

Report of the Cabinet Member
Children's Services and Schools

I have been asked to report as follows for Full Council on 4 October:

By Councillor Hannaford on:

- i. Care Leavers Contract & New Ministerial Direction;*
- ii. Thirty Hours Of Free Child Care Initiative - Now that we are entering the second year of this scheme can I please request an update report for full council to perhaps include over all figures, provider capacity, parental subsidies and a general SWOT analysis of where we stand in the DCC area.*
- iii. period poverty in our local schools - including feedback and representations made through school forums and an analysis about where some Local Education Authorities are piloting free universal access in their local schools?*

By Councillor Aves on:

- iv. what the Council is doing to push further for more government funding for the High Needs Block of the Designated School Grant – with more money required due to the new Free Special School not opening this September 2018 and more of our children with disabilities having to go into independent Special School provision. Why has the Free School not opened in time? (waiting times for Children's & Adolescent Mental Health Services; and*
- v. following an article recently published stating that there were 4.5 million children in the UK living in poverty, what is the level of child poverty in Devon? What have the numbers been over the last ten years and what are we doing as a council to reduce child poverty in Devon?*

By Councillor Brennan on:

- vi. A report by the Everyday Sexism Project in August 2018 stated that a rape is occurring in a UK school every term time day. It also stated that there are currently no guidelines to schools on how to deal with this issue, including to ensure that a pupil who has been assaulted does not have to continue being taught in the same class as the perpetrator of the assault. Can you please provide a report on what action Devon County Council is taking in light of this report, including what new guidelines or model policies are being put in place to schools on the issue of dealing with physical and online sexual abuse and assault between pupils?*

By Councillor Dewhirst on:

- vii. the level of incidence of loneliness in young people in general and children in care in particular in Devon and what the County Council is doing to mitigate the debilitated effects of loneliness.*

Response:

i) Care Leavers Contract and New Ministerial Direction

In July 2016, the Government published a major policy document 'Keep on Caring'¹ to support young people from care to independence and the paper contained a key policy pledge to introduce a Care Leaver Covenant. There is no new Ministerial direction but the commitment and focus of the Children's Minister Nadhim Zahawi to progress the Government's plans to create a Care Leaver Covenant is certainly welcomed.

In a speech to the ADCS (Association of Directors' of Children's Services) conference in July 2018, the Minister said:

"... I am so excited to be launching the Care Leaver Covenant this autumn, and I'm standing on the shoulders of giants by bringing [former children's minister] Edward Timpson's idea to life.

...The covenant is a pledge from organisations across our society, in which they make concrete commitments to help improve outcomes for care leavers. They might offer training, job opportunities, services or anything else they can offer to help young people move from care to independence.

...It represents a partnership between the best of the public and private sectors to provide support that will champion our most vulnerable children."

"And my ask of all of you today is to do all you can to encourage your local businesses to be ambitious in what they can offer to support our future generations."

The Government has appointed a company called Spectra First² as its delivery partner for the covenant and more details are expected to be made available when the covenant is formally launched.

Once launched, the Covenant and any support that Devon County Council can provide, will be discussed at the Corporate Parenting Board.

ii) Thirty hours Of Free Child Care Initiative

Since September 2017 many 3 & 4 year olds of working families have been entitled to the 30 hour per week free childcare extended entitlement (1140 per year). The Early Years and Childcare Service have provided training, advice and support to settings to encourage them to offer this extended entitlement. 768 out of the 770 funded providers now do so, this represents 99.7%. The take up of the extended entitlement has increased from 39.6% in autumn 2017 to 41.8% in spring 2018, and we are awaiting up to date figures for summer but anticipate that this will have increased. The spring figures represent 68% of those who the Department for Education estimate to be eligible. We would anticipate that this take up will increase term on term as parents become more aware of this entitlement. Children's Centres, Early Years Settings and Partner Agencies are key in advising parents of this.

In addition, all providers have been encouraged and supported to register with HMRC so that they can accept Tax Free Childcare payments, making childcare more affordable for families. We have been able to increase the provider funding rate for the 3 & 4 year old entitlement from £3.98 in September 2017 to £4.08 in September 2018. This helps the sustainability of Early Years provision thereby ensuring we have sufficient provision for families to access their entitlement.

