



## Children and Families Overview and Scrutiny Committee

**Tuesday 15 December 2009 at 7.30 pm**

Committee Rooms 1 and 2, Brent Town Hall  
Forty Lane, Wembley, HA9 9HD

### Membership

#### Members

Councillors:

Motley (Chair)  
Fernandes (Vice-Chair)  
Arnold  
Mistry  
J Moher  
C J Patel  
Tancred

#### Voting co-optees

Mr Akisanya  
Mrs Bondzi-Simpson  
Mr Lorenzato  
vacancy

#### First alternates

Councillors:

Hashmi  
Baker  
Thomas  
Kansagra  
R Moher  
Bessong  
Hirani

#### Non-voting co-optees

Dr Levison  
Mrs Tabi

#### Second alternates

Councillors:

Anwar  
H M Patel  
Mrs Bacchus  
H B Patel  
Singh  
Clues  
V Brown

#### Observers

Mr Carter  
Ms Cooper  
Mrs Gouldbourne  
Ms Jolinon  
Mr Patel  
Mrs Singh  
Brent Youth Parliament  
representatives

**For further information contact** Maureen O'Sullivan, Democratic Services Officer,  
0208 937 1357, [Maureen.O'Sullivan@brent.gov.uk](mailto:Maureen.O'Sullivan@brent.gov.uk)

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**The press and public are welcome to attend this meeting**

# Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

| Item   | Page    |
|--|---------|
| <b>1 Declarations of personal and prejudicial interests</b>  |         |
| Members are invited to declare, at this stage of the meeting, any relevant financial or other interest in the items on this agenda.  |         |
| <b>2 Minutes of the previous meeting</b>   | 1 - 10  |
| <b>3 Matters arising</b>   |         |
| <b>4 Youth Crime Prevention: the work of the Youth Offending Service</b>   | 11 - 28 |
| This report outlines the work of the Youth Offending Service (YOS), including the changes recently introduced to the youth justice system as a result of the Criminal Justice and Immigration Act 2008 and new approaches to working with young offenders. It also details the restructuring of the YOS since the last Scrutiny Report in early 2008 and updates the profiles of young offenders and trends in offending. It includes illustrative information about the work being undertaken with those young people on court-ordered sentences and the role of the YOS in prevention programmes for those at risk of offending as well as recent developments in the service.   |         |
| <b>5 Improving outcomes for underachieving groups</b>  | 29 - 34 |
| Improving outcomes for underachieving groups remains a high priority for the local authority and for the School Improvement Service in particular. This is reflected in the School Improvement Service action plans which refer to accelerating the rate of improvement of underachieving groups, narrowing and eliminating gaps. In Brent there has been a borough-wide drive to improve outcomes for its main underperforming groups, Black Caribbean and Somali pupils. This report focuses on the impact of that work and provides an overview of the five Every Child Matters outcomes for the White British, White Other and White Irish groups. The report draws on data currently available to the local authority. It should be noted that information on outcomes in all areas is not available. |         |

## **6 Update on the transfer of responsibility for 16-19 education**

35 - 40

The Apprenticeships, Skills, Children and Learning Act became law in November 2009, transferring the Learning and Skills Council's (LSC) responsibilities for funding and commissioning 16-19 education provision to local authorities from 1 April 2010. The transfer will help Brent Children's Partnership to integrate the planning, funding and local accountability of services provided for young people and their families. It will help to ensure that provision meets the needs of young people and that their outcomes improve. This report sets out the responsibilities which the local authority (LA) will have and the progress the LA has made in planning for the commissioning of 16-19 education provision.

## **7 Special Educational Needs: update on progress of SEN Improvement and Efficiency Review**

41 - 44

A report providing an overview of progress and provision for children with special educational needs was presented to the Children and Families Overview and Scrutiny Committee in November 2008. It was noted that a SEN review was scheduled to take place under the Council's Improvement and Efficiency Scheme and members recommended that progress on the implementation of the review and other SEN developments were reported back to the Committee. This report provides an update on progress.

## **8 Building Schools for the Future (BSF)**

Verbal update on the Council's bid to secure early entry into the BSF process.

## **9 School places in Brent**

A verbal update on issues relating to the sufficiency of primary and secondary school places, the numbers of children currently without a school place and measures taken to provide suitable education provision for children out of school.

## **10 Date of next meeting**

The next meeting of the Children and Families Overview and Scrutiny Committee is scheduled to be held on Tuesday 23 February 2010.

## **11 Any other urgent business**

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.



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# Agenda Item 2

## MINUTES OF THE CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

Wednesday 21 October 2009 at 7.30 pm

PRESENT: Councillor Motley (Chair), and Councillors Arnold, Beswick, Mistry and Tancred, together with Mr Akisanya and Mrs Bondzi-Simpson (voting co-optees)

ALSO PRESENT: Councillor Wharton (Lead Member, Children and Families), Ms Cooper (observer – Teachers' Panel), Mrs Gouldbourne (observer – Teachers' Panel), Ms Jolinon (observer – Teachers' Panel), and Brent Youth Parliament representatives Rizwaan Malik and Kishan Parshotam

Apologies were received from Councillor J Moher and Dr Levison (non-voting co-optee)

### 1. **Declarations of personal and prejudicial interests**

Councillor Mistry declared a personal interest in relation to agenda item 5 – Building Schools for the Future (BSF) – in that she worked at Copland Community School. Accordingly, she remained in the room and took part in discussion on the item.

### 2. **Minutes of the previous meeting**

RESOLVED:

that the minutes of the previous meeting held on Thursday 16 July 2009 be approved as an accurate record of the meeting.

### 3. **Safeguarding children in Brent**

Councillor Wharton (Lead Member, Children and Families) provided a verbal update for the Committee on the recently established cross-party body looking at safeguarding children in Brent. In the aftermath of the Baby Peter case Brent Council had set up a members' review of child protection, attended by the leaders of the three main parties, the parties' education spokespersons, the Chair of the Children and Families Overview and Scrutiny Committee, and Councillor Wharton, as Lead Member for Children and Families.

Councillor Wharton reported that recent legislation had increased the requirements on Councils in relation to corporate parenting, and it had been decided that, as the key relevant officers and members were already meeting to review child protection, they should also take on the issue of corporate parenting. The Council was required to establish a council for children in care to meet regularly with and make representations to members. This had duly been established, and the children themselves had chosen the title *Brent Care in Action*. A participation worker was working with the children, and the members' meeting had reviewed the structure and terms of reference of *Brent Care in Action*.

