts when necessary; and **overhauling the family justice system** so that agencies and professionals work together with greater coherence to improve the experience and outcomes for children and families.
- (iii) These recommendations follow the independent review panel findings that the current system of family justice is under huge strain with rising caseloads inconsistent processes causing damaging delays for children and families.

(iv) The Review further recommends:

- A **simpler system** to deliver an improved service:
 - The creation of a Family Justice Service to make sure agencies and professionals work together to make positive improvements in the system for children and families;
 - More judges who are specialists in family law to hear cases from start to finish to ensure consistency and confidence in the system;
 - A simplified court structure making it easier for people using the courts to know where to go; and
 - More child focused and better training for professionals to make sure children's views are heard.
- Changes to **public law** (protecting children and taking them into care) to deliver more quickly for children:
 - A six month time limit for all cases, save in exceptional circumstances;
 - Less reliance on unnecessary expert witnesses and reports; and
 - Refocusing the courts on the core issue of determining whether the child should go into care.
- Changes to **private law** (arrangements about children and money following separation), to create a simpler service for families who are separating, aimed at helping them and their children focus on reaching a safe, joint agreement, if possible, without going to court:
 - A single online and phone help service to make it simpler for people to decide the most appropriate way forward and increase clarity of understanding;
 - Use of Parenting Agreements and a new 'child arrangements order' to bring together arrangements for children's care after separation, focusing on the child rather than 'contact' and 'residence'; and
 - Increased provision of mediation to prevent cases going to court unnecessarily.

6.9 THE NATIONAL TACKLING CHILD SEXUAL EXPLOITATION ACTION PLAN

- (i) On 22 November 2011 the Government published the national Tackling Child Sexual Exploitation Action Plan.
- (ii) Sexual exploitation of children and young people under 18 can involve gangs or individuals luring them into performing sexual activities in exchange for gifts like money, food, drugs or alcohol. It can also happen through grooming using technology - for example, young people being persuaded to post sexual images on the internet or mobile phones.
- (iii) The action plan looks at sexual exploitation from the perspective of the child, and it sets out a range of actions for the Government, national and local partners, which will mainly be delivered through Local Safeguarding Children Boards, to deliver in the short- and medium-term.
- (iv) The **key actions required of all Local Safeguarding Children Boards** include:
 - mapping the needs of the local area to identify levels of child sexual exploitation and locations or circumstances where children are particularly at risk (and repeat the exercise periodically);

- putting in place systems to monitor ongoing prevalence and responses to child sexual exploitation within the local area, making use of existing monitoring tools if they find it helpful to do so;
- developing an effective local strategy ensuring there is a co-ordinated multi-agency response to child sexual exploitation, based on a robust, thorough risk assessment of the extent and nature of child sexual exploitation the local area;
- increasing understanding of child sexual exploitation, in the professional and wider community (for example, contributing to public campaigns in the local area, talking and listening to children's views on welfare services, locally-led engagement with faith and minority communities and wider public);
- safeguarding and promoting the welfare of groups of children who are potentially more vulnerable than others and are at increased risk of child sexual exploitation, by:
 - establishing effective communication channels between the LSCB and partner agencies, including specialist services which have an important role to play;
 - attending voluntary and community sector conferences to increase personal knowledge;
 - providing briefing to social care teams; and
 - arranging multi agency training days/courses;
- considering whether it is appropriate to set up a working group or subgroup on child sexual exploitation, either on a short-term or standing basis, and appoint a lead officer who provides a co-ordinated response across statutory authorities and the voluntary sector; and
- developing links with neighbouring authorities and meet them on a formal basis and as required where there are cross border concerns.

6.10 TACKLING TROUBLED FAMILIES

- (i) The Government announced (15 December 2011) a cross-Government programme to tackle 'troubled families'.
- (ii) The Government defines a 'troubled family' as one that

“has serious problems - including parents not working, mental health problems, and children not in school - and causes serious problems, such as crime and anti-social behaviour. All of which costs local services a lot of time and money routinely responding to these problems”.
- (iii) The Department for Communities and Local Government (DCLG) has **estimated that Bromley has 490 families** who suffer from at least five of the following characteristics:
 - no one in the family is in work;
 - living in poor or overcrowded housing;
 - no parent has any qualifications;
 - mother has mental health problems;
 - at least one parent has a longstanding illness, disability or infirmity;
 - a low income; and
 - an inability to afford a number of food, clothing items.