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/535899/Care-Leaver-Strategy.pdf

² <http://spectrafirst.com/identity-cms/wp-content/uploads/2018/08/Care-Leaver-Covenant-Summary.pdf>

The Childcare Sufficiency Annual Assessment Report has been completed and is available from the following links:

[Childcare Sufficiency Assessment Annual Report 17/18 -](#)

[Childcare Sufficiency Assessment Annual Summary 17/18](#)

Full details of Childcare Sufficiency is covered in this report and we have identified the 'Hot Spot' areas where there may be a need for more provision and these are kept under review. Where areas are identified the Early Years and Childcare Service works closely with Early Years Providers and Schools to encourage expansion of existing provision or development of new provision.

The take up of Early Years Funding by 2 year olds has remained high at 90.9%. This is much better than the national average and means that Devon is ranked 20th out of 152 Local Authorities. The take up of 3 & 4 year old Early Years Education places remains high at 98.5% which is well above the national average of 94%.

For further information please see Childcare Sufficiency Assessment Report and summary.

iii) **Period Poverty in Local Schools**

The Council does not hold data on which schools provide free sanitary products, however we are aware that many schools do have products available; often this comes via promotional supplies from companies or in some cases they were bought in by the school.

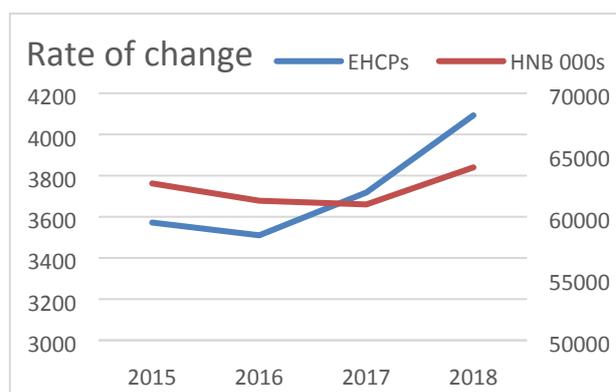
iv) **Government Funding for High Needs Block**

Devon continues to seek a change in the government's way of allocating funding as funding for the High Needs Block (HNB) has not kept pace with the growth in pupils requiring Education Health and Care Plans (EHCPs) as the chart below shows.

1) EHCPs growth v HNB growth

Increased numbers of children and young people with statutory plans

- a. growth from 3572 in 2015 to 4093 in 2018 (14.5% increase over last 4 years).
- b. rate of increase has been above the rate of change in HNB funding.



The HNB budget reduced between 2015 and 2017 with the 2017 budget being £61m compared to £62.7m in 2015. This was a drop of £1.7 million despite a growth of 208 pupils. In the last year, whilst the budget has increased, the number of children and young people with EHCPs has grown at a significantly faster rate.

Devon continues on a national level to be an active member of the f40 group (lowest funded 41 Local Authorities) lobbying Central Government / DfE over the introduction of a fair national funding formula, and in more recent months, highlighting the lack of funding within the High Needs Block.

Councillor McInnes is now the Chair-elect (Chair from October) for the f40 group and this has meant there has been the opportunity to meet directly with the DfE, MPs and other groups, such as ASCL.

Gary Streeter MP has also become more involved in the f40 as Conservative Vice Chair. Schools have also been involved in campaigning through the WorthLess? Group. On a local level we continue to work with local Councillors and MPs on raising awareness of the issues surrounding funding of a rural county for schools and High Needs.

Special School Investment and the opening of new provision

Over the past 3 academic years the number of special school places provided in Devon has been increased by 12.4%. This equates to an additional 121 places up to end of 2017/18 (30 extra places will be available from Sep 2018). Devon County Council Capital Funding was used to fund these additional places. Even with our special schools agreeing to take students up to a level of 10% over capacity (the maximum allowed), this still won't meet the demand for the coming year and will therefore result in more pupils being placed in the independent sector at significant additional cost.

To mitigate this cost, Devon has, for the past 2 years, been working on a plan to open additional special school places at Charlton Lodge in Tiverton. The land and capital costs have been provided by the Council. An Expression of Interest to the Wave 1 SEN Free School Programme was unsuccessful and therefore, the intention was to open the school as a satellite to the one of our existing maintained schools, as Local Authorities can no longer open new schools. The school would have been operational by Sept 18. However, maintained schools' concerns over legislation, in relation to the provision, meant they were not able to bring forward additional places, and as such, Devon were required to follow the Free School presumption route. This route is almost identical to the National Free School Programme except that the Local Authority fund the work rather than the DfE and that the local authority run a local competition, although the final decision is still taken through the Regional Schools Commissioner Office. This is the only way Local Authorities can now guarantee the opening of a new school.

Due to the circumstance outlined above, the new school, Charlton Lodge, will not now open until Sept 2019. Had it opened in Sept 18 savings of £577,500 (FYE £990,000) could have been realised. This is because the school would have opened with 30 places at a cost of £22k versus a potential average cost of a day placement in an Independent Special School of £45k.

