



**Brighton & Hove  
City Council**

**CHILDREN, YOUNG PEOPLE &  
SKILLS COMMITTEE  
ADDENDUM**

**4.00PM, MONDAY, 6 JUNE 2016**

**FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON**



# ADDENDUM

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<b>Subject:</b>	<b>The alignment of INSET days and the pattern of school holidays</b>		
<b>Date of Meeting:</b>	<b>6 June 2016 Children Young People and Skills Committee</b>		
<b>Report of:</b>	<b>Pinaki Ghoshal, Executive Director Families, Children and Learning</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Richard Barker, Head of School Organisation</b>	<b>Tel: 290732</b>
	<b>Email:</b>	<b><a href="mailto:Richard.barker@brighton-hove.gov.uk">Richard.barker@brighton-hove.gov.uk</a></b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

*The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were due to the timing of the analysis of the consultation responses. This could only be completed after the consultation closed on 20 May 2016.*

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

1.1 The purpose of the report is to update the Committee about:

- (i) the results of the consultation on the possibility of aligning INSET days in the city's schools and providing the opportunity for families to afford a holiday or family trip.
- (ii) the pattern of school holidays that could be determined for 2017/18 by the Executive Director Families, Children & Learning following the established process of consultation

**2. RECOMMENDATIONS:**

- 2.1 To consider the responses to the public consultation on proposals for the alignment of INSET days and the pattern of school holidays.
- 2.2 To note the comments expressed by school leadership in relation to the alignment of INSET days, and recommend to the Executive Director that in formulating the pattern of school holidays the likely approach of governing bodies to INSET days should be taken into account.
- 2.3 To note that the decision as to the pattern of school holidays is delegated to the Executive Director Families, Children and Learning.

- 2.4 To note the recent engagement exercise, and that there will be a further consultation in relation to any specific proposals as to school holidays in the academic year 2017/18.
- 2.5 To recommend to the Executive Director that further consultation as to the pattern of school holidays should include a specific proposal which provides for a stand-alone week which falls outside of the existing pattern of school holidays, so as to provide more flexibility for parents throughout the year and lower-income families in particular the chance to take holidays that would otherwise be unaffordable.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 At the CYPS Committee on 12 October 2015 in which Ms A Heath presented a petition regarding school INSET days the committee agreed the proposal that a report on the matter be brought to a future meeting of the Committee.
- 3.2 In January 2016 the CYPS committee recommended consulting on the possibility of (i) co-ordinating INSET days across the City's schools (ii) setting the annual term dates for 2017-18 to include an additional week of holiday during the academic year, whilst maintaining the statutory 190 days of education during the school year. An online consultation was open between 27 April and 20 May 2016 seeking views on whether the council should encourage schools to co-ordinate INSET days and how residents would prefer schools to take their allocation of INSET days. It also sought views on how residents felt about the current arrangement of school term dates and whether people felt they should be changed to create a week of holiday outside the normal pattern of school holidays.
- 3.3 The consultation clearly stated that the council has no powers to direct schools to select certain dates for INSET days and that schools might have different development needs that did not suit aligning their INSET days with other schools.
- 3.4 There were 1,506 responses to the survey. It was a self-selecting questionnaire and therefore it is not possible to determine if the responses to the survey are representative either of residents or parents in the city.
- 3.5 The Brighton and Hove branches of the National Union of Teachers, National Association of Head Teachers, GMB and the Association of School and College Leaders provided written submissions.
- 3.6 An analysis of the responses received has been provided in Appendix 2.

### **4. PROPOSALS – INSET days**

- 4.1 In January 2016 the CYPS committee members recognised the importance of INSET days in successful school improvement and the need to distribute these throughout the academic year.

- 4.2 The governing body of a school must determine the five in-service training days in the academic year. The council has no powers to direct schools to select certain dates and schools may have different development needs that do not suit aligning their INSET days with other schools.
- 4.3 The survey indicated that overall 54% of respondents agreed that the council should encourage schools to co-ordinate INSET days, 31% of respondents disagreed. Whilst the majority of residents and parents or guardians who responded agreed with the proposals, 92% of Brighton and Hove Headteachers and 65% of teachers in Brighton and Hove schools who responded disagreed.
- 4.4 A wide range of responses was received during the consultation period these included comments from those working in education environments who have received training and also those who have commissioned training for INSET days.
- 4.5 The following concerns were expressed about the proposal to align INSET days:
- (i) The risk that professional development and school improvement could become less effective if training was not balanced throughout the year.
  - (ii) The possibility that it would also generate peak demand in a concentrated period for training providers.
  - (iii) The loss of flexibility to schedule INSET days to enable schools to respond to changes or initiatives introduced mid-year by regulators, for example curriculum changes and exam board moderation.
  - (iv) The loss of the ability of families to potentially get the benefit of time together outside school holidays for visits to attractions or an early start to a holiday period.
- 4.6 Concern was expressed about the impact on parents in the city who are also teachers in Brighton and Hove. These families would not receive any benefit from the alignment of INSET days.
- 4.7 Responses in support of alignment stated that:
- (i) It would be more convenient for parents with children in different schools.
  - (ii) It would make it easier for working parents to make child care arrangements to cover INSET days.
  - (iii) It would present the opportunity for a more affordable excursion or holiday.
- 4.8 Despite the majority of responses suggesting support for the proposal to align INSET days careful consideration has to be given to the ability of the Council to implement the proposal and the impact on the efficacy of school improvement. Due regard has been given to the views of the education workforce and it is therefore recommended that this proposal is not taken any further.

4.9 School leaders will be requested to consider the practical arrangements for working patterns when setting INSET days. As the partnerships of schools strengthen across the city it is likely that, when relevant, there will be more alignment of INSET days to support the raising of standards across the partnership of schools and the city as a whole.

## **5. Proposals – Pattern of school holidays**

5.1 The survey indicated that 52% of respondents agreed that they were happy with the current arrangement of term dates, whilst 23% of respondents were not.

5.2 When respondents were asked if they agree or disagree that term dates should be changed 59% of all respondents agreed that term dates should be changed to create a week of holiday outside the normal pattern of school holidays, 32% disagreed with the proposal. The majority of respondents in the following groups, who expressed a view, supported the proposal:

- Brighton and Hove resident and parent/guardian
- Parent or guardian
- Support staff in Brighton and Hove school
- Governor in Brighton and Hove school

Of those who responded, 23% of Brighton and Hove Headteachers and 26% of teachers in Brighton and Hove schools supported the proposal.

5.3 When all preferences for which school holiday should be shortened so as to create an additional week of holiday elsewhere in the school year were considered, the summer holiday (43% of respondents) and the end of the spring term (25% of respondents) received the highest number of preferences.

5.4 In response to the question in the survey regarding when a stand-alone week should be scheduled within the school year the majority of responses were for it to be scheduled in the summer. When all preferences were taken into consideration, 53% of respondents suggested it should be either before or after the summer half term, at the beginning or at the end of the summer holidays.

5.5 A stand-alone week added before the autumn half term break was the highest ranked non-summer term choice. 24% of Headteachers and 20% of teachers in Brighton and Hove schools together with 24% of governors from Brighton and Hove schools identified the stand-alone week being added directly before the autumn half term break as one of their top three choices. A stand-alone week on its own in the second half of the spring term was the next ranked preference recorded.

5.6 Those who were not supportive of the proposals highlighted the disruption to the pattern of school year and the creation of additional pressures for staff and schools whenever a stand-alone week's holiday is scheduled.

5.7 Concerns were also expressed about undertaking change in isolation. There are families where parents work in East Sussex, West Sussex or Surrey and families



where the children attend schools in another local authority and vice versa. The concern was this proposal would create additional problems for them, reducing rather than increasing quality family time, as well as complicating childcare arrangements.