The members' group had reviewed the GCSE results of children in care. Historically, these had been poor, but investment a few years previously had led to increased resources to the teacher team supporting children in care, and the results had been much better in 2009, with 11 young people out of 40 having gained five

A-C grades, including English and Maths. These results compared well with those of other London boroughs and with those of Brent in the past.

Child protection indicators had also been considered by the members' group, which had noted a doubling of referrals over the past three years, particularly in the aftermath of the Baby Peter case. The number of children with child protection plans had doubled over the same period, although this could be as a result of better recognition of risk factors, as opposed to increased abuse. For example, the police now had much better child protection training, and were now making more referrals. The members' group also took note of serious case reviews, set up when it appeared that something had gone wrong and from which the Council needed to learn lessons.

Asked whether the number of referrals had increased because of the aftermath of the Baby Peter case, leaving fewer resources then available to prevent the cycle of neglect, Councillor Wharton told the Committee that he felt that the number of cases had been rising anyway, with better police training, but there had also been a sharp rise since the Baby Peter case. He felt that there was an element of nervousness. However, while it was not the case that more children were being taken into care, extra resources were going into the increased number of investigations. However, the Council had already put extra resources into the current budget to strengthen investigations, and Councillor Wharton did not feel that that resources used for investigations were necessarily taken from other areas. However, he acknowledged that, although the number of children in care was stable, there had been an increase in court proceedings, and this was likely to lead to an increase in the number of children in care.

The Committee was concerned that the balance of resources between investigation and prevention be monitored, and Councillor Wharton agreed to take this issue back to the members' group.

Krutika Pau (Assistant Director, Children and Families) added that the Common Assessment Framework (CAF) was now being used in co-located early intervention teams and that it should be apparent within a year that quick decisions were being made in relation to the social care threshold. Up to now many cases had been referred that did not meet the threshold. The Committee noted that locality-based social care would be discussed by the Committee at its meeting in March 2010.

RESOLVED:

that the verbal update be noted.

#### **4. School places in Brent**

Councillor Wharton (Lead Member, Children and Families) drew the Committee's attention to two written updates from officers on the supply of and demand for school places and an update on the situation at 20 October 2009. The reports explained that, along with other London boroughs, Brent was experiencing unexpected increases in applications for reception classes, with the increasing demand for school places in neighbouring authorities likely to increase the shortfall in Brent. At 20 October 2009 a total of 97 children in Brent were without a reception place. With 53 vacancies, this meant a net shortfall of 44 places, although more accurate figure would emerge at the end of October. There was a mismatch between where the vacancies were and where the unplaced pupils lived, and most

parents wanted a local school. In some cases the nearest offer had been up to 5 km away from a child's home.

While in previous years GLA projections of the number of children had been accurate, in the current year the number of applications had exceeded the projected number. Projections for the future indicated that the demand for reception places would peak in September 2010, but that the demand for places would continue to exceed supply for the next 10 years.

At 20 October 2009 the number of primary school children out of school and available vacancies was as follows:

|        | Children out of school | Number of vacancies |               |       |
|--------|------------------------|---------------------|---------------|-------|
|        |                        | Community           | VA/Foundation | Total |
| Year 1 | 37                     | 23                  | 21            | 44    |
| Year 2 | 19                     | 15                  | 13            | 28    |
| Year 3 | 20                     | 44                  | 130           | 174   |
| Year 4 | 12                     | 104                 | 152           | 256   |
| Year 5 | 23                     | 52                  | 132           | 184   |
| Year 6 | 4                      | 137                 | 120           | 257   |
| Total  | 115                    | 375                 | 568           | 943   |

In the current round of secondary transfer a total of 11 children remained unplaced. All 11 had been offered at least one school, if not two, which they had declined, and the admissions service would continue to track them until they secured a school place. There were vacancies at Cardinal Hinsley and Crest Boys' Academy. For the future, the ARK Academy would provide an additional 180 places in Year 7 from September 2010.

## 5. **Building Schools for the Future (BSF)**

Mustafa Salih (Assistant Director, Children & Families) provided the Committee with a verbal update on the progress of Brent's bid for BSF funding. The Council had not been successful in achieving a September 2009 start, but the government's intention was that another six authorities would start in January 2010, and a further six in March 2010. Brent was still in the running, and had re-submitted its readiness to deliver statement, having addressed issues raised. An announcement was imminent. It had been confirmed that Brent could include one other school in the first phase and, as Copland Community School had been next in line, it had now been added in. Advertisements had been placed to recruit staff to the key roles in managing BSF in Brent. Progress had been made, and the authority was hoping for a January 2010 start date. Feedback had been encouraging, and the process had been very competitive.

Asked about the likelihood of achieving a January 2010 start date, Mustafa Salih informed the Committee that it was difficult to say, but he was optimistic that, even after this date, investment in schools would continue, regardless of any political changes.

RESOLVED:

- (i) that the verbal update be noted;
- (ii) that BSF remain a standing item on the Committee's agenda.

## 6. **Annual Report of Brent Youth Parliament (BYP) 2008-09**

Manveen Patwalia (Principal Youth Participation Manager) introduced the Brent Youth Parliament (BYP) Annual Report 2008/09, which set out the progress and impact of the BYP at the end of its second term, evaluating performance against the terms of reference agreed in November 2008. Manveen Patwalia reported that the monthly sessions had been very successful, and members of the BYP had worked actively on the campaign to break negative stereotypes of young people. BYP members had also been consulted on regeneration and the Council's sports strategy. The parliament had also responded to national consultation on proposed changes to the Personal, Social and Health Education (PSHE) curriculum in schools. There had been liaison with the UK Youth Parliament, and some of Brent's young people would be attending a debate in the House of Commons. An end of year survey had been completed by BYP members, and the results had been generally positive. Following concerns that a one-year term was insufficient, there would be a two-year term in future, with an increased seat allocation. It was hoped by this means to represent young people who were hard to reach.

As part of the process of strengthening relations with the Children and Families Overview and Scrutiny Committee, it was proposed that future reports to the Committee contain a section on the views of young people. It was also proposed that the Chair of the Committee meet quarterly with the BYP Executive to have informal discussions outside the meeting.