In addition to this, a new special school was due to open in Newton Abbot in Sept 2019. This school was being funded through the DfE free school programme, but Devon has provided a site. However, due to delays within the DfE the opening date is now planned for Sept 2020. The initial number planned to start at this school in 2019 was 30 places and this would reduce costs in that financial year by a further £577,500. Devon has raised concerns about the delays in delivering Free Schools with Central Government.

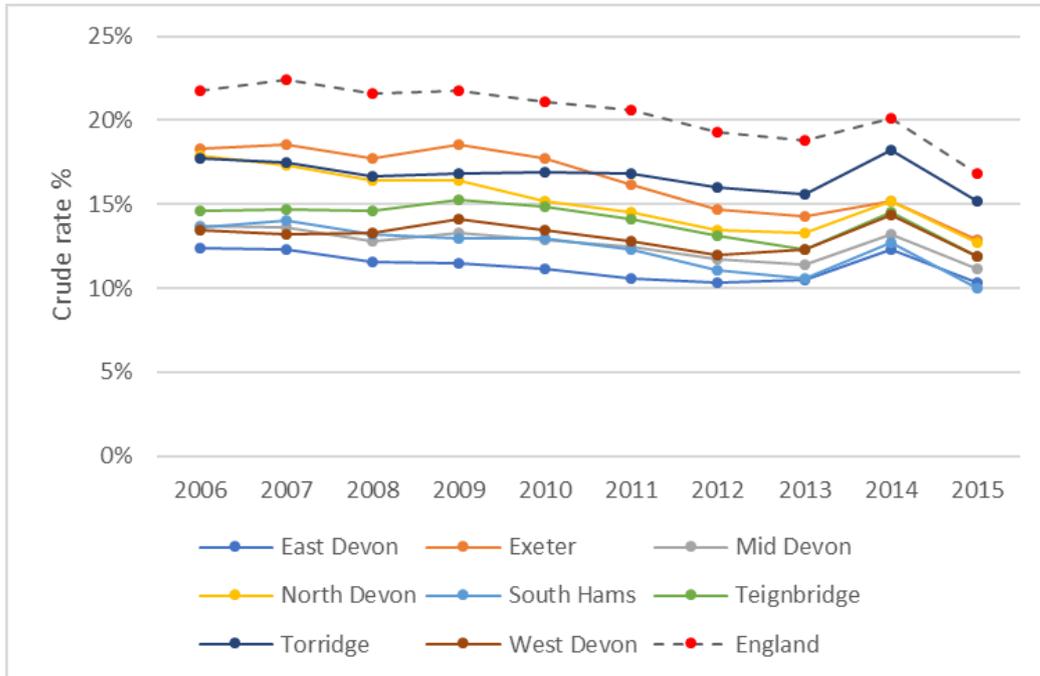
v) Child Poverty in Devon

Children in poverty are defined as those living in households where income is less than 60 per cent of median household income before housing costs.

The latest data on child poverty in Devon is available in the [Devon Joint Strategic Needs Assessment](#) (JSNA) and the [Devon Health and Wellbeing Outcomes report](#). In 2015, 14,460 children (11.9%) in Devon lived in households dependent on benefits or tax credits, compared with 13.7% in the South West, 15.2% for the local authority comparator group and 16.8% nationally. Child poverty rates decreased between 2014 and 2015.

Rates at a district level range from 10.1% in South Hams to 15.1% in Torridge. Most districts have followed a similar trajectory with decreasing levels of child poverty in children under 16 years. Rates remain significantly lower compared to the England average.