- 5.8 The impact on unauthorised absence in the weeks surrounding the additional week of holiday was a further concern raised in responses by school leaders.
- 5.9 The High Court decision in the case brought by the Isle of Wight Council regarding the taking of term time holidays in relation to ensuring regular school attendance, could have an impact on the proposals being considered in this report. At the time of writing this report the judgment has yet to be published and it is also not clear what the response of the Department for Education will be to the ruling. It is anticipated that the Government will either seek to introduce new legislation or will issue new statutory guidance. There has also been media coverage of Chiddingstone Primary School, Kent, a voluntary aided school, where the school day is being extended by 20 minutes in return for an extra two weeks' holiday per school year. Rather than one week off for half-term in May and October, the school will now break for two weeks. It is understood that this is being trialled for one academic year before its impact is reviewed.
- 5.10 Following consideration of this report by the Children, Young People and Skills Committee a formal consultation will be undertaken with stakeholders from 7 June until the 28 June. It is anticipated that a decision will be made by the Executive Director by 4 July 2016.
- 5.11 If an additional stand-alone holiday of a week's length is created the majority of respondents would prefer that it is sited in the summer term. However there are significant concerns about the disruption this would create to schools. The summer term contains preparation for and the delivery of a range of examinations and tests including GCSEs and the key stage assessments in primary schools. It would not be until the end of June that GCSE examinations would be guaranteed to have finished and the siting of an additional week's leave close to the end of the summer term could have a negative impact on attendance in the last part of the term. An earlier week's holiday would hinder final preparations for tests.
- 5.12 The location of an additional week's holiday in the spring term could be impacted by the changing identification of the Easter holiday weekend each year. This would have the impact of creating an unbalanced number of weeks in school within the term. If it was to be scheduled in this term, it is felt the most appropriate week in the 2017/18 academic year would be the week commencing 5 March 2018.
- 5.13 Whilst Good Friday and Easter Sunday fall on 30 March 2018 and 2 April 2018 the following year will be 19 April 2019 and 22 April 2019 which will effect the location of a stand-alone week in the spring term of the academic year 2018/19.
- 5.14 The autumn term traditionally contains the most school days of the three terms. A number of respondents commented upon the impact its length had upon children and staff. It is recognised that there is a need to settle pupils into the start of an academic year, especially those starting school for the first time or having

completed the transition to secondary school. It could therefore be considered to be most appropriate to create a stand-alone week in this term.

- 5.15 For the purpose of the first year of the pilot it is proposed that the weeks commencing 16 October 2017 or 20 November 2017 are consulted upon formally by the Executive Director of Families, Children & Learning.

## **6. Proposal – Stakeholder consultation**

- 6.1 Both East Sussex County Council and West Sussex County Council have determined their term dates for 2017/18. There are differences in the start of the spring term and the last day of the summer term. Full details are provided in Appendix 1.
- 6.2 If the committee were minded to recommend a stand-alone week's holiday during the school year it is proposed that Brighton and Hove City Council's terms would start on 1 September 2017, 2 January 2018 and 12 April 2018. As detailed in Appendix 1 the academic year will be 200 days in total, allowing for this additional stand-alone week of holiday. The suggested dates for this week are either:
- 16 October 2017
  - 20 November 2017
  - 5 March 2018

## **7. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 7.1 There is no longer a nationally recommended model for school term dates set by the Local Government Association. The council does consider the determined dates for East Sussex County Council and West Sussex County Council prior to consulting upon its dates. This takes account of the impact to families living on the borders of Brighton and Hove and the impact upon staff that live and work in schools across the region's boundaries.
- 7.2 It is possible that the consultation only take the term dates in ESCC and WSCC into account. However this would not introduce a week's stand-alone holiday in term date and would be against the view of 59% of those who responded to the survey. 58% of respondents did not consider it important that school terms dates are broadly the same as neighbouring authorities.
- 7.3 The results of the online consultation have informed the proposals recommended in this report to create a stand-alone week's holiday in term time as a pilot initiative for the academic year 2017/18 and 2018/19. A two year pilot is required because the term dates for 2018/19 will need to be set before the impact of the 2017/18 proposal can be evaluated.

## **8. CONCLUSION**

- 8.1 The responses to the consultation held between 27 April and 20 May indicated that a proposal to co-ordinate INSET days is supported by the majority of respondents. The council does not have the authority to implement the change

and would be reliant upon individual governing bodies to agree to the alignment. As such a change could not be compelled and because of the concerns about the impact on school improvement it is not an option that will be given further consideration. However, governing bodies will be advised of the responses relating to the alignment of INSET days to inform their practices.

- 8.2 The consultation indicated that parents are broadly happy with the current arrangement of term dates however the majority of respondents indicated that they supported a change of term dates to create a stand-alone week's holiday outside of the normal pattern of school holidays.
- 8.3 It is proposed that the options for term dates outlined in appendix 1 are used as the basis for the stakeholder consultation that will inform the Executive Director Families, Children & Learning's determination. The stakeholder consultation will run from 7 June until the 28 June. It is anticipated that a decision will be made by the Executive Director by 4 July 2016.

## **9. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 9.1 The Local Authority is responsible for setting the Term and INSET dates for schools. There are no financial Implications arising from the recommendations in this report.

*Finance Officer Consulted: Andy Moore 11/05/16*

### Legal Implications:

- 7.1 Under Section 32 of the Education Act 2002 the Council has a duty to set school terms and holiday dates for community, voluntary controlled, community special schools and maintained nurseries in its area. Governing bodies set the dates for voluntary aided schools and Academy trusts for academies and free schools. In addition maintained schools are required to hold five in service training days (INSET days) during the academic year. Individual schools are responsible for setting the dates for INSET days.
- 7.2 Local Authority maintained schools must open for at least 380 sessions (190 days) during a school year, (Education (School Day and School Year) (England) Regulations 1999).
- 7.3 The High Court judgment in the recent case brought by the Isle of Wight Council regarding the taking of holidays in term time and their impact on regular school attendance has yet to be published. As stated in the body of the report it is anticipated that the Government will either bring forward further legislation to clarify the position or issue further statutory guidance. Although not of direct relevance to the setting of term dates, the proposals set out in this report were precipitated by an agreement to explore the possibility of aligning INSET days and/or devising a different pattern of term dates so as to provide the opportunity for families to take potentially more affordable holidays outside of school term time.

- 7.4 Under the Council's constitution the Executive Director Families, Children and Learning has delegated authority to fix school term dates and holidays (Part 6 (V)(4)(2) of the Constitution).

*Lawyer Consulted: Serena Kynaston*

*Date: 23/05/16*

Equalities Implications:

- 7.5 An Equality Impact Assessment has been completed. The potential impact of changes has been considered throughout the process and informed by the responses received during the engagement activity. This will be revised following the next consultation phase where it is hoped the impact on protected characteristic groups, of the specific stand-alone weeks suggested, will be captured.

Sustainability Implications:

- 7.6 There are no sustainability implications arising from this report.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Appendix 1 - Consultation for School Term Dates 2017/2018
2. Appendix 2 - Analysis of engagement activity responses

Crime & Disorder Implications:

- 1.1 It is possible that crime levels may vary in the school holidays. The number of schools days in the academic year 2017/18 will remain constant at 195 days and therefore it could be considered unlikely that crime levels will vary as a result. .

Public Health Implications:

- 1.2 The creation of a stand-alone week's holiday in term time is designed to provide families with the opportunity to afford a holiday or family trip that may not have been possible in the school holidays.
- 1.3 As a result family well-being could be improved by the opportunity to spend more time together as a family.

Corporate / Citywide Implications:

- 1.4 Although the number of school days will remain the same the attractions in the city could benefit from additional trade due to the placement of the stand-alone week's holiday in term time.



## **Consultation for School Term Dates 2017/2018**

During a normal school year, pupils are required to attend school for 190 days. An additional five days are allowed for in-service training (INSET) for staff.

There is no longer a nationally recommended model set by the Local Government Association (LGA).

Following the recommendation of the Children, Young People and Skills (CYPS) Committee the introduction of a stand alone week of holiday within the academic year 2017-18 is proposed as a pilot initiative for one year.

Previous consultations in Brighton & Hove and previous LGA criteria have taken into account certain principles when setting dates:

1. Aim to match East and West Sussex dates where possible, to allow for families who may live/work and attend schools in different authorities
2. Equalise the length of teaching and learning (half-termly) blocks as much as possible
3. The start and end of terms should be complete weeks where possible
4. Start the school year in September as near as possible to 1 September

Each year we have waited until East and West Sussex have carried out their consultations and published their dates.

This year we are consulting on the possibility of creating a standalone week by saving days from current holiday periods. In relation to the West Sussex model, five days saved are: 1 September, 2 & 3 January, 12 & 13 April. In relation to the East Sussex model five days saved are: 1 September, 12 & 13 April, 23 & 24 July.

The three possibilities for a standalone week are: w/c 16 October 2017, w/c 20 November 2017, w/c 5 March 2018

We are consulting with the following stakeholders:

- Headteachers & school staff through the Schools' Bulletin on (13 June 2016)
- Education & Inclusion Consultative Group on (1 July 2016) (attended by union representatives)
- Diocese of Chichester (Church of England) and Diocese of Arundel and Brighton (Catholic)
- Pupils (through the Youth Council)
- Parents (publication on the Council's website and through the use of schools' channels)
- Councillors (through Democratic Services)
- Governors (through the Governor Support Team)

Neighbouring local authorities will also be made aware of the consultation and will be invited to comment.

The deadline for comments is (28 June 2016). The Executive Director of Families, Children and Learning will make the final decision, taking into account comments received. The finalised dates will be published on the main council website by (4 July 2016) <http://www.brighton-hove.gov.uk/content/children-and-education/schools/school-term-and-holiday-dates> and also as a Schools' Bulletin.



