



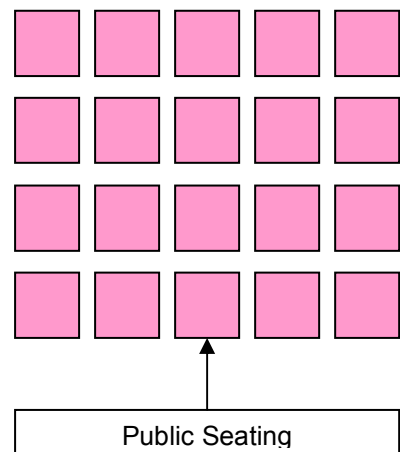
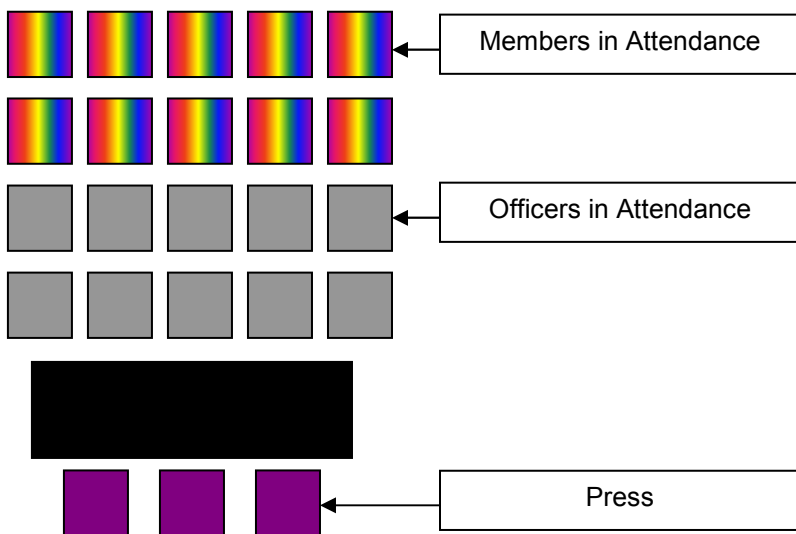
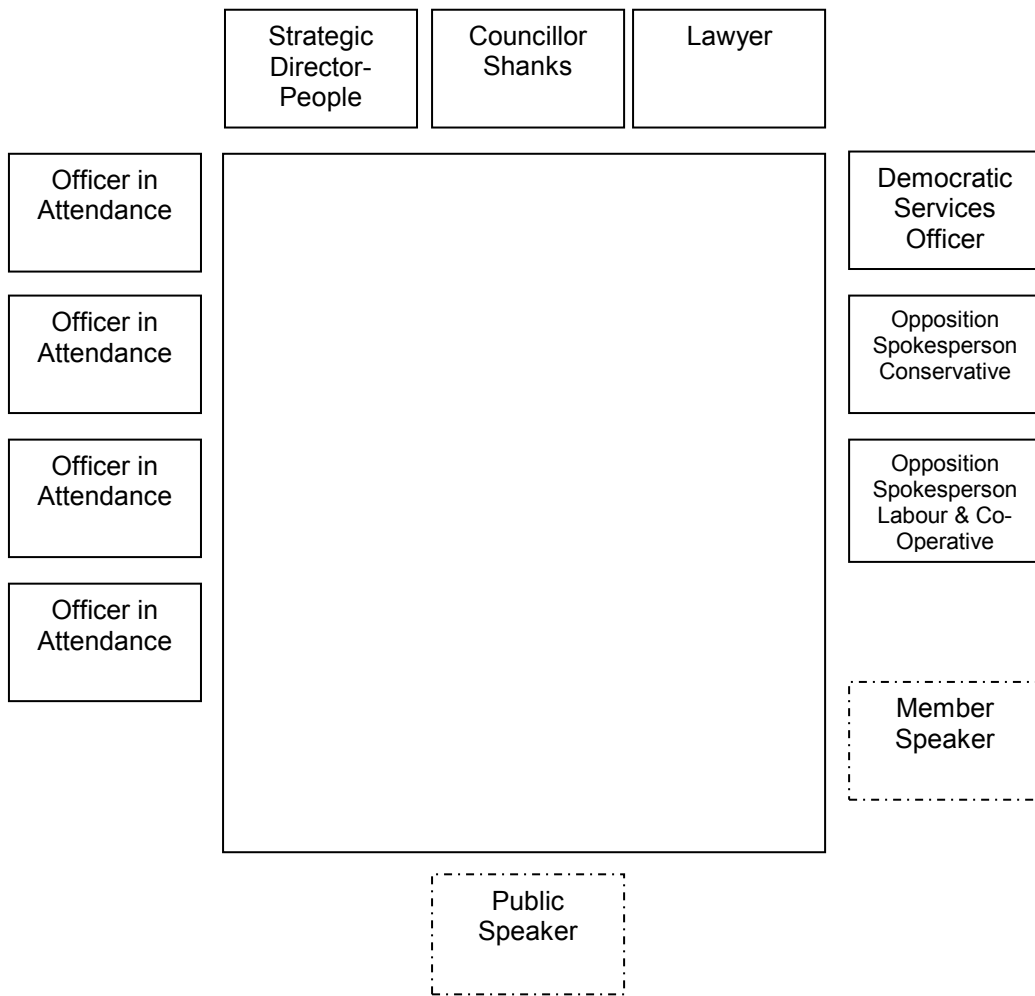
Brighton & Hove  
City Council

# Cabinet Member Meeting

Title:	<b>Children &amp; Young People Cabinet Member Meeting</b>
Date:	<b>5 March 2012</b>
Time:	<b>4.00pm</b>
Venue	<b>Committee Room 1, Hove Town Hall</b>
Members:	<b>Councillor:</b> Shanks (Cabinet Member)  Wealls and Marsh
Contact:	<b>Penny Jennings</b> Democratic Services Officer penny.jennings@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



**AGENDA**

**Part One**

**Page**

**29. MINUTES OF THE PREVIOUS MEETING**

**1 - 6**

Minutes of the Meeting held on 20 January 2012 (copy attached).

**30. PROCEDURAL BUSINESS**

(a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.

(b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

**31. CABINET MEMBER'S COMMUNICATIONS**

**32. ITEMS RESERVED FOR DISCUSSION**

(a) Items reserved by the Cabinet Member

(b) Items reserved by the Opposition Spokespersons

(c) Items reserved by Members, with the agreement of the Cabinet Member.

*NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.*

**33. PETITIONS**

No petitions received by date of publication.

**34. PUBLIC QUESTIONS**

(The closing date for receipt of public questions is 12 noon on 27 February 2012)

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

No public questions received by date of publication.

### 35. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 27 February 2012)

No deputations received by date of publication.

### 36. LETTERS FROM COUNCILLORS

No letters have been received.

### 37. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

### 38. NOTICES OF MOTIONS

No Notices of Motion have been received by the date of publication.

### 39. COMMISSIONING STRATEGY FOR SERVICES FOR CHILDREN WITH DISABILITIES: PROGRAMME UPDATE 7 - 24

Report of the Strategic Director, People (copy attached)

*Contact Officer: Alison Nuttall Tel: 29-3736*

*Ward Affected: All Wards*

### 40. TWO YEAR OLD EARLY EDUCATION ENTITLEMENT 25 - 36

Report of the Strategic Director, People (copy attached)

*Contact Officer: Caroline Parker Tel: 29-3587*

*Ward Affected: All Wards*

### 41. PROVISION OF FAMILY GROUP CONFERENCES 37 - 42

Report of the Strategic Director, People (copy attached)

*Contact Officer: Ellen Jones Tel: 29-3441*

*Ward Affected: All Wards*

## PART TWO

### 42. NON-PUBLIC MINUTES 43 - 44

Exempt Under Paragraphs 2 and 3 of the Local Government Act 1972

Minutes of the meeting held on 20 January 2012 (circulated to members only)

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Penny Jennings), email [penny.jennings@brighton-hove.gov.uk](mailto:penny.jennings@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Friday, 24 February 2012



# CHILDREN & YOUNG PEOPLE'S CABINET MEMBER MEETING

## Agenda Item 30

Brighton & Hove City Council

### BRIGHTON & HOVE CITY COUNCIL

#### CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

2.00pm 20 JANUARY 2012

#### COMMITTEE ROOM 3

#### MINUTES

**Present:** Councillor Shanks (Cabinet Member)

**Also in attendance:** Councillors Wealls and Marsh

#### PART ONE

#### 16. PROCEDURAL BUSINESS

##### 16(a) Declarations of Interests

16.1 There were none.

##### 16(b) Exclusion of Press and Public

16.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

16.3 **RESOLVED** - That the press and public be excluded from the meeting during consideration of Item 28 on the agenda.