- (iv) The Prime Minister announced that £448 million will be made available to the Troubled Families Unit (within the DCLG) to turn around the lives of 120,000 families nationally over the next three years. This **money will need to be match-funded by local areas** and will follow a Payment by Results model. The Government will offer to pay up to 40 per cent of local authorities' costs of dealing with these families (Payment by Results Model) payable only when they and their partners achieve success with families.
- (v) The Government will also fund a **national network of troubled family 'trouble-shooters'** in each (upper-tier) local council. The trouble-shooters will operate at a senior level to oversee the programme of action in their area.
- (vi) The Troubled Families Unit and local authorities will work up the detail over the next few months.

6.11 THE YOUTH JUSTICE BOARD

- (i) On 23 November 2011, the Minister of State for Justice confirmed that the **Youth Justice Board will not be scrapped** as part of the Government's 'rationalisation of Quango's' programme. The Public Bodies Bill, which provides the legislative framework for the majority of the 'rationalisation programme', will be amended within the Houses of Parliament to remove the Youth Justice Board.
- (ii) The Government did confirm that they still **intend to reform the youth justice system** to improve efficiency and to make it directly accountable to Ministers, with further details being announced by the Government shortly.

6.12 BASIC NEEDS CAPITAL FUNDING ALLOCATION

- (i) On 3 November 2011 the Government published the deployment of the additional £500 million to be made available for this year to local authorities experiencing the greatest need in managing shortfalls in pupil places.
- (ii) Bromley's allocation from the Government's capital funding announcement is **£1,277,936** giving a total capital funding level of £12,060,442 as set out in the following table:

£500m Basic Need Allocation	Basic Need 2011-12 Allocation	Maintenance 2011-12 LA Schools	Maintenance 2011-12 VA Schools	Total 2011-12
£1,277,936	£4,496,771	£5,686,789	£598,946	£12,060,442

- (iii) A report will be presented to the meeting of the Children and Young People Policy Development and Scrutiny Committee meeting in February 2012.

6.13 CONSULTATION ON SCHOOL PREMISES REGULATIONS

- (i) The Government launched a consultation on school premises regulations (3 November 2011).
- (ii) Currently there are two sets of school premises regulations set by the Department for Education (DfE): Part 5 of The Education (Independent School Standards) (England) Regulations 2010 (ISSs), covering independent schools, including academies and free schools; and The Education (School Premises) Regulations 1999 (SPRs), covering schools maintained by local authorities – these apply to nursery, community, community special, foundation, foundation special and voluntary schools and to pupil referral units.
- (iii) The consultation seeks to retain, simplify or remove a range of regulations within the current framework. The consultation closes on 26 January 2012 and the results of the consultation, together with the Department's response, will be published in spring 2012.

7. POLICY IMPLICATIONS

- 7.1 The Government's reform agenda for education, schools and wider children's services will be underpinned by major statutory changes. This will impact significantly on local policy, strategy and priorities for Bromley's Children and Young People Services agenda; the detail of which will be brought in progress update reports to Members.

8. FINANCIAL IMPLICATIONS

Consultation on the proposed decision on the calculation and recovery arrangements for the Academies Funding Transfer for 2011-12 and 2012-13 (LACSEG and RSG)

- 8.1 The Government initiated consultation in August 2012 regarding proposed changes to the recoupment of LACSEG from LAs through their Revenue Support Grant (RSG). The proposals being suggested would have a huge impact on Bromley and its future funding. The impact on Bromley based on the number of schools which have converted to Academy status was estimated to be in the region of £6.25m. This was in comparison to £1.4m that was originally determined in 2011. This was compounded by the suggestion that this funding reduction could have been backdated to 2011/12.
- 8.2 As part of Bromley's response to the consultation, strong representations were made direct to the DfE through meetings involving the CYP Portfolio Holder and Assistant and the Directors for CYP and Finance.
- 8.3 As part of the Local Government Finance settlement announcements in early December 2011, further LACSEG information was released in the form of a second consultation. It outlined the position the Government is minded to take in terms of LACSEG for 2011/12 and 2012/13. The Government has responded positively to the issues raised during consultation. The summary is as follows:-
- (1) 2011/12 - no additional reduction of RSG grant as this would cause too much uncertainty and turbulence.
 - (2) 2012/13 – no additional reduction of RSG for Bromley. DfE will work out a LACSEG figure using the 2011/12 S251 returns that all authorities complete and derive a LACSEG top slice figure. However Authorities will be capped at a maximum of the original top slice in the formula grant for 2012/13. Authorities whose top slice is above the LACSEG calculation will be refunded. This means that Bromley's top slice will be limited to the £1.4m already planned for in the previous finance settlement.
- 8.4 However it has been made clear that this situation cannot continue into the medium term and that changes must be made to mitigate what the Government sees as double funding of LAs. This arrangement is transitional. For 2013/14 the Government is exploring removing the funding for LACSEG relevant services from formula grant into a DfE budget as part of the Local Government Resource Review. Grant would then be administered to authorities and academies proportionate to the number of pupils and at a national rate. As there are no details of how this is going to be administered, the impact on Bromley is unknown.