**Brighton & Hove  
City Council**

## School Term and Holiday Dates 2017/2018 Consultation

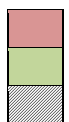
**PROPOSAL (Brighton and Hove model with three possibilities for standalone week highlighted in yellow)**

	September 2017					October 2017					November 2017					December 2017					
Monday		4	11	18	25		2	9	16	23	30		6	13	20	27		4	11	18	25
Tuesday		5	12	19	26		3	10	17	24	31		7	14	21	28		5	12	19	26
Wednesday		6	13	20	27		4	11	18	25	1	8	15	22	29		6	13	20	27	
Thursday		7	14	21	28		5	12	19	26	2	9	16	23	30		7	14	21	28	
Friday	1	8	15	22	29		6	13	20	27	3	10	17	24	1	8	15	22	29		
Saturday	2	9	16	23	30	7	14	21	28	4	11	18	25	2	9	16	23	30			
Sunday	3	10	17	24	1	8	15	22	29	5	12	19	26	3	10	17	24	31			

	January 2018					February 2018					March 2018					April 2018				
Monday	1	8	15	22	29		5	12	19	26	5	12	19	26	2	9	16	23	30	
Tuesday	2	9	16	23	30		6	13	20	27	6	13	20	27	3	10	17	24		
Wednesday	3	10	17	24	31		7	14	21	28	7	14	21	28	4	11	18	25		
Thursday	4	11	18	25	1	8	15	22	1	8	15	22	29	5	12	19	26			
Friday	5	12	19	26	2	9	16	23	2	9	16	23	30	6	13	20	27			
Saturday	6	13	20	27	3	10	17	24	3	10	17	24	31	7	14	21	28			
Sunday	7	14	21	28	4	11	18	25	4	11	18	25	1	8	15	22	29			

	May 2018					June 2018					July 2018					August 2018				
Monday		7	14	21	28	4	11	18	25	2	9	16	23	30	6	13	20	27		
Tuesday	1	8	15	22	29	5	12	19	26	3	10	17	24	31	7	14	21	28		
Wednesday	2	9	16	23	30	6	13	20	27	4	11	18	25	1	8	15	22	29		
Thursday	3	10	17	24	31	7	14	21	28	5	12	19	26	2	9	16	23	30		
Friday	4	11	18	25	1	8	15	22	29	6	13	20	27	3	10	17	24	31		
Saturday	5	12	19	26	2	9	16	23	30	7	14	21	28	4	11	18	25			
Sunday	6	13	20	27	3	10	17	24	1	8	15	22	29	5	12	19	26			

### Key



Bank and public holidays (see details below)

School holidays

INSET day (4 more to be agreed by each school)



First day of term for pupils



Last day of term

### Bank and Public Holidays 2017/18

Christmas Day	Monday 25 December 2017
Boxing Day	Tuesday 26 December 2017
New Year's Day	Monday 1 January 2018
Good Friday	Friday 30 March 2018
Easter Monday	Monday 2 April 2018
May Day	Monday 7 May 2018
Spring Bank Holiday	Monday 28 May 2018
Summer Bank Holiday	Monday 27 August 2018

### Number of days (total requirement 195)

Autumn 1 <sup>st</sup> half	36
Autumn 2 <sup>nd</sup> half	38
Spring 1 <sup>st</sup> half	29
Spring 2 <sup>nd</sup> half	29
Summer 1 <sup>st</sup> half	31
Summer 2 <sup>nd</sup> half	37
<b>TOTAL</b>	<b>200 days</b>
	(5 inset days and 5 standalone days)

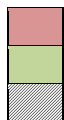


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Thursday		7	14	21	28		5	12	19	26		2	9	16	23	30		7	14	21	28
Friday	1	8	15	22	29		6	13	20	27		3	10	17	24		1	8	15	22	29
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Thursday	4	11	18	25		1	8	15	22		1	8	15	22	29		5	12	19	26	
Friday	5	12	19	26		2	9	16	23		2	9	16	23	30		6	13	20	27	
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Sunday	6	13	20	27		3	10	17	24		1	8	15	22	29		5	12	19	26	

**Key**



- Bank and public holidays (see details below)
- School holidays
- INSET day (4 more to be agreed by each school)



- First day of term for pupils
- Last day of term

**Bank and Public Holidays 2017/18**

Christmas Day	Monday 25 December 2017
Boxing Day	Tuesday 26 December 2017
New Year's Day	Monday 1 January 2018
Good Friday	Friday 30 March 2018
Easter Monday	Monday 2 April 2018
May Day	Monday 7 May 2018
Spring Bank Holiday	Monday 28 May 2018
Summer Bank Holiday	Monday 27 August 2018

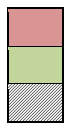
**Number of days (total requirement 195)**

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Autumn 2 <sup>nd</sup> half	38
Spring 1 <sup>st</sup> half	29
Spring 2 <sup>nd</sup> half	29
Summer 1 <sup>st</sup> half	29
Summer 2 <sup>nd</sup> half	35
<b>TOTAL</b>	<b>195 days</b>
	(5 inset days included)



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	January 2018					February 2018					March 2018					April 2018					
Monday	1	8	15	22	29		5	12	19	26		5	12	19	26		2	9	16	23	30
Tuesday	2	9	16	23	30		6	13	20	27		6	13	20	27		3	10	17	24	
Wednesday	3	10	17	24	31		7	14	21	28		7	14	21	28		4	11	18	25	
Thursday	4	11	18	25		1	8	15	22		1	8	15	22	29		5	12	19	26	
Friday	5	12	19	26		2	9	16	23		2	9	16	23	30		6	13	20	27	
Saturday	6	13	20	27		3	10	17	24		3	10	17	24	31		7	14	21	28	
Sunday	7	14	21	28		4	11	18	25		4	11	18	25		1	8	15	22	29	
	May 2018					June 2018					July 2018					August 2018					
Monday		7	14	21	28		4	11	18	25		2	9	16	23	30		6	13	20	27
Tuesday	1	8	15	22	29		5	12	19	26		3	10	17	24	31		7	14	21	28
Wednesday	2	9	16	23	30		6	13	20	27		4	11	18	25		1	8	15	22	29
Thursday	3	10	17	24	31		7	14	21	28		5	12	19	26		2	9	16	23	30
Friday	4	11	18	25		1	8	15	22	29		6	13	20	27		3	10	17	24	31
Saturday	5	12	19	26		2	9	16	23	30		7	14	21	28		4	11	18	25	
Sunday	6	13	20	27		3	10	17	24		1	8	15	22	29		5	12	19	26	

**Key**



Bank and public holidays (see details below)

School holidays

INSET day (4 more to be agreed by each school)



First day of term for pupils



Last day of term

**Bank and Public Holidays 2017/18**

Christmas Day	Monday 25 December 2017
Boxing Day	Tuesday 26 December 2017
New Year's Day	Monday 1 January 2018
Good Friday	Friday 30 March 2018
Easter Monday	Monday 2 April 2018
May Day	Monday 7 May 2018
Spring Bank Holiday	Monday 28 May 2018
Summer Bank Holiday	Monday 27 August 2018

**Number of days (total requirement 195)**

Autumn 1 <sup>st</sup> half	35
Autumn 2 <sup>nd</sup> half	38
Spring 1 <sup>st</sup> half	27
Spring 2 <sup>nd</sup> half	29
Summer 1 <sup>st</sup> half	29
Summer 2 <sup>nd</sup> half	37
<b>TOTAL</b>	<b>195 days</b>
	(includes 5 inset days included)

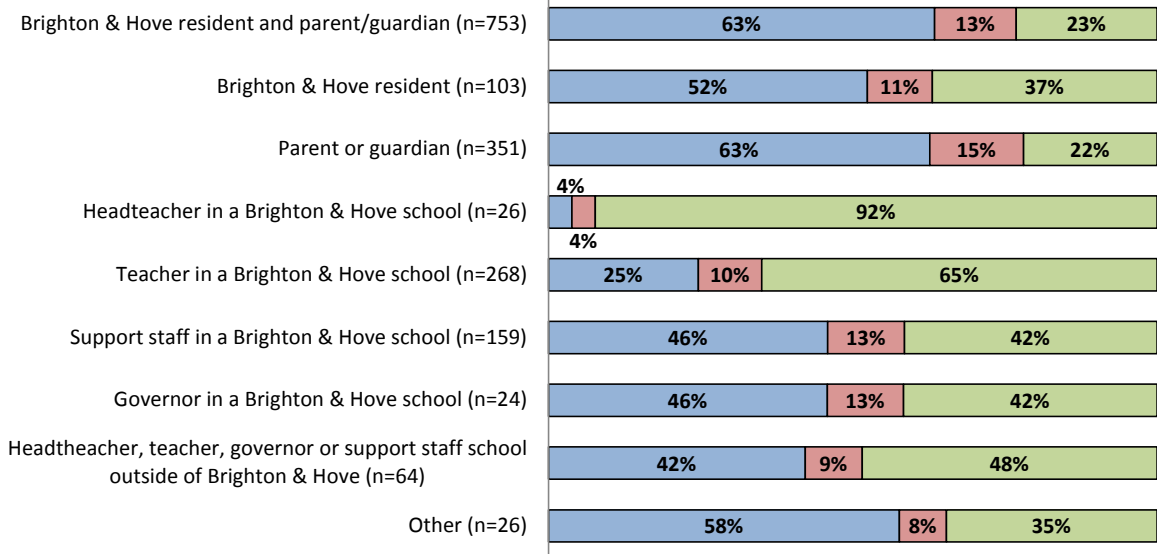


**Q1a. The council has no power to force schools to co-ordinate INSET days but do you think the council should encourage schools to do so?**