#### 17. MINUTES OF THE PREVIOUS MEETING

17.1 Councillor Wealls referred to Paragraph 15.7 of the minutes and enquired whether this matter would come back to the Cabinet Member meeting for further final decision. It was

explained that it would now go forward for direct approval by Cabinet. It was confirmed that details of these changes would be incorporated into the admissions paperwork.

- 17.2 **RESOLVED** – That the minutes of the Children & Young People’s Cabinet Member Meeting held on 12 September 2011 be agreed and signed by the Cabinet Member.

## 18. CABINET MEMBER'S COMMUNICATIONS

- 18.1 There were none.

## 19. ITEMS RESERVED FOR DISCUSSION

- 19.1 **RESOLVED** – That all items be reserved for discussion.

## 20. PETITIONS

### 20a Petition –Cloth Nappy Scheme

- 20.1 The Cabinet Member considered a report of the Strategic Director, Resources detailing a petition submitted via the Council’s website by Brighton Cloth Bots and signed by 19 people. Although the petitioner was unable to present their petition in person the Cabinet Member agreed that her response would be set out in the minutes of the meeting and that a response would also be sent to the lead petitioner following the meeting.

The petition stated that the signatories wished the Council to:

“Bring back a Cloth Nappy Incentive Scheme. We wish the council to provide money back vouchers as an incentive to parents to use reusable nappies.”

- 20.2 The Cabinet Member responded in the following terms:

”Thank you for your e-petition.

Reusable nappies are widely believed to have a lower impact on the environment and reduce the total amount of waste to be disposed of and we are keen to encourage people to use them.

In the past the council did offer subsidised reusable nappies however uptake of the scheme was low mainly because:

- many parents favour disposable nappies;
- there is such a wide range of reusable products available and we were only able to provide a limited range of products and
- the level of subsidy we were able to provide was also limited.

We have considered a range of alternative subsidies however none were considered to be cost effective when the cost of managing the scheme and the fact that a proportion of people will not continue using reusable nappies is taken in to account.



We now provide detailed information on line about reusable nappies together with listings of more than 20 suppliers. We also have contact details for a real nappy advisor who is available to advise new parents.

20.3 **RESOLVED** – That the content of the petition be received and noted.

## 21. PUBLIC QUESTIONS

21.1 There were none.

## 22. DEPUTATIONS

22.1 There were none.

## 23. LETTERS FROM COUNCILLORS

23.1 There were none.

## 24. WRITTEN QUESTIONS FROM COUNCILLORS

24.1 There were none.

## 25. CHILDREN'S SERVICES FEES AND CHARGES 2012-13

25.1 The Cabinet Member considered a report of the Strategic Director, People reviewing the Children's Services fees and charges for 2012-13 In accordance with the corporate policy.

25.2 The Cabinet Member explained that the details set out in report in relation to the music service did not reflect any amendments made by Cabinet to the level of savings proposed. In answer to questions by Councillor Marsh it was confirmed that any changes made by Cabinet would carry forward into the report to Budget Council.

25.3 Councillor Marsh enquired regarding whether it was proposed that the charges for use of the swimming pool at St Luke's school would be increased. It was explained that this facility was run under a separate arrangement with "Freedom Leisure".

25.4 Councillor Wealls enquired regarding the levels of fee subsidy and fees charged at the City's five council run nurseries. It was explained that "Bright Start" had begun as a workplace nursery. However, there was no differential in the levels of fees paid, all parents paid the same. As the fee increases for "Jump Start" and "Roundabout" had been significant for 2011/12 they had been staged in order to minimise their impact. The rises proposed for 2012/13 equated to a cost of living rise of 3% and it was proposed that they would be delayed until September 2012.

25.5 **RESOLVED** (1) That the position on fees charged for nurseries as detailed in section 3.3 be agreed;

(2) That the position on fees and charges for the Learning Development Centre detailed in section 3.4.3 be noted;

(3) That the fees and charges for 2012/13 in respect of Surrenden Pool as detailed in section 3.5 and Appendix 2 be agreed;

(4) That the position on fees and charges for the Music and Performing Arts Service as detailed in section 3.6 and Appendix 3 be noted; and

(5) That the position on the charges for school meals as detailed in section 3.8 be noted.

## **26. SERVICES TO YOUNG PEOPLE 2012-2015 - JOINT COMMISSIONING STRATEGY**

26.1 The Cabinet Member considered a report of the Strategic Director, People detailing the proposed "Services for Young People: Joint Commissioning Strategy 2012-15".

26.2 The Lead Commissioner Children, Families and Youth explained that Statutory Guidance on Section 507B of the Education Act 1996 had set a requirement for all local authorities to provide sufficient positive leisure time activities for its young people which promote their wellbeing and are being delivered using youth work methods and approaches. He went on to explain that Section 1 of the report summarised the Youth Review Process and Joint Strategic Needs Assessment. The assessment had found positive youth services but had also identified areas for further work. Section 2 of the report had sought to describe the outcomes for young people identified during the review and assessment process. Section 3 of the report set out a strategy for achieving the desired outcomes.

26.3 Councillor Wealls enquired regarding the timeframe for entering into new funding agreements, this seemed very short. It was explained that the evaluation and short listing process was realistic and although subject to change set targets which were achievable.

26.4 Councillor Marsh welcomed the report but was disappointed that the process appeared to be lengthy. Councillor Marsh also enquired regarding the new administrative arrangements, particularly in relation to the JCB. The Cabinet Member stated that the final form of the Committee system which was to be re-instated had yet to be finalised as had where some future responsibilities would lie.

26.5 The Lead Commissioner explained that this approach represented a different approach which was intended to move this area of work forward. Councillor Wealls stated that it was important to ensure that there was proper and meaningful dialogue between all of the parties.

26.6 **RESOLVED** - (1) That the Services for Young People Joint Commissioning Strategy is agreed; and

(2) That the Cabinet Member authorises the Strategic Director, People to proceed with the transitional arrangements necessary to implement the proposed strategy.

## **27. BRIGHTON & HOVE CITY COUNCIL RELIGIOUS EDUCATION AGREED SYLLABUS 2011**

- 27.1 The Cabinet Member considered a report of the Strategic Director, People, detailing and seeking approval to the Brighton & Hove Council Agreed Syllabus for Religious Education 2011- 2015.
- 27.2 It was explained that each local authority had a statutory duty to adopt an Agreed Syllabus of Religious Education for use by maintained schools in the area and to arrange for it to be reviewed through the Agreed Syllabus Conference at least every five years. The purpose of this report was to seek formal City Council approval for the Agreed Syllabus 2011-2015. This had been approved unanimously by the Agreed Syllabus Conference at its meeting on 1 February 2011.
- 27.3 Councillor Wealls enquired regarding the differences between this and the current syllabus. It was explained that there were no major differences between the two and that none of the city's academies had religious foundation status.
- 27.4 **RESOLVED** - That the Cabinet Member approves the Agreed Syllabus of Religious Education 2011-2015 at Appendix 1 to the report, for use in Brighton and Hove City Council maintained schools.

## 28. **PROCUREMENT OF CHILDREN'S RESIDENTIAL AND FOSTER CARE**

Exempt - Under Schedule 12A of the Local Government Act 1972 (as amended - Exempt under paragraphs 2 and 3.

The Cabinet Member considered a report of the Strategic Director, Place explaining that Section 22G of the Children Act 1989 required local authorities to secure sufficient accommodation for looked after children which met their needs within the local area.