Pupil Premium 2012/13

- 8.5 In 2012-13 the amount available nationally for the Pupil Premium will double from £625m in 2011-12 to £1.25 billion. It will further rise to £2.5 billion by 2014-15.
- 8.6 The Government has decided that eligibility for the Pupil Premium in 2012-13 will be extended to pupils who have been eligible for Free School Meals (FSM) at any point in the last 6 years. As a group, children who have been eligible for FSM at any point in time have consistently lower educational attainment than those who have never been eligible for FSM.

8.7 This enables the coverage of the Premium to be extended to a further half a million pupils nationally, while at the same time increasing the level of the Premium from £488 to £600 per pupil. This will ensure that a higher proportion of underachieving children are able to benefit from the extra funding provided through the Premium.

8.8 For Bromley this means (subject to confirmation) a pupil premium to schools of £5.231m.

DSG Funding 2012/13

8.9 As set out in the “Consultation on School Funding Reform”, issued in July, the current methodology for funding schools in 2012-13 through the Dedicated Schools Grant (DSG) will continue. The underlying Guaranteed Unit of Funding (GUF) will be kept at flat cash per pupil for 2012-13. For Bromley this means that the GUF remains at £4,944 per pupil.

8.10 Local authorities with falling pupil numbers will continue to be protected under arrangements to ensure that no authority loses more than 2% of its budget in cash terms.

8.11 Although the overall schools budget will stay at the same level on a per pupil basis before the addition of the Pupil Premium, the actual level of each school’s individual budget will vary. It will depend on local decisions about how best to meet needs and priorities. This does mean that some schools will see budget reductions, either because they have fewer pupils or local changes to funding distribution. To protect schools from significant budget reductions, the government will continue with a Minimum Funding Guarantee that ensures no school sees more than a 1.5% per pupil reduction in 2012-13 budgets (excluding sixth form funding) compared to 2011-12 and before the Pupil Premium is added.

8.12 Early indications (subject to the January 2012 pupil count) suggest that the DSG will be in the region of £219m for Bromley.

9. LEGAL IMPLICATIONS

9.1 Detail on financial implications was provided in Report DCYP11101 at the 6 September 2011 CYP PDS meeting. There are no updates to this information.

10. PERSONNEL IMPLICATIONS

10.1 Detail on personnel implications was provided in Report DCYP11085 at the 14 July 2011 CYP PDS meeting. There are no updates to this information.

Non-Applicable Sections:	N/A																														
Background Documents: (Access via Contact Officer)	<p>Previous Director CYP Reports: The Government’s Reform Agenda: Education and Children’s Services:</p> <table> <tr><td>20 July 2010</td><td>:</td><td>DCYP10113</td></tr> <tr><td>7 September 2010</td><td>:</td><td>DCYP10124</td></tr> <tr><td>30 November 2010</td><td>:</td><td>DCYP10158</td></tr> <tr><td>24 July 2011</td><td>:</td><td>DCYP11019</td></tr> <tr><td>22 February 2011</td><td>:</td><td>DCYP11039</td></tr> <tr><td>15 March 2011</td><td>:</td><td>DCYP11051</td></tr> <tr><td>3 May 2011</td><td>:</td><td>DCYP11065</td></tr> <tr><td>14 July 2011</td><td>:</td><td>DCYP11085</td></tr> <tr><td>6 September 2011</td><td>:</td><td>DCYP11101</td></tr> <tr><td>18 October 2011</td><td>:</td><td>DCYP11116</td></tr> </table> <p>Department for Education: Academy Website (www.education.gov.uk/academies)</p> <p>The Academies Act 2010</p> <p>The Education Act 2011</p>	20 July 2010	:	DCYP10113	7 September 2010	:	DCYP10124	30 November 2010	:	DCYP10158	24 July 2011	:	DCYP11019	22 February 2011	:	DCYP11039	15 March 2011	:	DCYP11051	3 May 2011	:	DCYP11065	14 July 2011	:	DCYP11085	6 September 2011	:	DCYP11101	18 October 2011	:	DCYP11116
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