Rizwaan Malik (representative of BYP) addressed the Committee on the BYP's campaign of breaking the negative stereotypes of young people. DVDs had been produced, and a copy would be left with the Chair for councillors to view. A nationwide survey of 15 questions had been launched, and it was hoped to receive 5,000 responses. Rizwaan Malik invited councillors to complete the survey, a copy of which had been emailed to them.

Kishan Parshotam (representative of BYP) drew the Committee's attention to a youth-friendly version of Brent's Children and Young People's Plan. A Youth Conference – with 150 young people and 50 adults – was being organised for 13 November 2009. The Deputy Children's Commission for England would be attending, and Kishan Parshotam also invited members of the Committee.

Members welcomed the report and congratulated the BYP and the Council officers supporting it on their work. They welcomed the proposal that the views of young people be reflected in reports to the Committee, and suggested that this happen more widely within the Council. Councillors also expressed an interest in receiving copies of the youth-friendly version of Brent's Children and Young People's Plan. They also recommended that invitations to the 13 November conference be issues as soon as possible.

Manveen Patwalia welcomed a suggestion from a member of the Teachers' Panel that a group from the BYP spend a day in, for example, special schools, in order to help the BYP contact particular target groups.



Krutika Pau (Assistant Director, Strategy and Partnerships) praised the work of the BYP and the Council officers supporting the BYP, recognising that the BYP was a very organised group of young people, supported by officers doing very intensive work with them. The Chair thanked the BYP representatives and officers for their work.

RESOLVED:

- (i) that the Committee note the good progress made by the BYP in its second term;
- (ii) that the Committee endorse the changes proposed for the next term around the extension of members' terms to two years and the proposed increased in seat allocation;
- (iii) that, where applicable, and recognising that a suitable process needed to be put in place, reports submitted to the Committee in future should have a section on young people's views, demonstrating how young people were involved in discussion of the subject matter and their views given due weight;
- (iv) that the Chair of the Committee have quarterly meetings with the BYP Executive to discuss issues raised by the BYP, as well as issues coming to the attention of the Committee, to ensure that young people are at the heart of discussions and decisions relating to services for young people in Brent.

## 7. **Scope of Youth Services Review**

Karin McDougall (Manager, Brent Excellence Support Team) introduced the report and answered questions from the Committee on the scope of the review of services for young people in Brent. In response to councillors' concern that an efficiency target of £200,000 had been set against the budget for this area, Karin McDougall informed the Committee that all 12 of the Council's service reviews had efficiency targets, and it was a case of officers looking at how best to provide services in a smarter way. For example, the transformation of children's social care had been very successful, and efficiencies did not necessarily mean cuts in services. The proposed efficiency savings were set in the context of the Council's need to save £50m over the next four years.

Asked about the extent of consultation on the review, Karin McDougall reported that the net had been cast very wide, and anyone who provided services, including voluntary groups, was consulted. Focus groups would be used and neighbourhood ward working would also be involved.

Members of the Committee asked to be made aware if, as a result of the consultation, something was required for youth services, whether or not resources allowed for its provision.

RESOLVED:

- (i) that the aims and scope of the review be noted;
- (ii) that the Committee be made aware of the needs of youth services, whether or not resources allowed for their provision.

## 8. Allocation and funding of nursery places

Mustafa Salih (Assistant Director, Children and Families) introduced the report and answered questions from the Committee on the new process for allocating and funding nursery places. He explained that universal nursery provision for three and four-year olds had been made available in 1998 through the allocation of government funding to local authorities and the inclusion of the private, voluntary and independent (PVI) sectors as nursery providers. All children aged three and four, whose parents wished to take up the offer, were funded to receive 12.5 hours of nursery provision, which was the equivalent of a part-time place. Legislative changes on the number of hours to be provided and on funding arrangements for nursery places for three and four-year olds had led to a review of the arrangements in Brent, arrangements which had themselves led to inconsistencies in access to full and part-time places across the borough. In order to achieve transparency in allocating resources and effectiveness in raising standards for all children, as well as narrowing the attainment gap, a new process for funding and allocating nursery places had been developed, based on the use of a local single funding formula (SFF).

This was a complex area, and the authority had been working with schools and private providers for a year. A consensus had been reached, and the implementation of the SFF was a national development, requiring implementation by April 2010. Hourly rates had been arrived at, with supplements agreed relating to deprivation, flexibility and quality. The impact of the changes on providers had been analysed. The next stream of work would be to look at the allocation of full-time places, which was a Brent issue, rather than a national one. Historical and ad hoc arrangements had prevailed in the allocation of full-time places, but the funding formula would move the authority to a more consistent approach. As the government funded only 12.5 hours of nursery provision, the remainder of any full-time place was subsidised by the rest of the schools budget, so a coherent and transparent way of allocating full-time places was needed. Currently more places were offered than would be justified if assessed on the basis of need. An easy-to-understand basis was needed for applications for funding full-time places. In view of the fact that schools might lose funding as a result of the changes, the authority was working with organisations to ensure they understood the implications. The government was also aiming to introduce a means whereby parents could pay for the non-funded part of the full-time place.

The next steps included organising open days for providers, with a view to having the new funding arrangements in place by April 2010. Keen to minimise funding turbulence for providers, the authority was proposing a transition period of three years. Currently 4,635 children – of whom 1,161 had a full-time place – benefitted from free entitlement. Data from the Council's revenues and benefits service suggested that there were currently 1,920 children eligible in households claiming income support. Currently only 585 of the 1,920 were in full or part-time places. The Council's revenues and benefits service data suggested that, of the 4,635 currently receiving free entitlement, only 585 would be eligible for a full-time place, compared to the current 1,161.

Asked how many full-time places were wanted for which parents were prepared to pay in the maintained sector, Mustafa Salih informed the Committee that this was not yet known. Officers were visiting schools and looking into options for charging with a view to offsetting the loss of funding. Each school would be different.