The meeting concluded at 3.35pm

Signed

Chair

Dated this

day of



# CHILDREN & YOUNG PEOPLE'S CABINET MEMBER MEETING

## Agenda Item 39

Brighton & Hove City Council

<b>Subject:</b>	<b>Commissioning strategy for services for children with disabilities- programme update</b>		
<b>Date of Meeting:</b>	<b>5<sup>th</sup> March 2012</b>		
<b>Report of:</b>	<b>Terry Parkin Strategic Director People</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Alison Nuttall- Strategic Commissioner</b>	<b>Tel:</b> 293736
	<b>E-mail:</b>	Alison.nuttall@brighton-hove.gov.uk	
<b>Key Decision:</b>	Yes	<b>Forward Plan No.</b>	CYP 27897

### 1. SUMMARY AND POLICY CONTEXT:

1.1. The Commissioning Strategy for services for children with a disability was agreed by the Cabinet Member in January 2011. This report sets out progress on the implementation of that strategy and seeks endorsement of the key initiative to pilot individual budgets for short breaks (respite) for children and young people with disabilities who have an assessed need for social care support.

1.2 The Commissioning Strategy addresses targets agreed between the council with the Clinical Commissioning Group in the Section 75 Agreement:

- Improving support to children and young people with a disability or complex health needs and their families
- Redesign services for children with disabilities
- Implementation of the Every Disabled Child matters programme

### 2. RECOMMENDATIONS:

(1) That the Cabinet Member approves the implementation of a pilot for individual budgets for short breaks (respite) for children and young people with disabilities with an assessed need for social care support.

(2) That the Cabinet Member notes that the pilot will be taken forward through established partnership and joint working arrangements between the Council's Joint Commissioner, managers and staff in the council's Integrated Child Development and Disability Service, Community and Voluntary Sector organisations, parent carer groups (including the Parent and Carer Council hosted by Amaze), children and young people and other stakeholders.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

3.1 During 2010/11 a Commissioning led review of services for children with disabilities was undertaken with partners and service users. A Commissioning Strategy was agreed by the then Cabinet Member in January 2011 setting out a phased transformational programme 2011-2014.

At the heart of the strategy lies the building of capacity and resilience within individual families, the community and services to allow children and young people to remain with their families as long as possible, attending school in the city, achieving their potential and living happy and fruitful lives.

3.2 Through a co-production model involving the Strategic Partnership Board for Children with Disabilities, and taking account of national and local policy drivers, the following outcomes were identified as priorities for the city:

- To demonstrate increased resilience in parent carers of children/young people with disabilities
- To show an increase in the independence of children and young people with disabilities
- To reduce social isolation of children and young people with disabilities and their families
- To reduce poverty and ensure a better standard of living for families with a disabled child
- To increase inclusion within mainstream services
- To minimise impairment and disability
- To improve participation of children, young people and parent carers in the design and delivery of service
- To improve the quality and transparency of decision making
- To promote life chances and maximise potential of children and young people with disabilities

3.3. The appendix to this report set out a critical initiative to take forward this strategy by the introduction of individual budgets for children and young people with disabilities who have an assessed need for social care support .

The purpose of this pilot is to test the viability/acceptability of individual budgets in Brighton and Hove and to scope future developmental phases The aim of individual budgets is: to give greater control to families, helping them to

build the personal resources and resilience they need to care for children. By bringing together the expressed preferences of families for across the city we will be able to shape the range of local services that can be made available within existing resources. Implementing change on this scale requires a fundamental shift in understanding across the system which can only be achieved through coproduction with all stakeholders, carefully evaluating findings and options for the future at each stage of the process.

#### **4. CONSULTATION**

- 4.1 Consultation is being carried out on an ongoing basis via the Strategic Partnership Board which includes all key stakeholders and parent carers. The Parent Carer Council and AHA! Group (Young peoples advisory group) have been and will continue to be consulted.

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

##### Financial Implications:

5.1 5.1 The implementation of the scheme highlighted in the report could have significant financial implications. To date no work has been undertaken to assess any possible additional costs in setting up the pilot or future service modelling to evaluate the potential impact on the overall children's disability budget. Obviously, the pilot itself will provide valuable data to determine the possible financial implications of an increase in individual budgets, but at present this is unknown.

*Finance Officer Consulted: David Ellis*

*Date: 21/02/12*

##### Legal Implications:

- 5.2 The carers of children and young people with disabilities are entitled to assessment to consider a range of support which may be needed. The pilot recommended will enable the authority to test the viability of individual budgets for short breaks for children and young people with disabilities who have an assessed need for social care support, and so inform any future developmental phases in relation to individual budgets

*Lawyer Consulted: Natasha Watson Date: 22.02.2012*

Equalities Implications:

- 5.3 Equalities impact assessment will be completed as part of the strategy

Sustainability Implications:

- 5.4 it is expected that the outcome of the review of service will enhance community sustainability, increasing resilience and independence in children, young people and their families and thus promoting economic wellbeing

Crime & Disorder Implications:

- 5.5 none

Risk and Opportunity Management Implications:

- 5.6 Risks and mitigation of these have been included in the report

Corporate / Citywide Implications:

- 5.7 This report addresses strategic improvements within the CYPP which in turn support the council's key priorities.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 Maintaining the status quo was considered but in the light of national guidance re self directed support, this was not considered appropriate.

6.2

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The recommendations support a co-produced model taking evidence from local and national policy drivers, identified needs of children, young people and parent carers.



7.2 The proposals reflect a Value for Money approach to service delivery with the emphasis being on building resilience in parent carers and maximising the potential of children and young people with disabilities and thus aiming to reduce the impact of their disability on their family and ultimately reduce the likelihood of them requiring more significant , and costly, care packages.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

**Appendix 1: Development of effective short breaks and the move to individual budgets as a core offer**

#### **Documents In Members' Rooms**

None

#### **Background Documents**

None



## **Appendix 1: Development of effective short breaks and the move to individual budgets as a core offer**

### **Short Breaks and Individual Budgets**

#### Introduction and policy context

This report proposes a managed move from the current position, where existing services can often determine what care and support package can be provided, to a more self directed and personalised approach based on greater availability of individual budgets. The agenda is complex and challenging and not without risk. The Council for Disabled Children (CDC) review 'Personalisation of social care for disabled children, young people, their families and carers' is appropriately subtitled 'Opportunities, challenges and concern'.

This report guards against the risk of what the CDC review calls a 'precipitate rush' to implement personalisation and takes serious note of the questions and challenges such an approach generates. This proposal takes careful account of these risks while focussing on the potential for significant improvement i.e.

'Personalisation, if implemented correctly will be incredibly beneficial to both service users and providers within the health and social care sector. Not only does it put control back in the hands of the individual but it also gives the opportunity to do things differently for our clients, which is very exciting' (Newman S 2009 'Personalisation; practical thoughts and ideas from people making it happen', OLM -Pavilion).

Children with disabilities often have complex needs which mean they require support at a much higher level than would be expected for non-disabled children. For example they may need a high degree of personal care including lifting and moving, medical management, behaviour management. These needs place pressure on their parent carers and families and may mean that the child/young person is not be able to participate in activities without the support of their parent carer. A way to support families to care for their disabled child is to provide opportunities for short breaks which provide both a positive experience for the child/ young person and a break from the caring role for their parent carer.

*Aiming High for Disabled Children: Better Support for Families* describes short breaks as follows:

*"Short breaks provide opportunities for disabled children and young people to spend time away from their primary carers. These include day, evening, overnight or weekend activities and take place in the child's own home, the home of an approved carer, a residential or community setting. Provision of short breaks should be based on an assessment of the whole family addressing both their personal and social needs. Short breaks occur on a regular and planned basis and should be part of an integrated programme of support which is regularly reviewed."*

In order to ensure that short breaks remain a focus, the Coalition Government laid regulations under the Children and Young Person's Act regarding short breaks, which came into force in April 2011. Entitled *Breaks for Carers of Disabled Children Regulations 2011*, these regulations mean that LAs are required to:

- offer breaks as a preventive early intervention
- offer a range of services for parents
- publish a statement of those services on their website. This statement must include details of any eligibility criteria the LA applies to short breaks services.

In November 2011 a Department of Education Report on the impact of short breaks on families with a disabled child over time described them as fundamental to the wellbeing and resilience of families with a disabled child:

*'These findings suggest that short breaks have both a direct positive impact on the health and wellbeing of carers, and buffer the impact of important stressors on carers' health and well-being. These findings reinforce the experiences of carers about the importance of short breaks to their health and well-being and their capacity to continue caring effectively for their disabled child.'*

Adult services have seen a move towards a personalised approach to social care provision, including individual budgets where the individual (or their proxy) is allocated a resource over which they exercise control. The government has indicated its commitment to extending this model. In November 2010 Paul Burstow said:

*"Personal budgets can make an incredible difference to people's lives. They give people choice, control and independence. They look to people not the state to shape services, and improve outcomes, making a reality of the Big Society. I want councils to provide everyone eligible with a personal budget by 2013."*

Extension of individual budgets to children with disabilities has been supported by a national pilot project which reported on its findings in July 2011. The Green Paper 'Support and aspiration in SEN' goes further with a key work stream being the introduction of personal budgets for SEN linking to a single plan across health, education and social care.