	Strongly agree		Tend to agree		Neither agree nor disagree		Tend to disagree		Strongly disagree		Total
	n	%	n	%	n	%	n	%	n	%	n
Brighton & Hove resident and parent/guardian	286	38%	192	25%	101	13%	91	12%	83	11%	753
Brighton & Hove resident	32	31%	22	21%	11	11%	13	13%	25	24%	103
Parent or guardian	134	38%	86	25%	54	15%	37	11%	40	11%	351
Headteacher in a Brighton & Hove school	0	0%	1	4%	1	4%	4	15%	20	77%	26
Teacher in a Brighton & Hove school	25	9%	41	15%	28	10%	48	18%	126	47%	268
Support staff in a Brighton & Hove school	35	22%	38	24%	20	13%	24	15%	42	26%	159
Governor in a Brighton & Hove school	5	21%	6	25%	3	13%	4	17%	6	25%	24
Headteacher, teacher, governor or support staff school outside of Brighton & Hove	12	19%	15	23%	6	9%	16	25%	15	23%	64
Other	9	35%	6	23%	2	8%	5	19%	4	15%	26
Total	476	33%	340	23%	196	13%	187	13%	265	18%	1464

**The council has no power to force schools to co-ordinate INSET days but do you think the council should encourage schools to do so?**

■ Strongly or tend to agree    
 ■ Neither agree nor disagree    
 ■ Tend to or strongly disagree

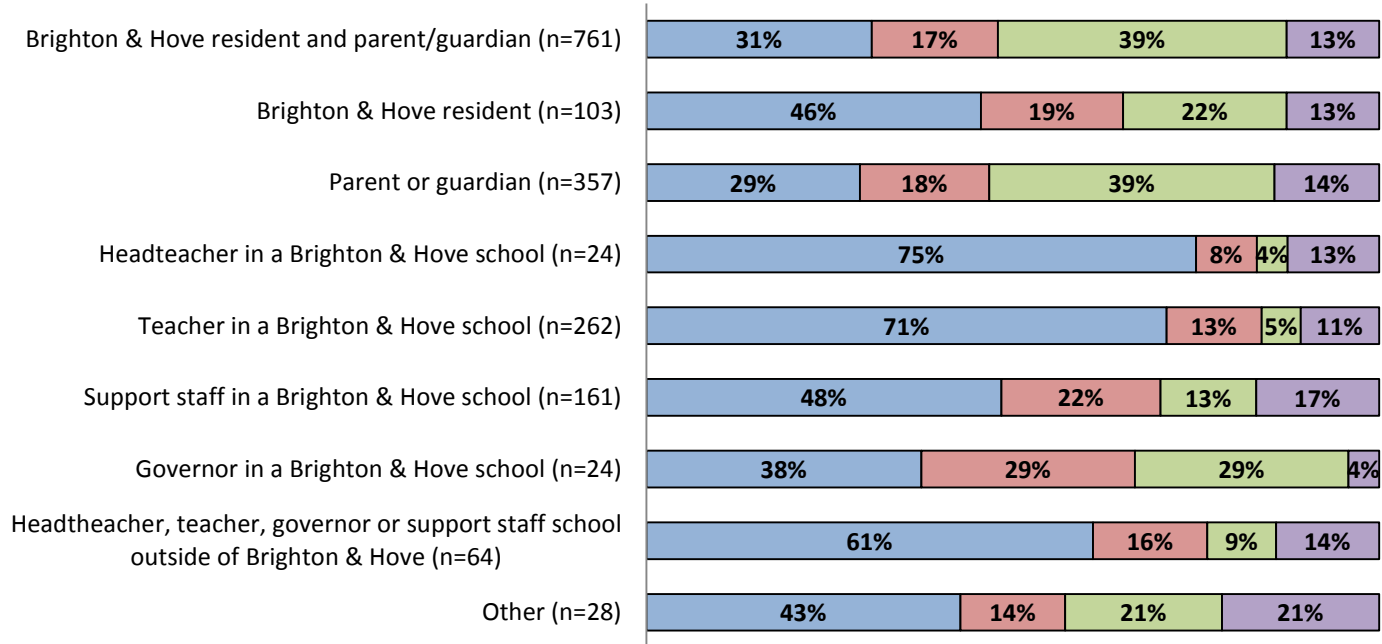


**Q2a. If you were given the choice, how would you prefer schools to take their allocation of INSET days?**

	Taken as individually days		2 or 3 days taken together		All 5 days together		No preference		Total
	n	%	n	%	n	%	n	%	n
Brighton & Hove resident and parent/guardian	234	31%	131	17%	300	39%	96	13%	761
Brighton & Hove resident	47	46%	20	19%	23	22%	13	13%	103
Parent or guardian	104	29%	63	18%	139	39%	51	14%	357
Headteacher in a Brighton & Hove school	18	75%	2	8%	1	4%	3	13%	24
Teacher in a Brighton & Hove school	186	71%	34	13%	14	5%	28	11%	262
Support staff in a Brighton & Hove school	78	48%	35	22%	21	13%	27	17%	161
Governor in a Brighton & Hove school	9	38%	7	29%	7	29%	1	4%	24
Headteacher, teacher, governor or support staff school outside of Brighton & Hove	39	61%	10	16%	6	9%	9	14%	64
Other	12	43%	4	14%	6	21%	6	21%	28
Total	550	37%	254	17%	480	33%	190	13%	1474

### If you were given the choice, how would you prefer schools to take their allocation of INSET days?

■ Taken as individually days   
 ■ 2 or 3 days taken together   
 ■ All 5 days together   
 ■ No preference