Responding to members' concern that there would need to be a system of checks and balances, Mustafa Salih reported that this was part of the process the authority was working on. The aim currently was to look at the possibility of the admissions team, well used to dealing with applications and eligibility, administering the process. Lesley Fox-Lee (Head of Early Years) informed the Committee that the issues facing Brent were common to other London authorities, who were also dealing with a perception of schools' reduced offer. Answering a question on the expansion capacity of providers, especially in the PVI sector, Lesley Fox-Lee acknowledged the lack of community spaces, the variability of running costs and the fragility of providers' running arrangements. She suggested that the Council would need to think more corporately about this.

Members noted that the issue of funding and allocating nursery places would be put before the Executive in January 2010, with approval sought as part of the Dedicated Schools Grant (DSG). The Committee agreed to reconsider the issue before it was presented to Full Council as part of the budget process.

RESOLVED:

- (i) that the report be noted;
- (ii) that the issue of funding and allocating nursery places be brought back to the Committee after being considered by the Executive and before approval by Council.

## 9. **Performance Management of Children & Young People Plan 2008-09**

Anna Janes (Head of Planning, Information and Performance) introduced the report and answered questions on progress made by the Brent Children's Partnership Board in 2008/09 on delivering the strategic priorities identified in the 2006/09 Children and Young People's Plan.

Asked about the fact that the target for the number of SEN issued within 26 weeks had not been met, Anna Janes pointed out that this was due in the main to delays by other agencies, particularly NHS Brent. This had been raised with NHS Brent at Brent Children's Partnership meetings, and Brent's Director of Children and Families had written to the Director of NHS Brent about it. NHS Brent had acknowledged the problem and was looking to improve. Indeed, by the end of September 2009 there had already been an improvement.

In response to a question on the number of teenage mothers in education, Anna Janes pointed out that, because of the small number, the statistics could be misleading. In general the trend was towards a decrease in the number of teenage mothers, although the full impact of the recession was yet to be felt. Krutika Pau (Assistant Director, Children and Families) informed the Committee of a *Teens to Toddlers* programme whereby teenagers were introduced to the realities of dealing with young children. The Council was working closely with NHS Brent on jointly commissioned projects and work with targeted young people. Asked whether progress had been made with faith groups on the issue of teenage pregnancies, Krutika Pau reported that it had become easier than in the past for professionals to get into some of the faith schools.

Answering a question about the number of looked-after children in stable placements, Anna Janes informed the Committee that this was a complex criterion. Progress was improving, with the level currently at 67.5%, which was above the

national average. If progress continued, it should be possible to reach an aspirational target, linked to the *Invest to Save* programme. The recruitment of skilled foster carers was important in this, and marketing and publicity were currently being looked at, together with a focus on existing placements to keep them as stable and suitable as possible. Specialist payment rates for foster care had been introduced, but had made little impact so far.

Asked about the number first-time entrants to the youth justice system, Anna Janes pointed to an improving picture. Targets had been set across the whole of London, and Brent's target was not to exceed 425. The number at the end of September was 234. If this trend continued, the target would not be exceeded, and Brent was performing well compared to statistical neighbours.

During a discussion of the complex area of youth offending, which the Committee saw as a possible area for a task group, the Committee requested that the statistics distinguish between Black Caribbean and Black British young offenders.

In response to a question on the missed target relating to the number of young people with learning difficulties in education, employment and training, Anna Janes reported that performance had improved since the period under review. She reported that information on trends was available, and the Committee agreed that in future it would be helpful in assessing performance to have information from previous years, where comparable information was available.

In response to the Committee's concern at the low level of immunisation of children in Brent, Anna Janes reported that NHS Brent performed badly in this area compared to other London trusts, and this had been raised at the Children's Partnership Board.

RESOLVED:

- (i) that the report be noted;
- (ii) that future reports on performance include available comparative data for at least the previous five years;
- (iii) that the Committee invite NHS Brent to attend a meeting of the Children and Families Overview and Scrutiny Committee to discuss issues of concern to the Committee, such as the level of immunisation among children and the speed of trust's work on SEN statements.

#### 10. **Final task group report on pupil safety on the journey to and from school**

Councillor Mistry introduced the final report of the task group on pupil safety on the journey to and from school. She informed the Committee that young people themselves had reported that they did not feel safe, with high levels of criminal activity between 3.00 and 5.00 pm outside school gates. The task group had spoken to a wide range of witnesses, including TfL and local bus companies, on measures to tackle bullying. For example, TfL was funding a pilot scheme whereby volunteers would act as escorts on buses, and the task group had asked for the frequency of the 245 bus to be increased.

Councillor Arnold, a member of the task group, felt the report and recommendations were very timely. The project was long-term and practical. She emphasised the need to get schools to take advantage of all available help and resources.

The Committee congratulated the task group on an interesting report, with sensible and practical recommendations that tapped into existing opportunities. The Committee recommended that the report and recommendations be included in the Crime Prevention Strategy.

A member of the Teachers' Panel reported that Oliver Goldsmith Primary School was taking part in a TfL scheme aimed at carrying out surveys, campaigns and interviews with parents and staff. Councillor Mistry expressed interest in organising a visit to the school, although she emphasised that the main thrust of the task group report was safety around secondary schools.

The Committee noted that the report and recommendations would next go to the relevant service review and to the Council's Executive. Councillor Wharton (Lead Member, Children and Families) reported that the Executive held a regular liaison meeting with TfL at which the recommendations of the task group report could be discussed.

RESOLVED:

- (i) that the 10 recommendations of the task group be formally approved;
- (ii) that the report and recommendations be forwarded to the Council's Executive;
- (iii) that the report and recommendations be included in the Council's Crime Prevention Strategy.

**11. Date of next meeting**

The next meeting of the Committee was scheduled to be held on Tuesday 15 December 2009.


**12. Any other urgent business**

- (i) Copies of the Committee's work programme were circulated to all present, and the Chair encouraged members to add suggestions.
- (ii) The Committee agreed to set up a task group on youth offending, and requested that a scope be brought to the next meeting.

The meeting closed at 10.10 pm

W MOTLEY  
Chair

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|  | <p><b>Children and Families Overview and Scrutiny Committee</b><br/>15 December 2009</p> <p><b>Report from the Director of Children and Families</b></p> |
| <p>For Information <span style="float: right;">Wards Affected:<br/>ALL</span></p> |  |
| <p><b>Youth Crime Prevention: the work of the Youth Offending Service</b></p>     |  |

## 1.0 Summary

This report outlines the work of the Youth Offending Service (YOS) including the changes recently introduced to the youth justice system as a result of the Criminal Justice and Immigration Act 2008 and new approaches to working with young offenders. It also details the restructuring of the YOS since the last Scrutiny Report in early 2008 and updates the profiles of young offenders and trends in offending. It includes illustrative information about the work being undertaken with those young people on court-ordered sentences and the role of the YOS in prevention programmes for those at risk of offending as well as recent developments in the service.