The national pilot programme describes an Individual Budget (IB) in the following way:

*'An individual budget (IB) applies to an arrangement whereby a service user gains direct control over the application of funding allocated to them following an assessment process or processes, and where funding is sourced from a number of income streams held by local statutory bodies. The intention in bringing different funding streams together is to go beyond current direct payment arrangements, and provide a more holistic and joined up package of support.*

*Under IB, the service user will also be offered the support of a broker to help manage the allocation provided - some of which may be in cash form, but can also be services provided in-kind. The broker may also hold the budget on behalf of the beneficiary.'*

The evidence from the national pilots indicated that families see benefit in having greater insight into the costs of services and control over the resources allocated to them.

*'It was really empowering to know about the money and I was able to understand the support I could buy when I related it to the money'*

*'By turning it into money, that makes it more flexible in itself...and you can think I could use that smarter and make it work harder'*

*'Better knowing how much you got...you could then fit your plan into the money'.*

*Quotes from the focus groups in the pilot evaluation*

The phased introduction of individual budgets is one of the key proposals in Brighton and Hove's Commissioning Strategy for Disabled Children agreed in January 2011 and taking forward this element over the next 3 years supports Corporate Plan priorities focusing on tackling inequality, engagement, participation and local decision making and builds towards a family and child led approach.

**Current position in Brighton and Hove:**

Short breaks are offered via a range of service providers and/or the direct payments programme. Current services providing 1:1 short breaks and/or leisure opportunities:

- Befriending: Children's Society- volunteer young people are matched with older young people and spend time with them accessing a range of leisure opportunities
- Outreach: BHCC in house service whereby a child/young person is provided with a BHCC employed/sessional worker. The worker spends time with the child in their home or takes them out into the community.
- At home care for individual children: Crossroads
- Short term foster care: Link plus- Barnado's – link plus foster carer assessed and matched with a family to provide daycare and/or overnight care in their own home for a child/young person

At present all of the above commissioned services are provided free at the point of delivery to families. The current Direct Payments Scheme is not used to purchase any of these services.

Direct payments are local council payments for people who have been assessed as needing help from social services, and who would like to arrange and pay for their own care and support services instead of receiving them directly from the local council.

The direct payments budget allows resources to be allocated to a family to 'purchase' their own support directly. Families using direct payments are currently supported through a contract (jointly with adult services) with the Federation of Disabled People. Families report they appreciate the flexibility of direct payments but they can find the recruiting of support workers, commonly called Personal Assistants, (PAs) and their ongoing employment difficult and an added stress in their lives.

The current direct payments budget is £397,450. As of 16.12.11 there are 92 families' allocated direct payments with 5 in process.

Resources for provision through either a commissioned service or the direct payment option are allocated by the Delivery Unit Resource Panel chaired by the Head of Children's Disability Services. Thresholds for allocation take account of: the needs of a family; current service pressures; waiting lists; and current support packages.

Children are referred to the Resource Panel, which consists of both internal and external service providers, by their social worker who presents the case for additional/different support. A discussion ensues as to the best available package of

care and providers offer services based on their match with the family's needs and available resources.

The strength of the current Resource Panel arrangement is the collective approach to meeting the needs of families by bringing together all those who manage services and having an oversight of service pressures and waiting lists,. Each provider strives to be flexible to meet the needs of families who may present with high levels of need, stress and distress.

However, there is no formal resource allocation tool and the decision is therefore open to challenge. Representatives from the local parent and carer council (PaCC) have made it clear that there needs to be greater clarity about the allocation of resources to allow families to feel that the system is 'fair'.

The Delivery Unit, which manages the Resource Panel, has received a small number of complaints about the allocation of resource from families and without a clear methodology for objective decision making can find it hard to defend their position.

### **Commissioning strategy: proposed changes**

#### **Aims:**

- *To improve the way support is offered to families by working with all stakeholders and parent carers to explore the move to a core offer of an individual budget for those children and families with an assessed need for social care support*
- *To ensure the appropriate infrastructure is in place to support families to manage individual budgets ,*
- *To ensure that children are safeguarded, appropriately supported and that their families receive maximum benefit from the support they receive.*
- *To build a platform where the individual budgets agenda can support the value for money programme*

National evidence from the pilot programme indicates families tend to opt for using money to access mainstream activities, buy individual support for their child in the form of a Personal Assistant (PA) and that they find the process more flexible and responsive. Over time there is likely to be a shift away from families 'buying' services traditionally offered to them including residential overnight breaks:

*'IB pilots illustrated a trend towards the use of more PA related and universal/community based provision relative to overnight residential care provision. In addition, the evaluation evidence showed that existing service users tended to increase the amount they spent on PAs, with less spent on overnight residential care relative to their previous/traditional care package, whereas newcomers had spent comparatively less on PAs and more on universal services than existing service user'*

To make these changes the proposed project will:

- Enable and empower parent carers to lead the development of a support plan to meet the needs of their children and, where appropriate, to take responsibility for individual budget management

- Work with providers to develop their services in response to potential new patterns of demand and preferences from service users.
- Enable the workforce to respond to new arrangements in a way that builds on their skills and creativity
- Ensure providers demonstrate and manage their unit costs, and measure and evidence what they do so that they can be clear about the outcomes of their work and the impact they are making.

Implementing change requires a shift in understanding across the system which will only be achieved through a co-production process with service users, health and education and in house and external service providers. A transformational change programme has therefore been in put in place. Supported by the independent organisation leading the national pilot, In Control, the programme will, build on learning from the pilot phase, be working towards:

Designing a new care pathway so that:

- When a child/young person is referred for social care support and has been assessed via the statutory tools of initial and core assessment, a Resource Allocations System (RAS) will be completed by the family with the support of a professional.
- The questions asked within the RAS focus on the needs of the child/young person and the support they require, for example to care for themselves or to access their community.
- The RAS is then analysed and an indicative budget is established. This information is shared with the parent carers
- The family is then supported to come up with the best ways to use their financial resource to meet their needs. This is written up into a support plan. Families, children and young people will be freed up to think imaginatively and outside current service delivery models to plan for the support they want and need at an individual level
- The family then access the identified support, either directly or with the support of the recruitment and brokerage service supporting the scheme.
- The allocated resource and the achievement of the aims set out in the support plan will be reviewed regularly

Support and enable families to take on the new approach:

It is recognised that key to the success of individual budgets is the support offered to families to fully engage and participate in the planning of support.

*'The IB pilot programme illustrated a clear desire on the part of the majority of participating families to self manage their funding allocations. However, although only a small number of families chose to have their funds managed on their behalf, it is important to note that in the absence of alternative funding methods, the IB offer may have proved inaccessible to this group. Therefore, the provision of a spectrum of choice for the management of IB funds should still be viewed as an important element of this type of approach to service/support provision. Individual budgets for families with disabled children Final evaluation report: the IB process DFE-RR145 July 2011*

Current experience of direct payments is that some families find the recruitment and employment of PAs very difficult and stressful. As a result there may not be an appetite to take on an individual budget. The implementation plan includes awareness raising for parent carers and professionals alongside their engagement and participation in the development of the project.

The intention is to ensure the availability of a recruitment and brokerage service. This would play a fundamental role in supporting families to manage the allocated resource, including supported bank accounts, matching to PAs etc. Either the brokerage service or another lead professional could also, where necessary, manage the support package for the family. The intention is to be as person centred and flexible in approach as possible whilst ensuring safe and appropriate support is in place.

#### Grow and develop local services:

In Brighton and Hove there is a strong community and voluntary sector that provide many short break services. There are also in-house outreach and residential services and the two currently work collaboratively to identify and manage support needs. The strength of these relationships is acknowledged and the intention is to engage all current service providers in the development work required to ensure the identified support for families is available.

The first year of the project 2012-13 will include a co-production model, bringing together current service providers to consider how the pattern of services might need to change in the future and how to ensure service stability during the change process. The potential for destabilisation of current provision and measures to mitigate this are recognised in the risk log.