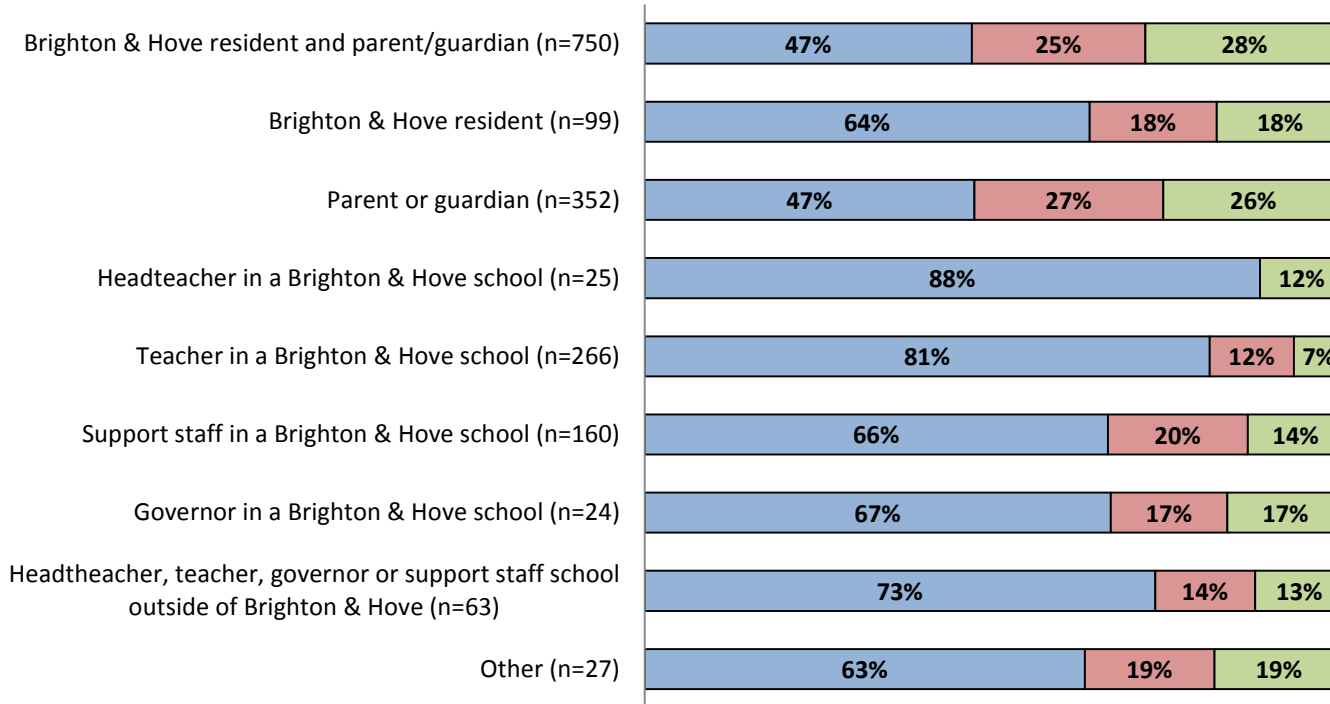


**Q3a. How happy or unhappy are you with the current arrangement of term dates?**

	Very happy		Fairly happy		Neither happy nor unhappy		Fairly unhappy		Very unhappy		Total
	n	%	n	%	n	%	n	%	n	%	n
Brighton & Hove resident and parent/guardian	105	14%	246	33%	186	25%	130	17%	83	11%	750
Brighton & Hove resident	25	25%	38	38%	18	18%	14	14%	4	4%	99
Parent or guardian	58	16%	108	31%	95	27%	57	16%	34	10%	352
Headteacher in a Brighton & Hove school	11	44%	11	44%	0	0%	1	4%	2	8%	25
Teacher in a Brighton & Hove school	113	42%	102	38%	32	12%	14	5%	5	2%	266
Support staff in a Brighton & Hove school	47	29%	59	37%	32	20%	13	8%	9	6%	160
Governor in a Brighton & Hove school	9	38%	7	29%	4	17%	4	17%	0	0%	24
Headteacher, teacher, governor or support staff school outside of Brighton & Hove	26	41%	20	32%	9	14%	6	10%	2	3%	63
Other	7	26%	10	37%	5	19%	4	15%	1	4%	27
Total	290	20%	480	33%	336	23%	225	15%	126	9%	1457

### How happy or unhappy are you with the current arrangement of term dates?

■ Very or fairly happy   
 ■ Neither happy nor unhappy   
 ■ Fairly or very unhappy

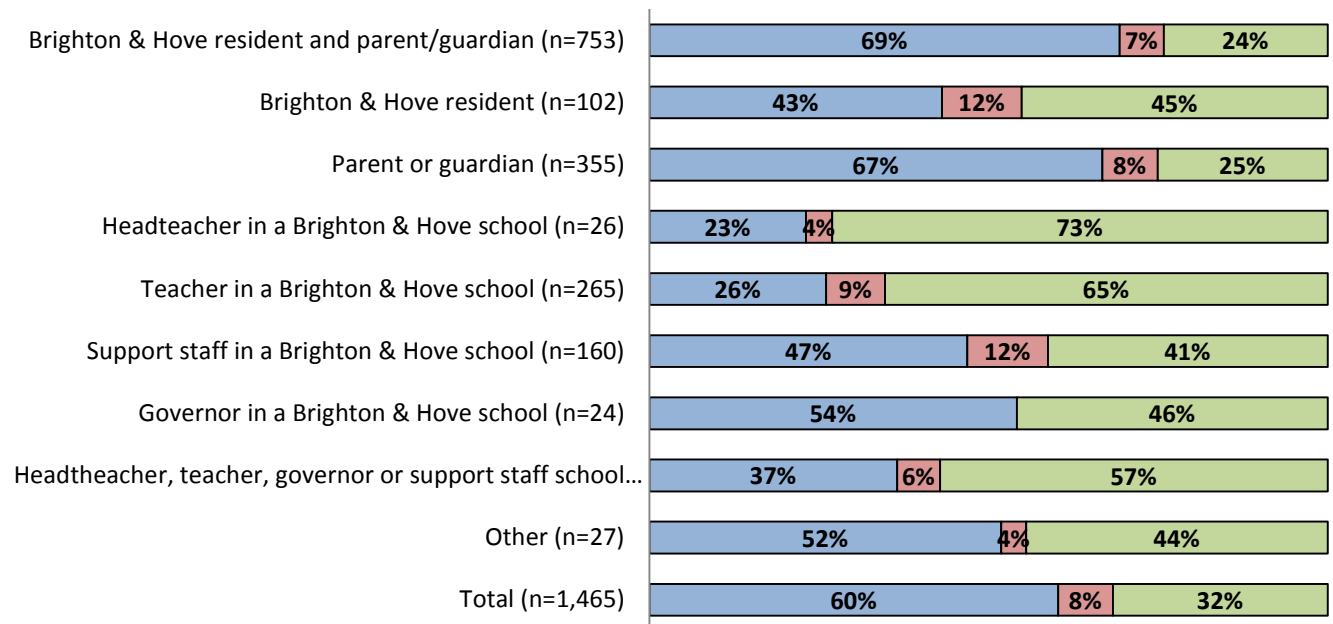


**Q3b. Do you agree or disagree that term dates should be changed to create a week of holiday outside the normal pattern of school holidays?**

	Strongly agree		Tend to agree		Neither agree nor disagree		Tend to disagree		Strongly disagree		Total
	n	%	n	%	n	%	n	%	n	%	
Brighton & Hove resident and parent/guardian	314	42%	208	28%	49	7%	73	10%	109	14%	753
Brighton & Hove resident	24	24%	20	20%	12	12%	16	16%	30	29%	102
Parent or guardian	150	42%	87	25%	29	8%	24	7%	65	18%	355
Headteacher in a Brighton & Hove school	2	8%	4	15%	1	4%	3	12%	16	62%	26
Teacher in a Brighton & Hove school	23	9%	46	17%	23	9%	48	18%	125	47%	265
Support staff in a Brighton & Hove school	35	22%	40	25%	19	12%	28	18%	38	24%	160
Governor in a Brighton & Hove school	4	17%	9	38%	0	0%	3	13%	8	33%	24
Headteacher, teacher, governor or support staff school outside of Brighton & Hove	7	11%	16	25%	4	6%	10	16%	26	41%	63
Other	6	22%	8	30%	1	4%	5	19%	7	26%	27
Total	522	36%	361	25%	118	8%	153	10%	311	21%	1465

**Do you agree or disagree that term dates should be changed to create a week of holiday outside the normal pattern of school holidays?**

■ Strongly or tend to agree    
 ■ Neither agree nor disagree    
 ■ Tend to or strongly disagree



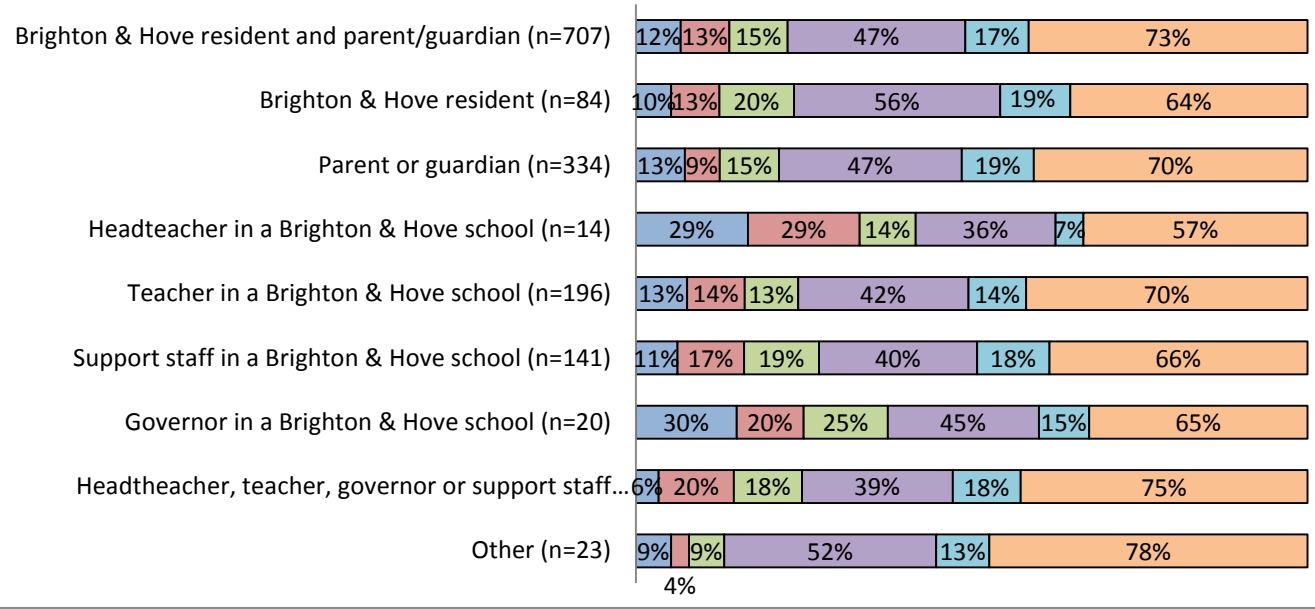


**Q3c. Supposing the school term dates were changed to create a new week of holiday, which of the current school holidays do you think should be shortened to allow this to happen? TOP TWO PREFERENCES**