## 2.0 Recommendations

Members may wish to consider establishing a Task Group to explore in more depth specific issues detailed in the report. Possible topics are indicated at the end of the report.

## 3.0 Detail

### 3.1 The Youth Offending Service

Brent YOS has been operational since 2000 and is a multi-agency service working primarily with children and young people who have become involved with the criminal justice system aged 10-17 and resident in Brent. Preventative work is also undertaken with children from the age of 8. The service includes representatives from the police, the Probation Service, health, drugs and alcohol misuse services, as well as staff who are qualified social workers and teachers.

The principal aims of the service remain:

- To prevent crime and disorder by children and young people
- To work positively to reduce the fear of crime in the local community
- To assist children and young people to become active young citizens making a full contribution to the community

In its primary direct work with young offenders, the YOS works wholly within a framework of statutory requirement. Other strands of work include the development of a range of preventive services which support both the Every Child Matters and Common Assessment Framework agenda. The YOS also plays a key role in the borough's inclusion and safeguarding work, retaining a dual role across both the local crime prevention and welfare agendas.

### 3.2 Youth justice and youth crime and disorder prevention

The Crime and Disorder Act 1998 placed a duty on local authorities with education and social services responsibilities, chief officers of police, police authorities, probation committees and health authorities in England and Wales to establish youth offending teams and ensure that appropriate youth justice services were available in their area for children and young people aged 10 to 17 who offended, or were accused of offending.. Within the local authority, the YOS reporting line is in the Department of Children and Families and the service is a part of the Social Care Division, but there is full local recognition of wider partnership arrangements, governance and accountability for the service. Senior members from the agencies with a duty to cooperate under the 1998 Act are represented on the YOS Management Board as is the local Magistrates' Court. The YOS reports to the Crime Prevention Steering Group and the Head of Service is also a key member of the Borough Criminal Justice Group. The work is governed by National Standards established by the Youth Justice Board for England and Wales (YJB) which is also the source of a substantial proportion of the funding for the service. The YOS is a fundamental part of the borough's Youth Crime Prevention Strategy and the Youth Crime Strategic Group, which seeks to mobilise across a range of agencies to prevent offending and re-offending by young people, is chaired by the Head of Service. There are also key strategic links to the Community Safety Team and strategic and operational links with the Anti-Social Behaviour Team.

### 3.3

#### Brief overview of services provided by the YOS and recent changes to the Youth Justice system

When young people first get into trouble, or commit minor offences, they can usually be dealt with by the police and local authority, outside of the court system, using a variety of orders and agreements. These may include *Reprimands* or *Final warnings*.

A *Reprimand* is a formal verbal warning given by a police officer to a young person who admits they are guilty of a minor first offence. This is usually undertaken at the police station.

A *Final Warning* is a formal verbal warning given by a police officer to a young person who admits their guilt for a first or second offence. Unlike a Reprimand, however, the young person is also assessed to determine the causes of their offending behaviour and a programme of activities is identified to address them. This is usually delivered at the YOS by the Police officer seconded to our service.

Whilst both of these are pre-court disposals, the details of the young person's offence will nevertheless be entered onto the Police National Computer and will be recorded



subsequently if checks are undertaken such as those for the CRB. The figures for First Time Entrants (FTE's) to the Youth Justice System also include young people who are subject to one of these disposals. Our efforts to reduce FTE include a new programme known as Triage which is explored in more detail below.

A *Referral Order* is given to a young person who pleads guilty to an offence when it is his/her first time in court. The only exceptions to this are if the offence is so serious that the court decides a custodial sentence is absolutely necessary, or the offence is relatively minor (i.e. a 'non-imprisonable' offence such as fare evasion), in which case an alternative such as a fine or an absolute discharge may be given. The orders are overseen by community volunteers who act as Youth Offender Panel members and with whom young people sign a contract specifying the work which will be undertaken to meet the terms of the order. Young people are supervised by YOS staff and engage in various activities and programmes which may include reparation to the community, tackling education non-attendance, employment or family issues and work around consideration of victim issues and the reasons that led to offending.

Following the passage of the *Criminal Justice and Immigration Act 2008* we are in the process of a number of changes in how we work with young offenders. In the case of *Referral Orders* the courts have been given more flexibility in their use of these, including discretionary powers to impose a Referral Order on young offenders convicted for the second time of an offence in certain circumstances. The intensity of the work undertaken with the young person can also be varied in line with the *Scaled Approach* explained below.

Of particular significance in these changes is the *Youth Rehabilitation Order (YRO)* - a new community sentence for young offenders introduced with effect from the 30<sup>th</sup> November 2009. The YRO will replace nine existing community sentences and will simplify the juvenile sentencing structure, enabling sentencers to tailor sentences to individual risk and needs.

The YRO is a robust sentence providing a 'menu' of interventions for tackling offending behaviour. Guided by the Pre Sentence Report provided by the YOS where the court has requested it, sentencers are able to attach a range of requirements to a YRO for example:

- Activity Requirement
- Curfew Requirement
- Education Requirement
- Unpaid Work Requirement (16/17 years)
- Attendance Centre Requirement
- Supervision Requirement
- Electronic Monitoring Requirement
- Prohibited Activity Requirement
- Drug Treatment Requirement
- Programme Requirement
- Intensive Supervision and Surveillance

There are no restrictions on the number of times an offender can be sentenced to a YRO and courts would be expected to use this disposal on multiple occasions, adapting the menu as appropriate to deal with the offending behaviour. The clear intention of this is to minimise the use of custody for young people. Perhaps most significantly, it represents a more individualised risk and needs-based approach to community sentencing allowing us to tailor interventions to the nature of both the offender and the offence.