It will be essential to ensure that services purchased by or on behalf of families meet statutory requirements e.g. for carers to be approved foster carers if offering overnight provision in their own home to ensure children are appropriately safeguarded. There are challenges to this with the development of choice for families. Risk and innovation will need careful balancing.

Alongside development of available services there will need to be effective workforce planning and training; both in the principles of individual support planning and its monitoring and review and to ensure there is an appropriate workforce available to respond to need. Current providers of home support workers and befrienders have expressed the view that there is capacity for increased recruitment of people to work with families.

The management of change for the current and future workforce will be part of the detailed project plan.

#### Project Management

A phased approach will be taken between April 2012 and April 2015 across the three key areas above to reach a position where an individual budget is the core offer for all children and young people with disabilities who have an assessed need for respite/short break support.

#### **Phase 1 April 2012-April 2013:**

This will include:



- Development of the Resource Allocation System (RAS) including increased clarity about current unit costs and its practical implementation. Areas involved in national pilots will be consulted about their experience through attendance at an In Control conference and potentially field trips.
- Recruitment of between 10 and 20 families to engage in a pilot phase of RAS and allocation of a budget and support plan from October 2012
- Engagement of parent carers and young people and advocacy organisations in the evaluation of the pilot to inform options for later phases
- Engagement of in house and external providers who currently deliver services in a co-production approach to evaluate the pilot and consider options for the future shape of services
- Engagement of other commissioners including the Services for Young People Joint Commissioning Board and especially commissioners responsible for relevant adult and/or transitions services for young people.
- Participation by the Children's Disability Commissioner in the tendering process for the Adult Services Self Directed Support contract which it is intended to use between September 2012 and September 2014 to provide support for families involved in the pilot and subsequent development of the programme
- Identification of any workforce issues arising from the pilot

Phase 1 will not include resources currently allied to in house overnight residential respite. Options for the future development of council provision will require support from the council's legal and human resources services.

The cost of the pilot is twofold:

- Implementation costs: these will be absorbed within the council's existing commissioning and delivery teams.
- Capacity to respond flexibly and imaginatively to care packages developed during the pilot phase: This will be found through short term efficiencies to be negotiated with in-house and external providers delivering 1:1 support to families

The Commissioning Strategy for Children with Disabilities includes a commitment to: '*undertake a review of respite/residential provision in a strategic way looking at the viability of in-house provision and the needs of young people and their families for respite taking full account of what we know about the difficulties of finding alternative overnight respite for some children/young people*'. . This will be followed up in 2012-13 and, where appropriate, findings linked to the Individual Budget programme.

## **Phase 2 April 2013-April 2014**

Building on phase 1 to:

- Scope the options for the future shape of the PA and foster carer services
- Consider how in house and external service providers could respond to the preferences of families which emerge from the pilot.

- To make use of the RAS with a larger number of families
- To consider options for inclusion of residential respite provision within the programme

### **Phase 3 April 2014-April 2015**

- To consider the introduction of individual budgets as a core offer for families new to the social care system
- To consider offering all families in the social care system the option to move over to an individual budget

### **Business Case/Financial Modelling:**

#### **Work in progress – further details to be provided.**

The final evaluation report for the national pilots concludes:

*Although many of the pilot teams felt that it was too early to say whether the provision of the IB approach was associated with additional costs or savings relative to traditional service provision, they did reflect on what they felt was likely to happen over the longer term. The pilot teams generally felt that the additional costs of implementing an IB approach were seen as occurring mainly in the set up phase, including recruiting staff, developing the resource allocation model, and setting up the support planning and monitoring processes. They added that in delivery terms, support planning in particular was likely to be more resource intensive than the traditional approach. However, this initial increase in resources was likely to decrease over time as the IB approach became embedded as part of the 'norm' and as families became more adept at participating in support planning. As such, the informed opinions across the sites implied that the costs of an IB approach compared to traditional service provision were likely to be broadly cost neutral as the approach was rolled out over the longer term.* Individual budgets for families with disabled children Final evaluation report: the IB process DFE-RR145 July 2011

The anticipated outcomes are that:

- resources can be used to support more families, by reducing unit costs
- duplication of recruitment and training of staff can be reduced (for example outreach, befriending and link plus all look to recruit similar types of staff, undertake their CRB and other checking and training)
- economies in scale can be achieved, though taking account of expertise developed in the city.

### **Risk Assessment:**

The transformation programme is based on two key principles:

- Clear project management - resource allocated to deliver the project plan Cabinet Member and Strategic Director support for implementation of the agreed Commissioning Strategy.

Risk/challenge	Mitigation/response
The change requires a shift in the hearts and minds of service users, providers and partners	Effective awareness raising with key stakeholders including parent carers- In Control are supporting the implementation and will deliver this in March 2012 Learning from pilots and other areas who are ahead of B&H e.g. East Sussex. Attendance at In control conferences. Learning from experience in adult service locally -adult services represented on steering group
Destabilisation of current service providers during a period of change	Engagement with current providers in phase 1 to co-produce the model as it goes forward.
Anxiety in the system slows down or derails the process of change	Engagement of involvement of parent carers- PACC represented at disability partnership board where the commissioning strategy was formulated and on the steering group for the implementation of individual budgets. Amaze are also represented and co-chair the disability partnership board
Financial reshaping is complex and some providers bring money into the city e.g. Barnado's and Children's society which could be lost	Adequate time allocated to be clear of current finances and to work through financial models, Support from finance and legal
SEN Green Paper has a challenging timescale to move towards a single plan and the option of a 'personal budget by 2014' to include health ,social care and education resources	Link with Se7 pathfinder- Head of Disability Services and Commissioner are part of SEN partnership board and the change board for SEN pathfinder, linked to regional developments
A change to individual budgets could place increased financial demand on resources (a small percentage of families in the pilots saw an increase in their resource allocation under the new model)	Well understood and consistently implemented RAS- a workshop has already been held for social workers (December 2011 ) to develop this
Risk/challenge	Mitigation/response
The change requires a shift in the hearts and minds of service users, providers and partners	Effective awareness raising with key stakeholders including parent carers- In Control are supporting the implementation and will deliver this in March 2012 Learning from pilots and other areas who are ahead of B&H e.g. East Sussex. Attendance at In control conferences. Learning from experience in adult service locally -adult services represented on

	steering group
Destabilisation of current service providers during a period of change	Engagement with current providers in phase 1 to co-produce the model as it goes forward.
Anxiety in the system slows down or derails the process of change	Engagement of involvement of parent carers- PACC represented at disability partnership board where the commissioning strategy was formulated and on the steering group for the implementation of individual budgets. Amaze are also represented and co-chair the disability partnership board
Financial reshaping is complex and some providers bring money into the city e.g. Barnado's and Children's society which could be lost	Adequate time allocated to be clear of current finances and to work through financial models, Support from finance and legal
SEN Green Paper has a challenging timescale to move towards a single plan and the option of a 'personal budget by 2014' to include health ,social care and education resources	Link with Se7 pathfinder- Head of Disability Services and Commissioner are part of SEN partnership board and the change board for SEN pathfinder, linked to regional developments
A change to individual budgets could place increased financial demand on resources (a small percentage of families in the pilots saw an increase in their resource allocation under the new model)	Well understood and consistently implemented RAS- a workshop has already been held for social workers (December 2011 ) to develop this
Pilot sites did not include high cost packages on the whole so this area of the service provision is currently untested	Learn from developments as they occur in other parts of the SE or the country. To test without committing budgets (virtual budgets)
Market development cannot keep pace	Co-production will inform the pace that is acceptable. Steps within each phase can be managed to a) avoid any impact on current children and families in receipt of a service and b) sustain the current providers during transition. Advice from legal and procurement re contracts etc
Workforce development cannot keep pace	Support and involvement of HR
Additional pressures are placed on the current budget for short break services by the financial situation in the council and local economy	Difficult to mitigate but a 2 year budget plan will support effective planning. Compatibility of disability strategy with others e.g. youth, supporting vulnerable young people, transitions will enable joint commissioning/provider efficiencies
Change in local or national policy direction	Need to be mindful and respond as appropriate.