	Q3a <sup>a</sup>												Total
	Autumn half term		Christmas /New Year		Spring half term		End of Spring term (often known as Easter)		Summer half term		Summer holiday		
	n	%	n	%	n	%	n	%	n	%	n	%	
Brighton & Hove resident and parent/guardian	83	12%	90	13%	108	15%	329	47%	117	17%	516	73%	707
Brighton & Hove resident	8	10%	11	13%	17	20%	47	56%	16	19%	54	64%	84
Parent or guardian	42	13%	30	9%	51	15%	157	47%	62	19%	235	70%	334
Headteacher in a Brighton & Hove school	4	29%	4	29%	2	14%	5	36%	1	7%	8	57%	14
Teacher in a Brighton & Hove school	25	13%	28	14%	26	13%	83	42%	28	14%	137	70%	196
Support staff in a Brighton & Hove school	15	11%	24	17%	27	19%	57	40%	26	18%	93	66%	141
Governor in a Brighton & Hove school	6	30%	4	20%	5	25%	9	45%	3	15%	13	65%	20
Headteacher, teacher, governor or support staff school outside of Brighton & Hove	3	6%	10	20%	9	18%	20	39%	9	18%	38	75%	51
Other	2	9%	1	4%	2	9%	12	52%	3	13%	18	78%	23
Total	160	12%	160	12%	204	15%	615	46%	227	17%	939	71%	1324

**Supposing the school term dates were changed to create a new week of holiday, which of the current school holidays do you think should be shortened to allow this to happen? - Top two preferences**

■ Autumn half term     
 ■ Christmas /New Year     
 ■ Spring half term  
■ End of Spring term     
 ■ Summer half term     
 ■ Summer holiday



**Q4d. Supposing that a new week of holidays was created where in the school year do you think the new week's holiday should be? TOP THREE CHOICES**

	Added directly before the Autumn half term break		Added directly after the Autumn half term break		Added directly before the Christmas / New Year break		Added directly after the Christmas / New Year break		Added directly before the Spring half term break		Added directly after the Spring half term break		Added directly before the Spring holiday (often known as Easter holiday)		Added directly after the Spring holiday (often known as Easter holiday)		Added directly before the Summer half term break		Added directly after the Summer half term break		Added to the beginning of the Summer holiday		Added to the end of the Summer holiday		On its own Autumn term 1		On its own in Autumn term 2		On its own in Spring term 1		On its own in Spring term 2		On its own in Summer term 1		On its own in Summer term 2		Total
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	
Brighton & Hove resident and parent/guardian	89	12%	49	7%	44	6%	70	10%	49	7%	85	12%	47	6.6%	88	12%	179	25%	253	35%	180	25%	132	19%	77	11%	39	5%	60	8%	120	17%	142	20%	130	18%	713
Brighton & Hove resident	18	20%	10	11%	9	10%	9	10%	12	14%	16	18%	6	6.8%	11	13%	16	18%	15	17%	21	24%	19	22%	8	9%	7	8%	6	7%	11	13%	11	13%	8	9%	88
Parent or guardian	49	15%	19	6%	13	4%	24	7%	30	9%	40	12%	22	6.6%	43	13%	76	23%	103	31%	79	24%	60	18%	38	11%	16	5%	26	8%	46	14%	62	19%	55	17%	331
Headteacher in a Brighton & Hove school	4	24%	2	12%	2	12%	3	18%	0	0%	0	0%	1	5.9%	0	0%	4	24%	8	47%	5	29%	2	12%	2	12%	0	0%	0	0%	1	6%	2	12%	2	12%	17
Teacher in a Brighton & Hove school	40	20%	49	25%	21	11%	36	18%	18	9%	21	11%	14	7.1%	19	10%	35	18%	50	25%	50	25%	32	16%	21	11%	18	9%	5	3%	9	5%	16	8%	30	15%	198
Support staff in a Brighton & Hove school	23	16%	11	8%	9	6%	21	15%	11	8%	26	18%	6	4.2%	11	8%	32	23%	44	31%	36	25%	21	15%	10	7%	11	8%	13	9%	12	8%	20	14%	19	13%	142
Governor in a Brighton & Hove school	5	24%	0	0%	1	5%	0	0%	1	5%	3	14%	2	9.5%	0	0%	6	29%	11	52%	7	33%	8	38%	2	10%	0	0%	1	5%	3	14%	3	14%	5	24%	21
Headteacher, teacher, governor or support staff school outside of Brighton & Hove	10	19%	10	19%	3	6%	6	12%	6	12%	7	13%	2	3.8%	4	8%	15	29%	13	25%	12	23%	10	19%	6	12%	5	10%	3	6%	3	6%	4	8%	5	10%	52
Other	4	17%	2	8%	0	0%	2	8%	2	8%	4	17%	2	8.3%	1	4%	6	25%	8	33%	6	25%	5	21%	0	0%	2	8%	1	4%	3	13%	7	29%	4	17%	24
Total	191	14%	120	9%	83	6%	141	11%	102	8%	166	13%	86	6.5%	156	12%	306	23%	422	32%	327	25%	246	19%	142	11%	79	6%	99	7%	189	14%	239	18%	219	16%	1328

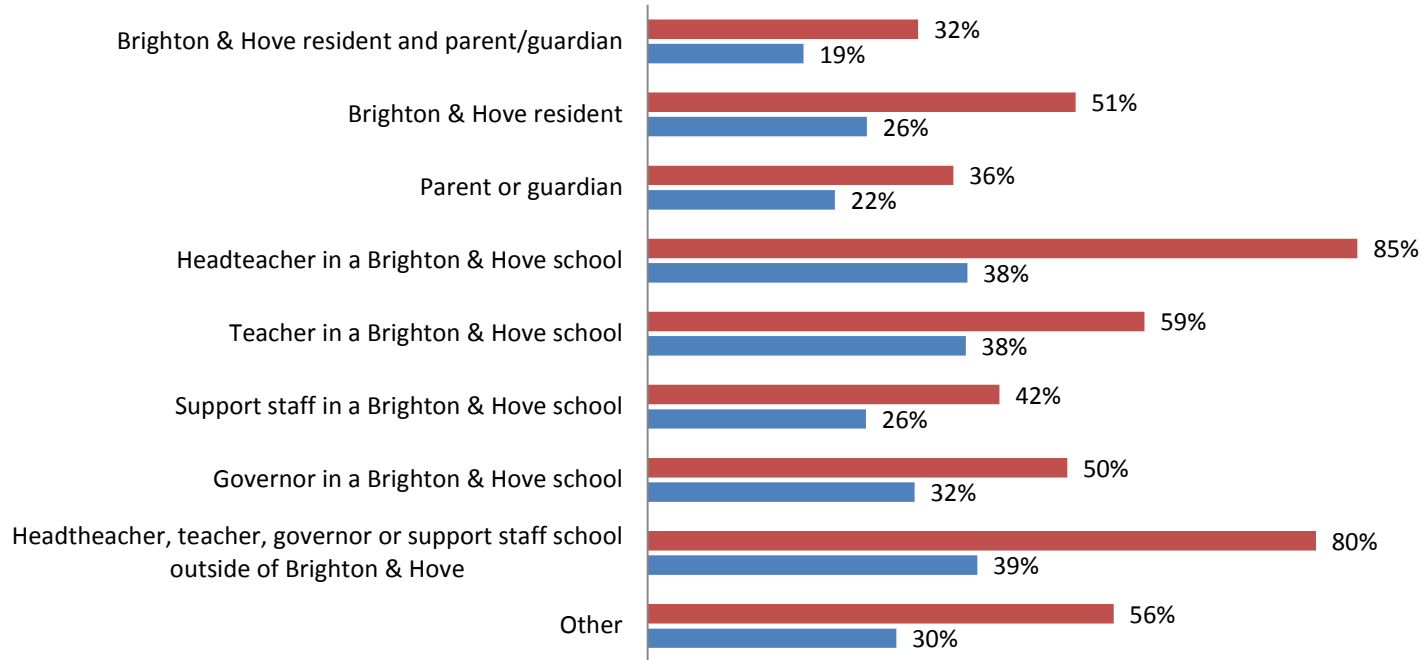
<b>Q4e. (neighbouring authorities) How important or not is it to you that school term dates are broadly the same in Brighton &amp; Hove as in...</b>									
	Very important		Fairly important		Not very important		Not at all important		Total
	n	%	n	%	n	%	n	%	
Brighton & Hove resident and parent/guardian	114	15%	124	17%	184	25%	316	43%	738
Brighton & Hove resident	26	26%	25	25%	23	23%	26	26%	100
Parent or guardian	68	20%	58	17%	78	23%	142	41%	346
Headteacher in a Brighton & Hove school	10	38%	12	46%	1	4%	3	12%	26
Teacher in a Brighton & Hove school	90	35%	64	25%	49	19%	57	22%	260
Support staff in a Brighton & Hove school	41	26%	24	15%	37	24%	53	34%	155
Governor in a Brighton & Hove school	6	25%	6	25%	5	21%	7	29%	24
, governor or support staff school outside of Brighton & Hove	41	69%	6	10%	8	14%	4	7%	59
Other	10	37%	5	19%	4	15%	8	30%	27
Total	298	21%	262	18%	336	23%	536	37%	1432