In parallel with this, the Youth Justice Board is introducing what is known as *The Scaled Approach*. The Scaled Approach also aims to ensure that interventions are tailored to the individual and based on an assessment of their risks and needs. The intended outcomes are to reduce the likelihood of re-offending for each young person by:

- tailoring the intensity of intervention to the assessment
- more effectively managing risk of serious harm to others

The *Scaled Approach* is now being used by the YOS to determine the level of intervention required when a child or young person is subject to YOS intervention through a Referral Order contract, a YRO or during the community element of a custodial sentence. The level of intervention which can be *Standard*, *Enhanced* or *Intensive* is informed by the assessment process. Evidence tells us that interventions are more effective when their intensity is matched to an assessment of the likelihood of the person re-offending, and are focused on the risk factors most closely associated with their offending. The key benefits are that interventions can be better targeted and, ultimately, offending and risk of serious harm can be reduced. This new way of working will also have the benefit of allowing us to direct time and resources to young people appropriately, in accordance with their risk assessment. In common with a number of other London YOS's however, we do tend to have a higher number of young people who will meet the criteria for *Enhanced* or *Intensive* interventions- and we are concerned that this will lead to an increase in the levels of demand for contact by about 13%.

Custodial support, and post-release supervision:

If a young person is placed in custody this may be at a YOI (Young Offender Institution) or at an STC (Secure Training Centre) depending on both their age and vulnerability. Most of those sentenced to custody will be on a Detention and Training Order (DTO) in which half of the sentence is served in the secure estate, the other half in the community. During their period in custody YOS Staff retain contact with the young offender and with the institution and are involved in the process of planning for their release. Subsequently, they will continue to be supervised by our service for the remainder of their sentence and we aim to re-integrate them successfully back into the community, thereby minimising the risk they may pose and enhancing the prospects of them not re-offending.

Post-release support:

In addition, the YOS offers dedicated support programmes to help the transition into the community and to provide ongoing support when the YOS engagement formally ends. This is provided via a reshaped programme which is now known as the Intensive Resettlement Service (once known as Resettlement and Aftercare Programme or RAP). A significant part of this work is delivered by volunteer mentors specifically recruited and trained for this purpose.

Parenting support and programmes

The YOS is also engaged in the provision of support to parents/carers of the young people we work with. Some parents may be sentenced to a Parenting Order which is a court-ordered sentence obliging them to engage with our service to address matters deemed to have contributed to their children's offending. However, most parents engage with us voluntarily and may receive one-to-one help or participate in a Parenting Programme run by our service if they wish to. The value of the latter is that parents may then establish longer term supportive networks between them.

### 3.4 Preventative programmes

The YOS also has a preventative arm, funded in part by the YJB and also via Brent's Preventive Services (previously Children's Fund)

#### Children's Support Panel (CSP)

This service is sited within the YOS and engages with young people, aged 8-16 and their families to reduce the potential for offending and to improve educational outcomes. The programme works intensively with young people displaying multiple and/or complex needs. The majority have at some point been involved with social services, many have experienced fixed term and permanent exclusions or are regular truants. Each of the children will have Individual Support Plans (ISPs) or Action Plans drawn up in partnership with the child and their family. Activities / interventions are then developed or commissioned to meet the needs identified. Some referrals come via the Anti-Social Behaviour Team and the CSP work in partnership with them to draw up an Acceptable Behaviour Contract (ABC). Increasingly, referrals to this service come through the CAF process.

As indicated above, we have also recently begun a *Triage* scheme using the resource offered by our preventions staff in the CSP to pilot a reduced version of the full scheme. The Triage model was first proposed in the Youth Crime Action Plan (YCAP) and has been successfully trialled in a number of areas, including London boroughs with similar profiles to ours in Brent. Triage takes place at the point that a young person enters police custody following arrest. The concept, taken from the hospital triage model, seeks to act as a 'gateway' whereby all young people entering custody can be rapidly assessed to ensure that they are dealt with swiftly and effectively. When functioning as per the model, YOS staff is present at police custody suites to assist with decision making. By improving collaboration at this point the intention is to arrive at interventions which are more targeted and proportionate and mean that young people are not drawn into the criminal justice system unnecessarily. In other words, are not given a *Reprimand* or *Final Warning* unless necessary. Conversely, for those young people guilty of more serious offending the process is designed to allow for early identification of risks posed, leading to a swift and effective criminal justice response.

Brent was not in receipt of YCAP funds, nor have any additional monies been identified to deliver the programme. Given that research in the YCAP Triage pilot areas has shown very clear positive outcomes on NI 111 (reducing First Time Entrant to the youth justice system, one of Brent's LAA targets) we were anxious to introduce the approach and are piloting a version which tries to have some impact from within existing resources. The police have agreed that where they are considering either a *Reprimand* or *Final Warning* the young person and their parent/carer have consented, the young person will be bailed and a referral sent to the CSP. If the young person is assessed by our staff as a suitable participant and then does engage with the programme, the police will then take no further action.

Unfortunately our scheme does not allow for all of the benefits associated with the full model. That includes a possible impact on disproportionality, a stated intention in the scheme run by one of the London pilots. Our own statistics on First Time Entrants reveal that Black Caribbean and Black African males are over-represented in this cohort by more than 100%. Nor does it allow us to identify risk and share relevant information across police, CPS and YOT on more serious / persistent young offenders swiftly at the point of arrest. We do hope that it will impact positively on NI 111, but remain concerned about the increased workload for CSP staff and the

possible reduction in their capacity to engage more fully in preventions work with young people who have not yet come to the attention of the police.

- Youth Inclusion Project (YIP)

The YIP is a locality-based project that since 2003 has been delivering neighbourhood based, structured interventions- for five evenings per week and some weekends, to young people from Church End and Roundwood.

The senior arm (for 13–17 yr olds) is currently funded via the YJB with match-funding from local agencies and a contribution from Area Based Grant monies and caters for 50 young people. The junior arm (for 8-12 yr olds) engages a minimum of 26 children at any one time and is currently funded via the Brent Preventative Services.

JYIP has an educational emphasis which includes provision of a homework club two evenings per week and visits to places of cultural and historical significance such as museums and theatrical performances. Other providers such as the police, Victim Support, and the Community Safety Team, have delivered bespoke sessions on a wide range of crime reduction themes such as healthy relationships, personal safety, and gang awareness. Young people are currently working with the Wizard Theatre Company to create and act in their own film.