Families experience a reduction in package and wish to revert to their previous package. May become disillusioned and influence the views of other parent carers	Effective awareness raising with families and transparency about the programme
Pace of change is too rapid with such a complex and profound change to service delivery in a time of financial and organisational uncertainty (e.g. evolving commissioning led organisation)	Flexibility in implementation built in to the project to allow capacity to address any issues/risks arising

The Commission on Personalisation report concludes and Brighton and Hove children's services position is :

Our prospectus for change has sought to temper hard-headed reforms with a passion for social justice; we propose a careful balancing of markets and mutuality; in the end however it is our re-imagined sense of the collective that will win out.

It is in this spirit of mutuality and common purpose that we invite you to consider and act on the proposals entailed in this report.



# CHILDREN & YOUNG PEOPLE'S CABINET MEMBER MEETING

## Agenda Item 40

Brighton & Hove City Council

<b>Subject:</b>	<b>Two Year Old Early Education Entitlement</b>		
<b>Date of Meeting:</b>	<b>Children and Young People Cabinet Member Meeting Monday 5<sup>th</sup> March 4 pm</b>		
<b>Report of:</b>	<b>Terry Parkin</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Vicky Jenkins</b>	<b>Tel: 296110</b>
	<b>Email:</b>	<b>vicky.jenkins@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes/No</b>	<b>Forward Plan No: CYP 26969</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 Disadvantaged two year olds have received free early learning since September 2009. The government is now extending this entitlement as a statutory duty to 20 per cent of two year olds from September 2013 with a proposed increase to 40 per cent from September 2014. This paper sets out initial proposals for Brighton & Hove to increase the number of two year old children accessing free early learning starting from April 2012, so that 20 per cent of children are in a place by September 2013, with a view to increasing numbers from September 2014.
- 1.2 This report outlines the likely cost of this provision as well as its impact on childcare providers, and sets out a plan to increase numbers gradually across the city's children's centre areas.

#### 2. RECOMMENDATIONS:

- 2.1 To agree the strategy to gradually increase the number of two year olds offered free childcare starting from April 2012 to reach 600 by September 2013 and to increase the hourly rate from £4.85 to £5 an hour.
- 2.2 To agree to sustain existing, good quality voluntary sector childcare providers in areas where additional places will be needed.
- 2.3 To note the financial risk of the additional revenue funding needed to meet the statutory duties (estimated to be over £1m in 2013/14), and possible capital implications if it is decided to increase provision in certain areas of the city.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The government aims to support children's development by encouraging higher quality provision and maximising participation, particularly for disadvantaged and disabled children. "The importance of the first few years of a child's life cannot be overstated. Children who have the right support in the foundation years enjoy better health, wellbeing, and achievement in school and later life."<sup>1</sup>

<sup>1</sup> *Supporting Families in the Foundation Years: Proposed Changes to the Entitlement to Free Early Education and Childcare Sufficiency*, Department for Education.

- 3.2 Since September 2009 the government has funded disadvantaged two year olds in a free early learning place, initially through ring-fenced funding as part of the Sure Start grant. The original grant paid a set rate of £4.85 per hour to childcare providers, and also included funding to for administration and family support.
- 3.2 The entitlement is currently for 10 hours a week for 38 weeks a year. Eligible children are those with parents in receipt of defined means-tested benefits, *and* identified by their health visitor as in need of a place. Places are allocated by children's centre area<sup>2</sup> and each team prioritises children within this quota.
- 3.3 Eligible providers must meet prescribed quality criteria, and there are currently 42 settings (including childminders) contracted to provide places. About half the children currently funded are attending children's centre nurseries.
- 3.4 The government is currently consulting on the definition of disadvantage. In order to identify the 20 per cent most disadvantaged two year olds the proposal is to use a benefits entitlement measure similar to free school meals and to offer places to looked after children. The government estimates that currently 600 children would qualify in Brighton & Hove. The government has not yet proposed eligibility criteria for the national 40 per cent figure and so it is not clear how many children would qualify in the city, though if it was 40 per cent of two year olds this would amount to approximately 1,200 children.
- 3.5 Since April 2011 the funding has been included in the Early Intervention Grant (EIG) which means local authorities can decide their own priorities. We have continued to pay providers £4.85 an hour (childminders are paid £5.00 an hour because of their lower ratios) but have increased the numbers of children funded in settings from 104 to 135, with the same eligibility criteria. We are proposing to increase the rate paid to all providers to £5.00 per hour from April 2012. This compares with the minimum rate of £3.90 paid to providers for three and four year old places. The staff ratio for two year olds is twice that for three and four year olds (for two year olds one staff member:four children, and for three and four year olds one staff member:eight children). This increase in the rate should make the scheme more attractive to private providers than it has been to date.
- 3.6 The Chancellor announced in his November 2011 autumn statement that the entitlement will be extended through a phased approach, with 20 per cent of two year olds eligible from September 2013, and 40 per cent eligible from 2014. The two year old entitlement will become a statutory duty from September 2013.
- 3.7 The original funding amount for Brighton & Hove was as follows:
- |                |                       |
|----------------|-----------------------|
| <b>2009/10</b> | £201,144 <sup>3</sup> |
| <b>2010/11</b> | £266,672              |
- 3.8 For **2011/12** £266,670 was allocated to the scheme from the EIG. This was used solely to fund childcare places and inclusion support while administration and outreach were funded from within existing resources, enabling an increase in the number of funded children from 104 to 135.

<sup>2</sup> The existing number of funded children is based upon the level of disadvantage in the area, using the Income Deprivation Affecting Children Index (IDACI). Details are in Appendix 1 Proposed increase in funded two year olds by children's centre area from April 2012 to September 2013.

<sup>3</sup> Part year funding as scheme started in September 2009.



3.10 For **2012/13** the council budget proposals did not include an increase in funding for two year olds. However, following an additional allocation in the autumn statement the council now has a budget of £548,070 which will make it possible to increase the number of funded children to 199 by the end of March 2013.<sup>4</sup>

3.11 It is not yet clear how the government's total funding of £534m for **2013/14** will be allocated by local authority. However the following table shows indicative amounts and indicates that there will have to be a substantial increase from 2013/14 onwards in order to meet the cost of providing childcare places for up to 600 and then 1,200 children. This will result in a significant additional demand on the EIG.

	2011/12	2012/13	2013/14	2014/15	2015/16
Original national allocation	64,000,000	223,000,000	331,000,000	380,000,000	
Additional amount announced in November 2011 autumn statement	0	73,000,000	203,000,000	380,000,000	
<b>Total national allocation</b>	<b>64,000,000</b>	<b>296,000,000</b>	<b>534,000,000</b>	<b>760,000,000</b>	
Theoretical Brighton & Hove share (0.4% of national allocation)		1,184,000	2,136,000	3,040,000	
Brighton and Hove actual budget	266,670	548,070			
Number of children this amount can fund by end of year		199			
Cost of funding 600 children part year			1,605,025		
Cost of funding 1,200 children part year				3,000,000	
Cost of funding 1,200 children full year					3,585,000

3.9 The government is currently consulting on how funding for two year olds should be given to local authorities in future, possibly through the Direct Schools Grant, as is the case with funding for free early learning for three and four year olds. It would then be likely that the EIG will be reduced by the national allocations.

3.10 We have an excellent range of private, voluntary and local authority-run childcare, and sufficient two year old places in good quality settings, including with network childminders, for the 135 two year olds we currently fund. Because of space in children's centre nurseries and in some playgroups, as well as the availability of childminders, an increase in numbers from April 2012 is likely to be achievable.

3.11 However, a further increase in numbers from September 2012, along with an increase in hours offered per week from 10 to 15 (meaning one third more hours will be needed per funded child) will be harder to achieve, and the significant increase to reach the 20 per cent target by September 2013 is unlikely to be possible without

<sup>4</sup> Based on a stepped increase in the number of children funded and the number of hours for which they are funded.

some development of the sector in areas of high eligibility/demand. The government has not yet announced any capital to support this expansion<sup>5</sup> and appears to expect the market to respond. Private providers in less disadvantaged areas of the city may be able to adapt in response to demand; however, as the scheme is focussed on more disadvantaged children, places are needed in less affluent areas where the market is less buoyant. It will be important to maintain the sustainability of settings in these areas pending an increase in funding so that they can take additional children as eligibility increases. In addition, some adaptation may be needed to existing provision to make it more suitable for two year olds with consequent capital implications.