<b>Q4e. (authorities across the UK) How important or not is it to you that school term dates are broadly the same in Brighton &amp; Hove as in...</b>									
	Very important		Fairly important		Not very important		Not at all important		Total
	n	%	n	%	n	%	n	%	
Brighton & Hove resident and parent/guardian	45	6%	89	12%	202	28%	385	53%	721
Brighton & Hove resident	7	8%	16	18%	32	36%	33	38%	88
Parent or guardian	26	8%	49	15%	103	31%	158	47%	336
Headteacher in a Brighton & Hove school	3	14%	5	24%	8	38%	5	24%	21
Teacher in a Brighton & Hove school	42	17%	52	21%	76	31%	78	31%	248
Support staff in a Brighton & Hove school	16	11%	22	15%	42	29%	66	45%	146
Governor in a Brighton & Hove school	1	5%	6	27%	10	45%	5	23%	22
Headteacher, teacher, governor or support staff school outside of Brighton & Hove	12	21%	10	18%	17	30%	17	30%	56
Other	2	7%	6	22%	9	33%	10	37%	27
Total	121	8%	200	14%	405	28%	652	46%	1378

### How important or not is it to you that school term dates are broadly the same?

**Very or fairly important**

■ Neighbouring authorities ■ Accross the UK





<b>Subject:</b>	<b>Establishing a Savings Fund for Careleavers</b>		
<b>Date of Meeting:</b>	<b>6<sup>th</sup> June 2016</b>		
<b>Report of:</b>	<b>Executive Director for Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Helen Gulvin</b>	<b>Tel: 295391</b>
	<b>Email:</b>	<b>helen.gulvin@brighton-hove.gcsx.gov.uk</b>	
<b>Key Themes:</b>	<b>Children in Care – increasing savings and establishing a fund for those Leaving Care to access</b>		

**1. PURPOSE OF REPORT**

- 1.1 The Lead Member for Children's Services asked officers to look at establishing a savings arrangement for individual young people whereby funding is available to young people when they become Care Leavers to enable them to choose how to spend this money.
- 1.2 A report was presented to the Corporate Parenting Board to decide the arrangement that they would like to have in place for increasing existing savings and with regards establishing the new fund to be accessed in adult hood
- 1.3 This report seeks to inform the Children, Young People and Skills Committee about the discussion and decisions of the Corporate Parenting Board on the 21<sup>st</sup> March 2016
- 1.4 The following is the report and considerations put before the Corporate Parenting Board
- 1.5 The decisions made by the Corporate Parenting Board were
  1. To establish a Trust Fund which secures funding from corporate sponsors or individuals to be able to:
    - a. Increase the deposits made to Childrens ISA's or Trust Funds
    - b. Receive applications from young adults who have left care for a wide range of aspirations. Ideas discussed were : specific experiences; purchases; training; set up help for business ideas; equipment for the home.
  2. Ensure that young people receive advice with regards spending larger sums of money

## **2. Report as submitted to Corporate Parenting Board**

### **RECOMMENDATIONS**

- 2.1** That the Committee note the report and decisions of the Corporate Parenting Board

## **3. BACKGROUND INFORMATION**

### **3.1. The current situation**

There are currently 220 Young People known as 'leaving care' (over the age of 18) and 460 children in care. Children in care born between 1 September 2002 and 1 January 2011 have previously received support for their long-term savings through the Child Trust Fund (CTF). They will keep their CTFs until their 18th birthday, when they can access their savings. Junior ISAs were designed to replace CTFs following the end of the CTF scheme. No one can hold both a CTF and a Junior ISA

### **3.2. Children's Trust Fund**

The Child Trust Fund is a long-term tax-free savings account for all children born between 1 September 2002 and January 2011. This scheme involved a voucher worth £250 which was sent to the child benefit claimant, with a further £250 for children of families on low incomes. Towards the end of the scheme the voucher was for £50, with a further £100 for children of families on low incomes. A person with Parental Responsibility for the child could then open a Child Trust Fund account for that child with an approved Child Trust Fund provider, e.g. bank, building society etc. Children whose 7th birthday fell between 1st September 2009 and 31 July 2010 received an extra payment on their birthday of £250 (plus an extra £250 for low-income families/in care. If after a year, no one had opened an account, the Inland Revenue opened an account for the child.

- 3.3.** The money belongs solely to the child despite the fact that the person with Parental Responsibility manages the money until the child reaches 16. Young people aged 16 and over can take over the management but cannot make withdrawals until they are 18. Only the child can withdraw money from the fund when he or she reaches 18.
- 3.4.** There were special rules for children in care as child benefit is not payable to them whilst they are looked after. If a child benefit award had been made for a child before he or she came into care, s/he was eligible for the fund account in the usual way. Where a child came into care soon after birth, the Inland Revenue opened a Child Trust Fund account for the child.
- 3.5.** When the local authority had Parental Responsibility under a Care Order they were not entitled to open or manage a Child Trust Fund account. Where possible, the looked after child's parents were encouraged and helped to take on this responsibility. Exceptions are :



- Where the child lives permanently away from the parent with no face to face contact (including children whose plan is for adoption);
- Where there is a court order terminating their contact with the child;
- Where the parent is deemed to have significant mental health problems;
- Where the child is lost and abandoned and where there is no prospect for reunification.

**3.6** At Present Children's Services do not hold a central record on all the children in care who hold a Children's Trust Fund. Work is currently under way to address this issue.

#### **4. Junior ISA's**

**4.1** Following the governments decision to end awarding Child Trust Funds the issue of savings for CIC was taken up by children's charities, Barnardos and Action for Children. In November 2011, the Coalition Government announced a new scheme to support long-term savings for Looked After children working in partnership with these two charities. The rationale for this venture was:

- To provide a financial asset to vulnerable children who will be able to put it towards the costs associated with setting up home, transport or furthering their education.
- Supporting children - who may never have had a bank account or the opportunity to save before - in learning about saving, budgeting and managing money.
- That the best way to learn about the value of savings and investments is with real money in real accounts. Like any parent, the Government wants to provide the best support to children in its care and make sure they gain the same experience as any other young person.
- That the savings will help young people when they reach 18 and they are facing serious choices as they start out in the adult world. I am confident that, when combined with financial education, holding a real financial asset in a savings account will encourage these young people to learn about how to manage their money well.

**4.2** The Government opened accounts with an initial £200 payment and hoped that individuals and organizations 'who want to invest in the futures of these vulnerable children will also contribute'.

**4.3** Therefore, a Junior ISA is opened for every child (if they do not already have one) who has been Looked After for any continuous period of 12 months or more, starting on or after 3 January 2011, and who is not eligible for a Child Trust Fund. The Government provides an initial £200 payment to open the accounts. This includes children who are subject to a Care Order and who are accommodated under Section 20, whether in residential care, with a foster carer or at home.

**4.4** Junior ISAs provide a tax-free way to save for under 18s. The money in a Junior ISA belongs to the child, but they can't take the money out until they are 18. They can then decide what they want to do with it. Because savings are locked into the account until the account holder's 18th birthday, Junior ISAs are for building long-term assets, rather than day-to-day savings. Junior ISAs automatically turn into a regular ISA when the child turns 18.

#### **4.5 16 and 17 year olds**

Once their account is opened, 16 and 17 year-olds are able to make decisions about how best to look after their money for themselves, though they still won't be able to access their savings until they are 18. Local authorities should, as they deem appropriate, use materials provided by The Share Foundation so that 16 and 17 year olds they are looking after, and care leavers, may assume investment control in this way.

#### **4.6 Who can Pay Money into Junior ISAs?**

Anybody can put money into a Junior ISA. This can include carers, local authorities or young people themselves. The total limit for payments into Junior ISAs is £4,000 in each tax year. Some LA's make additional contributions to Junior ISA's in their role as Corporate Parents.