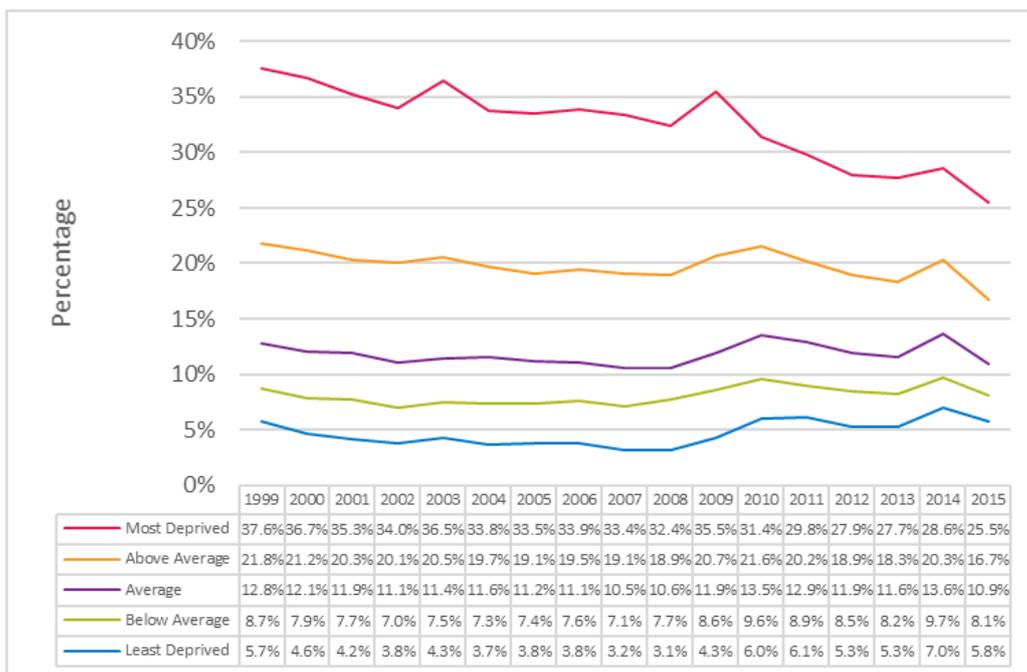
Children in low income families (all dependent children under 16)



Source: HM Revenue and Customs (Personal Tax Credits: Related Statistics - Child Poverty Statistics), 2016

Despite the narrowing gap of inequalities, rates in the most deprived areas are four times those in the least. Rates of child poverty are higher in younger families due to higher benefit claimant rates and lower incomes in persons in their 20s and 30s. Single parent households, particularly where headed by a female, are also more likely to experience economic poverty, as are children of disabled parents. There are no significant variations by ethnic group in Devon.

Percentage of children aged under 16 living in households dependent on benefits or tax credits, 1999 to 2015



Source: HM Revenue and Customs (Personal Tax Credits: Related Statistics - Child Poverty Statistics), 2016

In September 2018 the Social Metrics Commission published an estimate of the overall prevalence of poverty in the UK. Of an estimated 14.2 million people in poverty, 4.5 million are children, 8.4 million are working age adults and 1.4 million are of pensionable age.

The Commission employed a new measure that reflects the nature and experiences of poverty, for example by taking account of the ways in which the costs of childcare and disability affect people's ability to make ends meet. The new measure indicates that poverty is concentrated among working-age families with children. It is much lower among pensioners than among other groups, and has fallen fast among pensioners over the past 15 years. Nearly half of those defined as being in poverty on this measure are living in a household containing someone with a disability.

Child Poverty and wellbeing

People with lower income tend to have poorer health. This relationship is inter-generational and bi-directional where parent's income can influence their children's health and children's health influences can influence their earning capacity later on in life.

Children from poor backgrounds lag at all stages of education. They are more likely to suffer chronic illness during childhood or to have a disability, with poorer health in childhood having a significant impact on life expectancy. They may have less favorable economic life chances and find it difficult to escape poverty in adulthood.

Welfare reform and rising housing costs are amongst the issues that may heighten the risk of poverty for some families in Devon. The current roll out of Universal Credit will affect claimants differently depending on their circumstances, but many households will receive a lower level of support compared to the current benefits and tax credits system.

What are we doing as a council to reduce child poverty in Devon?

The County Council's intelligence resources together with new metrics around poverty provide a good understanding of the extent of child poverty in Devon, the communities affected and the impact of issues such as welfare reform.

Whilst the Council has not drafted an overarching strategy to address Child Poverty there are many strands of work that address the issue. Although this is not an exhaustive list, this work includes:

- Working with schools and other settings to 'Narrow the Gap' in achievement between children from disadvantaged backgrounds and others,
- Supporting the health of children and families affected by poverty through targeted Public Health interventions,
- Supporting employment and adult skills in deprived areas of the County through targeted economic development programmes,
- Supporting young people most at risk of poverty to move into education, employment or training.
- Supporting financial inclusion through advice services, benefit awareness campaigns and promoting affordable financial products.

vi) a response to the 'Everyday Sexism Project' in relation to sexual assault in schools and relevant County Council guidelines or model policies

Children's Services are not aware of any reported rapes taking place in Devon schools. If a case was reported, this would be a criminal offence and the police would be involved. Additionally, the Local Authority Designated Officer (LADO) would be involved if the case related to a Staff member, either as the perpetrator or for failing to intervene to protect a child if they knew about this and did not report it.