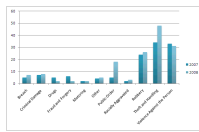
In 2008, YIP young people assisted the animated film makers Bold Creative, to create an animated feature as part of a Nickelodeon anti bullying campaign. They spoke frankly about their encounters with bullies and the harm that bullying causes. One these accounts, based on the experience of a 12 year old JYIP member was selected to feature in the made for television production. The resulting film 'Marcus's Story' was a part of the 'See Something, Say Something' anti bullying campaign which was shown on the Nickelodeon channel last year - the West End premiere of the film was attended by both 'Marcus' and his mother. On the 8th of July, the feature won the 2009 UNICEF Best Short Film Award. It was recently announced that the film has been nominated for a BAFTA. Since the JYIP commenced in 2003, only three out of approximately 150 former participants have gone on to enter the criminal justice system; two of whom were part of the earliest programme intakes. The funding for the JYIP for this year was identified as the result of an under-spend. The programme has no funding (or funding streams) identified for the year to come so that its continuation is in jeopardy.

The delivery of educational sessions is also a key service priority for the SYIP. Additional emphasis is placed on assessing the needs of the client group and the provision of individual support. Some of the more recent SYIP achievements include young people assisting in the delivery of stop and search training at the Hendon Police Training Centre, working with Transport for London photographers to create a YIP photo exhibition that will be installed at Wembley Park underground station, and developing business awareness and enterprise skills through participation in the Young Entrepreneurs Skills 4 Success Programme, which was delivered in Church End, specifically for SYIP young people.

### **3.5 Profile of Young Offenders in Brent and research findings on Disproportionality.**

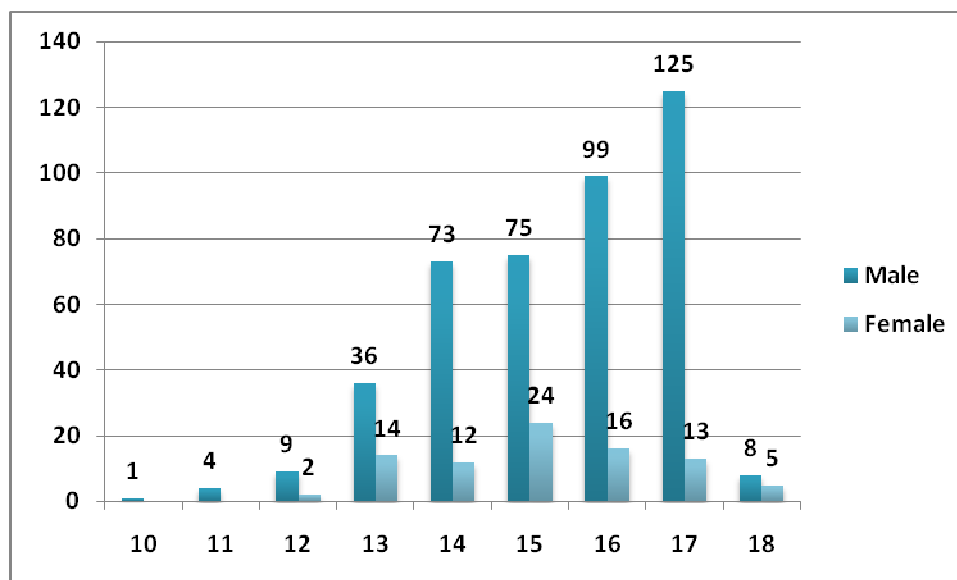
The overwhelming majority of young offenders in the borough are male – this year the figure stands at 80%. The percentage of female offending has shown a rise over the lifetime of the service and is up fairly considerably since the last Scrutiny Report when females accounted for 14% of our client group.

As will be apparent from the chart below, the key offences for which there has been an increase is for theft and handling and public order offences.



Whilst the age of criminal responsibility is 10 years of age the majority of young offenders supervised by the YOS are in the older age ranges, as can be seen below.