- 3.12 An analysis of where additional places for two year olds may be needed, taking into account existing provision, vacancy levels<sup>6</sup> and eligibility/demand<sup>7</sup> will be undertaken in order to plan support for and adaptation of existing provision and also future provision. Development may be dependent upon whether the government offers any capital. If this is not forthcoming the only option may be for parents to travel from their local area to other areas of the city where places are available (likely to be from East Brighton to other areas of Brighton & Hove).
- 3.13 To date the scheme has improved the sustainability of voluntary sector providers and children's centre nurseries. Private sector full day care nurseries have been less interested because of the rate paid and their pattern of provision.<sup>8</sup> However, with an increase in the offer to 15 hours a week and the rate to £5.00 an hour, they may be more willing to take children under the scheme. There are currently seven childminders contracted to provide places, although at the time of writing none have funded children.<sup>9</sup> There are at present 26 network childminders all with potential to join the scheme and offer funded places.
- 3.14 The government is currently consulting on provider quality criteria for inclusion in the scheme. A national quality criterion is likely to be that only providers rated as good or outstanding by Ofsted will be eligible to offer places. In Brighton & Hove 93 per cent of early years settings and 81 per cent of childminders<sup>10</sup> have this rating and so should this situation continue it is unlikely that many settings will be ineligible. The government is also suggesting local discretion, in which case we are likely to require providers to have gained quality assurance modules covering two year olds and to have an early years professional in place.
- 3.15 When a significant number of two year olds access free early learning in the non-maintained sector it is possible that parents will not want to move their child to a school nursery class once they become three, thereby having an impact on school nursery classes. At present there are very few schools with space available to develop into separate provision for two year olds, even if governors should wish to do this. However, there may be space in the primary schools in Whitehawk and Moulsecoomb where eligibility/demand will be greatest, though adapting these schools will take capital which has not yet been committed by the government.

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<sup>5</sup> However, without committing to any capital funding, it did email all local authorities earlier this month asking for information on likely undersupply.

<sup>6</sup> Data from Brighton & Hove's *Childcare Sufficiency Assessment*, March 2011.

<sup>7</sup> Eligibility based upon levels of disadvantage in children's centre areas as measured by the number of children living in poverty, and demand based upon 90 per cent of eligible parents taking up their entitlement.

<sup>8</sup> £4.85 is often less than the fee charged by private providers, and because they offer year-round care the 10 hours per week pro-rated to 50 weeks a year is 7.6 hours a week, which does not easily fit in with providers' sessions.

<sup>9</sup> This partly due to parental preference but partly because of the way in which the scheme runs for a very small number of children.

There are some children under two currently funded with childminders as part of the children's centres' respite programme.

<sup>10</sup> Childminders will also have to be a member of the Brighton & Hove network.

- 3.16 The proposal to gradually increase numbers funded of two year olds from April 2012 is set out in Appendix 1. In summary the existing number will be increased by 18 per cent from April 2012, and then by 25 per cent from September 2012.<sup>11</sup> There is a further increase in April 2013 and in September 2013, so that by this last date all those likely to be eligible will be offered a place, amounting to 605 children across the city. Further staged increases will need to be developed to increase numbers to 1,200 children by September 2014.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 The government's consultation documents about funding for two year olds have been highlighted to childcare providers in the city. The consultation was also discussed with the Early Years Funding Group. Further community engagement and consultation will be planned in preparation for the substantial increase in places needed by September 2013.

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

##### Financial Implications:

The new statutory responsibilities outlined in this report will have significant budgetary implications. The current budget available for two year old early education entitlement is £0.548m, which is sufficient to support 199 children. The proposals are still in consultation and it is not yet known how and at what level any additional funding from the government will be distributed to local authorities. The table within the report in paragraph 3, identifies the estimated potential increase in costs over the period 2012-2015. Using the estimated numbers provided within the consultation information and taking account of likely increased costs for support for inclusion and administration, additional funding of £1.057m would be required in 2013/14 potentially rising to £3.037m in future years. There is also a possibility that an increase in the number of 2 year old placements in the city will be necessary. As identified in paragraph 3.12 in the report, any expansion of placement numbers may need significant capital investment and it is still unclear whether any additional government support for this would be available.

*Finance Officer Consulted: David Ellis*

*Date: 25/01/12*

##### Legal Implications:

- 5.2 Section 7 of the Childcare Act places a duty on English local authorities to secure free early years provision. Regulations made under section 7 set out the type and amount of free provision and the age of children to benefit. Local authorities are required to ensure they meet their duties under the Equality Act 2010 when securing free early education places.

- 5.3 From September 2013 the government will extend the statutory duty of local authorities to provide free early learning to disadvantaged two year olds to apply to the most disadvantaged 20 per cent of two year olds, with a proposed increase to 40 per cent from September 2014. The definition of disadvantaged is under consultation.

*Lawyer Consulted: Natasha Watson Date: 22.02.12*

##### Equalities Implications:

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<sup>11</sup> There is a larger proposed increase in September 2012 because this is the time of year when providers have the greatest number of vacancies because of older children leaving to start school.

The scheme will improve the outcomes of disadvantaged two year olds including those living on benefits and looked after children. A full equalities impact assessment will be carried out prior to expansion of the scheme. Local authorities must ensure they meet their duties under the Equality Act 2010 when securing free early education places.

Sustainability Implications:

- 5.4 The scheme will support sustainable communities by reducing poverty as it will reduce the childcare costs of parents of two year olds on benefits who wish to work.

Crime & Disorder Implications:

- 5.5 No implications.

Risk and Opportunity Management Implications:

- 5.6 Meeting the statutory duty to fund places for 20 per cent of two year olds from September 2013 and 40 per cent from September 2014 will require considerable extra funding. It is not yet clear how much additional funding will be made available by the government. It is also likely that new early years provision will be needed to meet the 20 per cent target in the most disadvantaged areas of the city. No additional capital funding has been announced.

Public Health Implications:

- 5.7 The scheme will support the health and well being of young children and have a positive impact on inequalities by improving outcomes for the most disadvantaged two year olds.

Corporate / Citywide Implications:

- 5.8 The scheme will contribute to the council's corporate priority of tackling inequality and will support the outcome to ensure that children have the best start in life. The scheme will improve the financial sustainability of childcare providers in disadvantaged areas.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 None considered.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To ensure that the council can meet the statutory duty to make available sufficient free places of 570 hours a year over no fewer than 38 weeks of the year for every eligible disadvantaged two year old child in their area from September 2013.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Proposed increase in funded two year olds by children's centre area from April 2012 to September 2013
2. Current pattern of use of funded childcare by children's centre area

**Documents in Members' Rooms**

**Background Documents**

1. Childcare Sufficiency Assessment March 2011

## Appendix 1

### Proposed increase in funded two year olds by children's centre area from April 2012 to September 2013

The original formula to create the current quota (column B) is based upon the Income Deprivation Affecting Children Index (IDACI) (part of the Index of Multiple Deprivation). The formula we used weighted places towards the most disadvantaged children and was balanced as follows:

Each children's centre area had one childcare place for

- 20 per cent of two year olds living in up to 10 per cent most disadvantaged areas, and
- 15 per cent of two year olds living in 10 to 20 per cent most disadvantaged areas, and
- 7 per cent of two year olds living in 20 to 30 per cent most disadvantaged areas

In column C the current quota has been increased by 18 per cent, and in column D it has been increased by 25 per cent in order to arrive at a number of children we can fund within the allocated budget.

In columns E and F a new formula is used based upon the percentage of children aged 0 to 4 living in poverty by children's centre area, that is families in receipt of out of work benefits or in receipt of tax credits where reported income is less than 60 per cent of median income, from Department of Work and Pensions data. The number of children in column F is an estimate of all children in families in receipt of these benefits by children's centre area.