The Department for Education (DfE) published new guidance 'Sexual Violence and Sexual Harassment between Children in Schools and Colleges' in May 2018. This gives clear advice to schools about how to deal with this issue. In addition, the new Keeping Children Safe in Education (September 2018) statutory guidance now provides additional advice to help school and college staff deal with allegations of child-on-child sexual violence and harassment. All Designated Safeguarding Leads are required to undertake initial Level 3 safeguarding training on appointment which must be refreshed at least every two years. All school staff must read KCSiE Part 1 and have regularly updated safeguarding and child protection training plus updates as required at least annually. How to support children who have been abused or sexually assaulted (in any location) will be part of this training. Following a Serious Case Review, the DCFP ran a number of half-day workshops in conjunction with the Educational Psychology Service (EPS) on the subject of Harmful Sexual Behaviour in 2017 and updated guidance (written by the EPS) was issued to all Devon schools on what is normal sexual behaviour at different ages and what is not.

Babcock LDP has covered the issue of Harmful Sexual Behaviour in its termly Forums for Designated Safeguarding Leads and in its half termly safeguarding newsletter for schools. Their annual Safeguarding Conference for schools in 2016 was on the subject of sexual abuse and was led by an internationally renowned expert on the subject of children who sexually abuse other children. They have also provided a link to the Contextual Safeguarding Network's self-assessment tool and resources to use in assessing the school's response to Harmful Sexual Behaviour. In addition, schools have been provided with information about the Brook Sexual Behaviours Traffic Light Tool and access to a One Minute Guide on 'Peer on Peer abuse' which is available on the Babcock LDP website. This provides links to a number of useful websites and resources.

Schools (and all other providers) also must have safeguarding policies in place, these follow national guidelines in terms of content and issues such as radicalisation and sexual abuse or assault, including online safety. Where abuse has taken place, the school will undertake a risk assessment (in some cases assisted by the Youth Offending Service which has staff trained in undertaking specialist risk assessments in cases such as these) and the victim and perpetrator would be taught separately, often with a change of school.

In addition, the police are working with partners including Devon County Council to provide information and resources to support practice across a wide range of professionals. This includes written advice and a conference. There is also a publicly available website which aims to support young people, families and professionals. <https://www.devon-cornwall.police.uk/advice/threat-assault-abuse/child-sexual-exploitation/> .

Looking forward the Safer Devon Partnership have recently been successful in their bid to the DfE for Trusted Relationships funding. Ysmart are leading part of this work with schools to train all teaching staff in their trusted relationship role.

The Devon Children and Families Partnership Website also provides advice and support. <https://www.devonchildrenandfamiliespartnership.org.uk/children-young-people/sexual-exploitation/>.

vii) Loneliness in young people

Whilst there is no present way to measure the incidence of loneliness in children and young people locally, there has been a great deal of national work into the subject. Late last year Action for Children published a report specifically looking into the impact of loneliness in children, young people and families

(https://www.actionforchildren.org.uk/media/9724/action_for_children_it_starts_with_hello_report_november_2017_lowres.pdf), which gives an overview of loneliness and its impact on young people, and also highlights children, young people and families most at risk of loneliness. These are:

- Child victims of abuse and neglect
- Children in care and care leavers
- Homeless young people
- Disabled children and young people
- Young carers
- Parents of disabled children and young people
- Young parents
- Parents with depression

A recent report on Loneliness in Devon also went to the Health and Wellbeing Board on 13 September 2018, previously circulated to Members and can be viewed at:

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=166&MId=2863&Ver=4>

The Report highlighted the considerable impact of loneliness on individuals' health and wellbeing, with a greater risk of ill-health and a lower quality of life. Recent local and national studies on loneliness reported on certain characteristics associated with feeling lonely, including being female, being single or widowed, being in poor health, living in rented accommodation, having a weak sense of belonging to a neighbourhood; and with 5% of adults who reported feeling lonely, with those aged 16 to 24 feeling lonely more often when compared to older age groups.

It was agreed that, over and above the identification of loneliness as a priority in the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy, the Health and Wellbeing Board would lead a campaign around loneliness, focusing particularly on high-risk populations, and would support the development of local projects and interventions to reduce loneliness.

The minutes of the Board meeting, along with presentations around loneliness, can be viewed at:

<https://democracy.devon.gov.uk/documents/g2863/Public%20minutes%2013th-Sep-2018%2014.15%20Health%20and%20Wellbeing%20Board.pdf?T=11>

James McInnes
Cabinet Member
Children's Services and Schools