#### **5.0 The Share Foundation**

The Share Foundation operates the Junior ISA scheme for children in care on behalf of the Department for Education. This is called 'Sharefound' the aim is described as 'building an inheritance for Children in Care.' They are responsible for:

- Opening ISA accounts with an initial Government contribution of £200
- Ensuring that these accounts are properly operated and invested appropriately with a range of Junior ISA providers
- Providing financial education to help ensure responsible use of the funds when the Junior ISA matures at age 18.
- Raising additional voluntary contributions by donation or fund raising to build the value of their accounts or by money transferred by carers or local authorities to individual accounts. The role of the Share Foundation is not only to administer all the ISAs for LAC ( at a cost of £6 per fund per annum) across the country but also to raise additional private funds
- The foundation also has an existing scheme to encourage employee and company donations
- The foundation is putting together a 'Stepladder of Achievement' by which young people can earn additional money for their Junior ISA. Six steps: literacy, numeracy, simple financial capability, a statement of determination for their future, a more detailed step of financial capability, and help with finding a job or securing further education. If all six steps are achieved, there'll be an additional £1,500 in their Junior ISA ready for them when they reach 18. The systems are being built with help from the Linbury Trust, ForSkills, the Open University, Share Radio, and the Children's Society. The plan is to start in Greater London and "some other selected Local Authorities where we can secure funding. We'll then roll out the Stepladder across the United Kingdom."

- 5.1** The annual report on B&H Junior ISA's dated March 2015 tells us that currently we have 194 accounts with a total value of £40,202.49 and that, thus far 46 eighteen year olds have had a payment from their ISA. The report notes the inequality in the system where older children (now 13) with Child Trust funds as opposed to Junior ISA's will have larger funds built up.

- 5.2** The Corporate Parenting Board could consider adding to these individual ISA's through concerted fund raising ensuring that young people have more savings available to them. Other Authorities such as Warwickshire have already started to do this.
- 5.3** Warwickshire has set up a charitable trust to coordinate donations from both the council and corporate sponsors. They support care leavers financially through an application and awarding process. This trust is broader in its approach and is to support both children in care and those Leaving Care in ways that the Local Authority in its statutory functions does not.
- 5.4** Statutory guidance with regards these accounts states : "once an account has been opened ensure that, as an integral part of the care planning review and where it is appropriate to do so, the carer, parent and child are made aware of the account. "Independent Reviewing Officers should ensure local authorities carry out their duty as good corporate parents so that children who are eligible for a Junior ISA receive funding and, where appropriate, they and their carers and parents receive suitable advice about their accounts, both while they are looked after and when they cease to be looked after.

#### **Examples of other savings accounts:**

- 6.0** Newham Council has a savings account for each child in care and young person up to the age of 21. Newham saves £150 a year into this account and on their 21st birthday the young person receives a cheque. In addition between the ages of 18 to 21 each Care Leaver on low wages or in full time education receives one payment of £300 towards a holiday.
- 6.1** Surrey County Council ensure every child in care has a current account and also that they match fund in the ISA or Children's Trust Fund (aside from corporate or government donations) into the savings made by the child or others an amount capped at £260 a year.

#### **7.0 Safeguarding Risks**

Not all young people from any background mature at similar times. Young people who have come through the care system have vast differences in maturity emotionally, educationally and developmentally. Some young people will be quite able to make decisions about how they spend money, others will not. As any parent of children finds, it is not always possible to treat all children the same way with the same choices.

- 7.1** The dilemma for LA's was explicit in a recent serious case review regarding the severe injuries inflicted on a baby. The father was a care leaver from West Sussex and at the time their leaving care service operated with a very open access to monies given to set up accommodation with no oversight of the spend. In this particular case a large proportion of the money issued was spent on substances such as drugs and alcohol.
- 7.2** The review found , 'Whilst it is important to listen to the views of children and young people, there is also a need to act as a responsible corporate parent. The

question of 'what would a good parent do?' when faced with a request for significant sums of money should be foremost in workers minds'

## **8.0 CONCLUSION**

### **8.1 Establish separate savings accounts**

The Council could work with a specific financial institution to develop a Brighton & Hove savings account for our children in care.

#### **8.1.1 Benefits**

- Savings accounts would be simple to establish
- Children can learn more about savings
- Available at 18 to all young people leaving care.
- As there is no certainty about how much money would be raised year on year this would give a fair apportion of available funds
- The new account could be established by this Board

#### **8.1.2 Issues**

- If substantial extra funds are raised there is no control of how an increase in money will be spent and some young adults may not be able to spend the extra money safely
- There would be a duplication with the Children's Trust Fund accounts and the ISAs
- There would be no flexibility to allocate additional monies for care leavers to support them in their early adult lives with for example support to purchase a car or a holiday.

### **8.2 Establish a Charitable Trust fund**

The council could set up a specific trust fund which could receive donations from a variety of sources, including the council. This fund could direct a proportion of the money it receives to individual ISAs and as appropriate Child Trust Funds while at the same time keeping a central account which could be accessed by care leavers for specific support in their early adult lives.

#### **8.2.1 Benefits**

- Corporate Parenting Board members can be involved in processing applications alongside organisations trustees, or delegate to officers
- New fund set up by this Board
- Fund could be organised to be available to applications at an older age and so complement the existing system
- Fund could target key areas eg business set up, career development, further training, trips abroad to widen experience, furthering a creative idea such as a hobby or interest
- Grants could be of varying amounts
- Using the existing ISA arrangements will avoid duplication
- As there is no certainty about how much money would be raised each year the use of the ISA would ensure that every child in care would receive at least an enhanced ISA

### 8.2.2 Issues

- Advice is that to establish such a permanent fund requires an estimated 20 times the amount expected to be distributed and with an income of 5% of that figure.

8.3 Considering these options it is suggested that the second option is explored in more detail as it will both build on the existing ISA arrangement while also providing flexibility for later payments to care leavers in the way that many parents support their children currently. Where children currently have a historic trust fund account rather than an ISA an payment will be made into these accounts (at a lower amount in order to address the inequality between the value of these two accounts). Further work also needs to take place to ensure that all children have either a trust fund or an ISA.

## 9.0 FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

9.1 The proposal to establish a Charitable Trust Fund for Care leavers would enable donations to be received from a variety of sources. However it would need to fulfil the requirements of the Charity Commission, have named trustees and a clear system of administration. The fund would have to pay for administrative, finance and legal costs. Registered charity accounts needs to be produced and the scale of these depends on the income the charity receives each year. There would be finance costs associated with producing these and the working papers to support the figures. An independent examiner can audit accounts for income between £25,00 and £500,000. A full audit would be required for income over £500,000.

In order to claim gift aid an organisation needs to be a separate legal entity/charity. The Council would then have to charge VAT on any recharges made to the trust which would not be recoverable. Therefore the decision would be whether the benefit of the gift aid outweighed the tax burden being a separate entity would bring. The charity would require their own bank account. The separate bank account would mean charging costs for finance, banking, legal and administration.

The Trust's services should also be reviewed to assess whether any of them constitute a 'regulated activity' and therefore require authorisation or registration with the Financial Conduct Authority under the Financial Services and Markets Act 2000.

Members should be aware of the financial risk to the Council if the Council were to be acting as a guarantor or lender of last resort should the Trust run into financial difficulties.

*Finance Officer Consulted: Louise Hoten*

*Date: 10 May 2016*

### Legal Implications:

9.2 The Junior ISA for looked after children scheme replaced the support previously provided through Child Trust Funds (CTFs). A Junior Individual Savings Account (Junior ISA) is opened for every eligible child who has been looked after for any continuous period of 12 months or more, starting on or after 3 January 2011, and who is not eligible for a CTF. The funds are administered by Share Foundation. Anyone can pay money into the accounts, but the funds cannot then be accessed by the account holder until their 18th birthday. At this age, the account will mature into a standard (adult) ISA. When Junior ISA holders reach the age of 16, they may take control of the account. This means they can make investment decisions for themselves, though they still cannot access funds until their 18th birthday. When a child stops being looked after before the age of 16, the local authority should use the materials provided by The Share Foundation to ensure the person with parental responsibility for the child is aware of the account and encourage them to take the necessary steps to assume control of the account.

LAs have an obligation to comply with statutory guidance concerning savings accounts for looked after children. This requires that once an account has been opened ensure that, as an integral part of the care planning review and where it is appropriate to do so, the carer, parent and child are made aware of the account. Independent Reviewing Officers should ensure local authorities carry out their duty as good corporate parents so that children who are eligible for a Junior ISA receive funding and, where appropriate, they and their carers and parents receive suitable advice about their accounts, both while they are looked after and when they cease to be looked after.

As indicated in the body of the report the existing administrator of the Junior ISA is available to administer a locally determined scheme of enhanced funds for BHCC looked after children up to when the funds mature at age 18. If a separate trust were to be set up it would need to fulfil all relevant legal requirements, have named trustees, and a clear system of administration, accounting and fund raising with planning for associated costs .

*Lawyer consulted: Natasha Watson*

*Date: 31 May 2015*