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>Children's centre area</b>	<b>Current quota</b>	<b>Number from April 2012<sup>1</sup></b>	<b>Number from Sept 2012<sup>2</sup></b>	<b>Number from April 2013</b>	<b>Number from Sept 2013</b>
Roundabout	31	37	46	61	91
The Deans	4	5	6	15	34
Moulsecoomb	29	34	43	57	85
City View	11	13	16	30	57
Cornerstone	3	4	4	14	33
Tarner	14	17	21	30	48
Hollingbury & Patcham	2	2	3	9	20
Hollingdean	12	14	18	24	36
Preston Park	1	1	1	5	13
Westdene	0	0	0	4	12
Conway Court	6	7	9	22	49
West Hove	4	5	6	12	25
Hangleton Park	13	15	19	28	47
North Portslade	3	4	4	13	30
South Portslade	2	2	3	12	29
<b>Total</b>	<b>135</b>	<b>159</b>	<b>199</b>	<b>334</b>	<b>605</b>

<sup>1</sup> 10 hours per week

<sup>2</sup> 15 hours a week from September 2012 onwards









## Appendix 2

### Current pattern of use of funded childcare by children's centre area<sup>1</sup>

Children's centre area	Settings used	Children's centre area	Settings used	
City View	B& H Montessori	North Portslade	Acorn	
	Bright Start		Early Explorers	
	One World		Stepping Stones	
	Conway Court	Pixies	Roundabout	Bright Start
		St Joseph's		Brighthelm
		Tarnerland		Early Explorers
Cornerstone	Footsteps Hove	South Portslade		Paces
	Honeycroft			Puffin
	My First Word			Roundabout
Hangleton Park	Bright Start	Tarnar	St George's	
	Brighthelm		Footsteps Portslade	
	Footsteps Hove		Amigos	
	Playcare		Bright Start	
Hollingbury & Patcham	Robbins	The Deans	Footsteps Hove	
	Little Lambs		Puffin	
	Honeycroft		Tarnerland	
	Little Ducklings		Boomerang Kids	
Hollingdean	Safe & Sound	West Hove	Circus	
	Cherry Tree		Kipling Lions	
	Fiveways		Oak Cottage	
	Jump Start		Honeycroft	
Moulescoomb	One World	Westdene	Footsteps Hove	
	Pixies		Bright Start	
	Roundabout		One World	
	St Josephs			

<sup>1</sup> Data at December 2011.



# CHILDREN & YOUNG PEOPLE'S CABINET MEMBER MEETING

## Agenda Item 41

Brighton & Hove City Council

<b>Subject:</b>	<b>Provision of Family Group Conferences</b>		
<b>Date of Meeting:</b>	<b>5<sup>th</sup> March 2012</b>		
<b>Report of:</b>	<b>Strategic Director, People</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Ellen Jones</b>	<b>Tel:</b> 29-3441
	<b>Email:</b>	<b>Ellen.jones@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: CYP 27897</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 Family Group Conferences are an internationally recognised and evidence based mechanism of family based decision making for children and young people in crisis where a plan needs to be made for their welfare. They are now required under the Public law Outline. Brighton & Hove have had Family Group Conferences provided by a specialist independent provider since October 2002. Family Group Conferences aim to divert children and young people from public care and maintain them within their families and communities. This is a key objective of the Value for Money programme in Children's Services.
- 1.2 Following the review of the Early Intervention Grant in 2011 a recommendation was made that there should be a new tender process for provision of Family Group Conferences in Brighton & Hove to ensure value for money. Approval is sought to undertake a tender process to procure provision of Family Group Conferences in Brighton & Hove from September 2012 to the end of March 2015. A contract over this longer period will enable stability of provision, a quality service and efficiencies to be made ensuring value for money for the city.

#### 2. RECOMMENDATIONS:

- 2.1 That CMM agree to a tender process to procure provision of Family Group conferences for the city.
- 2.2 That CMM agree the contract for provision of Family Group Conferences from September 2012 to end of March 2015 with a break clause in March 2014.
- 2.3 That CMM authorises the Strategic Director, People to approve the award of a contract to the selected provider following completion of the procurement process.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 **Family Group Conferences (FGCs)** originated in New Zealand where they have been used since the 1970's and are now required as part of the legal process in child welfare. The Family Group Conference (or FGC) is a formal meeting in which the family ( including extended family and wider network) of the child and professional practitioners work together to make a decision that best meets the needs of the child. The process has four main stages, which includes a meeting where professionals inform the family of the concerns they have, followed by private family time, where the family alone develop a plan that addresses the concerns that have been raised. The plan is then presented to the professionals who should support it if the concerns have been addressed and it does not put the child at risk. The meetings are facilitated and coordinated by people independent of casework decisions in the agency working with the family.

### 3.2 **Objectives of a family group conference**

The objectives of the family group conference are:

- to keep children safe by preventing the occurrence and re-occurrence of child abuse and neglect;
- to include family members in the creation of their own plan, increasing their motivation and facilitating implementation of actual services provided for children and their families;
- to strengthen and extend the support networks within and around the family;
- to increase the number of children and youth living safely with immediate or extended family or friends;
- to develop plans for children in care which are supported by extended family and significant people in the child or youth's life; and,
- to divert cases from court thereby reducing delays in decision making and planning.

3.3 In 2002, following research into Family Group Conference models, Brighton & Hove went to tender for the provision of a Family Group Conference Project for the city. Initially referrals were to come only for children in the 5-13 age range. A specialist voluntary agency called Daybreak was awarded the contract and has been providing the service since 2002. Provision of FGC's is overseen by a multi agency steering group. Daybreak provide FGC's for a number of other local authorities including Hampshire and Bournemouth and Poole.

- 3.4 During the ten years in which the project has been operating a number of changes have been made including widening out the age range to include all children and young people from 0-18 including unborn babies. The project now takes 93 referrals a year, in 2010-11 this related to 177 children, 54% of whom were under 5 years. The children supported by FGC's in Brighton & Hove have significant difficulties; for example, in 2010-11 a third of the children were living in families where there was domestic abuse. The focus of Family Group Conferences is to make robust plans for children and young people who are at risk of coming into the care system. This group of children and young people are a key focus of the Value for Money programme in Children's Services because of both their poor outcomes and because of the high cost of placing children away from their families.
- 3.5 Outcomes from Family Group Conferences are positive. For example in 2010-11, of the 44 children referred because of a request for Local Authority accommodation, 43 children (97%) remained living or were placed with either their immediate or extended family. In addition, 97% of children who were in Local authority care when referred had plans agreed for them to return to live within their families.
- 3.6 In August 2011, a review of services funded through the Early Intervention Grant took place which included the Daybreak Family Group Conference Project. The review recommended that after 10 years of operation it was appropriate to retender for provision of this service in order to ensure best value and that provision in the next few years was fit for purpose.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 Appropriate consultation with stakeholders will be planned as part of the procurement process.

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

##### Financial Implications:

- 5.1 The current budget for the service is £182,500 per annum. Efficiencies and economies of scale would be sought over a longer contract period of 30 months to both increase the number of referrals taken thus reducing the unit cost and to reduce the overall contract sum. Provision of capital and set up costs would need to be taken into account for any new provider.

*Finance Officer Consulted: Name David Ellis Date: 080212*

##### Legal Implications:

- 5.2 Family Group Conferences are required under the Public Law Outline. Any provision in Brighton & Hove would need to comply with this requirement.

*Lawyer Consulted: Name Natasha Watson Date: 080212*

#### Equalities Implications:

- 5.3 An equality impact assessment will be fully considered

#### Sustainability Implications:

- 5.4 Family Group Conferences improve a sense of community and support the capacity of the community to support themselves through an empowering family centred decision making process.

#### Crime & Disorder Implications:

- 5.5 Family Group Conferences can be used in situations where young people are offending or are at risk of offending and therefore are a positive tool in preventing or reducing crime and disorder.

#### Risk and Opportunity Management Implications:

- 5.6 Risks relevant to the procurement process and continuity of provision will be addressed and appropriate advice and guidance will be sought.

#### Public Health Implications:

- 5.7 Family Group Conferences support wider health and wellbeing through engaging and involving vulnerable children and families in making crucial decisions about their lives, promoting self efficacy.

#### Corporate / Citywide Implications:

- 5.8 These proposals support the corporate objectives of tackling inequality and engaging people who live in the city. Family Group Conferences are an empowering process whereby families are fully involved in making decisions for their children and the resources of the extended family and community are engaged in supporting some of the most vulnerable children in the city. Family Group Conferences have proven that they can prevent children coming into the care system and help maintain them in their families and communities. The process also addresses the corporate Value for Money objectives.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The option of providing Family Group Conferences in house through the local authority will be fully considered before making final decisions.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To maintain children and young people at home in their families and communities wherever this is safe and in the best interests of the child or young person, utilising the resources and support of local families and communities through ensuring best value provision of Family Group Conferences in the city over the next two and a half years.

## **SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

**Documents in Members' Rooms**

1. None

**Background Documents**

1. None





Document is Restricted