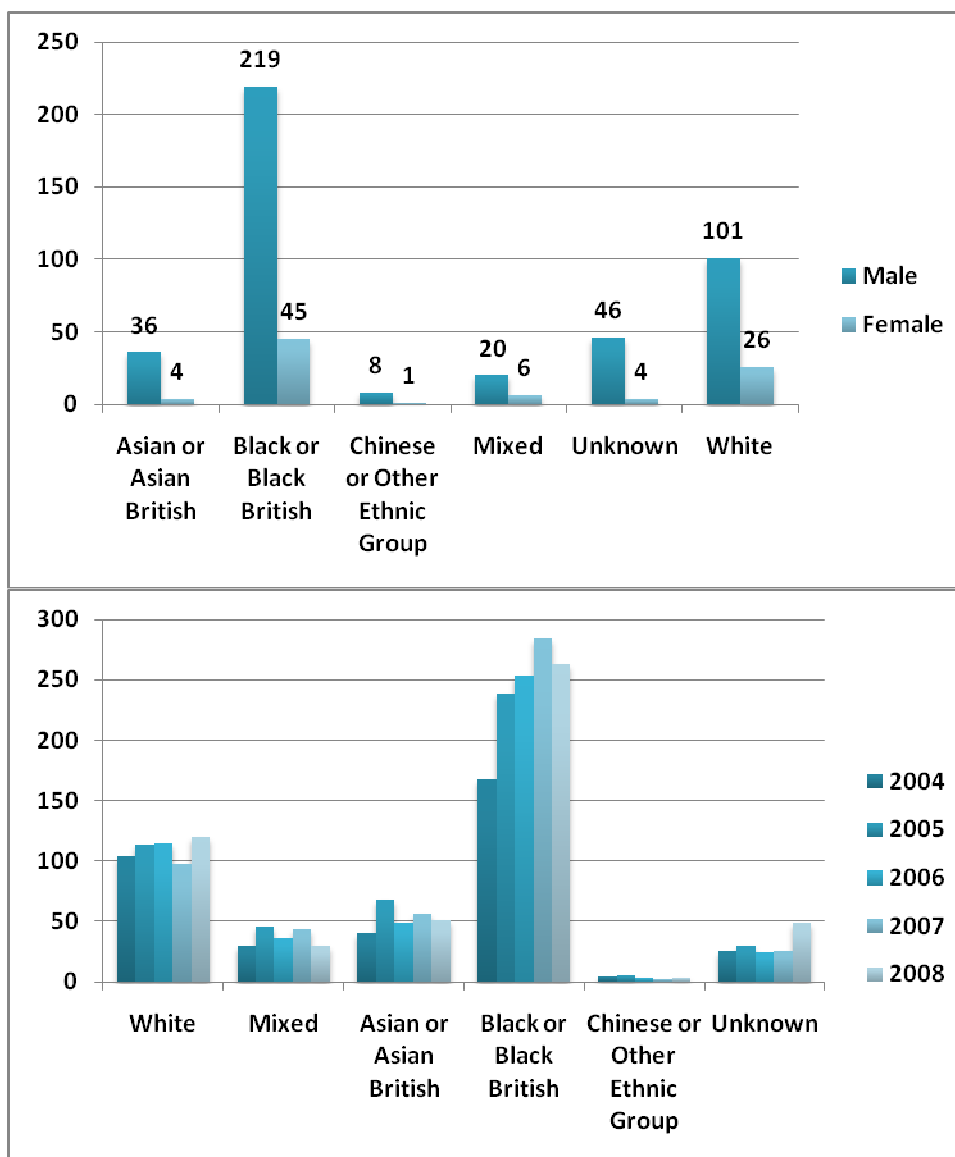
**Age at date of sentencing 2008**



*Please note – the figures are low for 18+ as cases in this age group are transferred to the Probation Service)*

As can be seen from the charts below, the YOS data reveals a disproportionate representation of young people of Black/Black British heritage.

***Ethnicity data 2008***



Young men of Black Caribbean and Black African heritage are over represented in the criminal justice system nationally. In the last report to the Scrutiny Committee we indicated that we planned to undertake some in-house research, aiming to better understand the extent to which this disproportionality applies to Brent young people; particularly in relation to re-offending, escalation of offending, and the subsequent likelihood of remands and custodial sentences in the hopes that the findings would contribute to our understanding of over-representation and assist the YOS to provide service users with best practice crime prevention interventions.

The study employed comparative analysis to identify similarities and differences between young people from Black Caribbean and Black African heritage groups, and young people from White heritage groups and was presented to both the Improving Outcomes Board and the Crime Prevention Strategic Group (CPSG). In order to better understand and address issues of disproportionality, the research aimed to answer the following question:

*Does the experience of young Brent residents from Black Caribbean and Black African heritage groups who have been involved in the criminal justice system differ to young Brent residents from White heritage groups?*

In 2007/8, 47% of the first time entrants to the criminal justice system in Brent came from Black Caribbean and Black African heritage groups. Fifteen percent were from White heritage groups, and 12% were of Asian descent. Using Youth Justice Board ethnicity classifications, the remaining 26% of first time entrants were from 'mixed', or 'Chinese other' backgrounds.

The extent of disproportionality within the youth justice system becomes more evident when comparing these figures to the Brent secondary school population: young people from Black Caribbean and Black African heritage groups formed only 22% of the 2007 Brent secondary school population. Fourteen percent of pupils came from White heritage groups, and a further 20.6% were of Asian origin. The remaining forty four percent of the school population came from 'other' backgrounds. Although these figures do not include Brent young people who are not registered at school or are schooled outside the Borough, it is widely accepted that they are a more accurate measure of youth population than the increasingly dated 2001 Census.

In the same year (2007-08) 58% of young offenders supervised by Brent YOS who were given custodial sentences, came from Black Caribbean and Black African heritage groups, compounding the disproportionality apparent from the figures for first time entrants.

Whilst the sample we were able to analyse in the course of the research was too small to make definitive statements about the wider population, young black people randomly selected for this study were less likely to be cautioned, more likely to face criminal proceedings and receive custodial sentences, and be considered persistent young offenders, even though they committed less serious crimes on average. These are issues then not simply for the YOS, but are of significance to other partners in the criminal justice system.

The research confirmed that disproportionality in engagement with youth justice is at its most glaring in relation to the numbers of young people entering the system as first time entrants. Prevention of this is a critical aim shared across the Children and Families Department, with the council as a whole and our partner agencies in the LSP. We hope that the Triage programme will also begin to address some of this disproportionality, although there is research evidence which suggests that the reduced version of the programme we are currently implementing may be less effective in this regard than the full model.

The research did not look at the educational careers of the young people, nor did it explore whether they were known to Social Care, or indeed whether they were Children in Care. We know from national statistics that a history of school exclusion /disaffection is closely linked to youth offending. It is also estimated that four out of ten young people in custody have been in care at some point in their lives and a substantial majority of young offenders are known to the Social Care system. Without looking at these variables it is difficult to offer a rich interpretation of the data. We do know however, that our local findings chime with those of national and international research into ethnicity and criminal justice.

**Most Common Offences Committed by Young People in Brent 2006 – 2008**

| <b>Offence Type</b>         | <b>Offences included in these types</b>   | <b>2006</b> | <b>2007</b> | <b>2008</b> |
|-----------------------------|---|-------------|-------------|-------------|
| Robbery                     | Robbery, Attempted Robbery, Robbery with Firearm or Imitation   | 12%         | 13.20%      | 18.20%      |
| Violence Against the Person | Common Assault, Assault Occasioning Actual Bodily Harm, Assault on a Police Officer   | 9.70%       | 16.30%      | 15.60%      |
| Drugs                       | Possession Controlled Drugs - Class B - Cannabis, Possession of Controlled Drugs with intent to Supply - Class A, Possession Class C Drugs      | 10.30%      | 9.60%       | 11.40%      |
| Motoring                    | Driving Otherwise than in Accordance with Licence, No Insurance, Driving While Disqualified   | 21.50%      | 15%         | 9.50%       |
| Public Order                | Causing Harassment Alarm Distress by Threatening Words or Behaviour, Threatening, Abusive or Insulting Words or Behaviour, Drunk and Disorderly | 3.50%       | 4.60%       | 5.60%       |
| Criminal Damage             | Criminal Damage, Possession with Intent to Commit Criminal Damage,  | 6%          | 8.50%       | 5%          |

*(The % figure shows what proportion this type of offence is of all offences known to the YOS).*

As may be obvious from the table above there has been reduction in particular offence types (e.g. motoring offences) whilst others have remained fairly constant over the past couple of years.

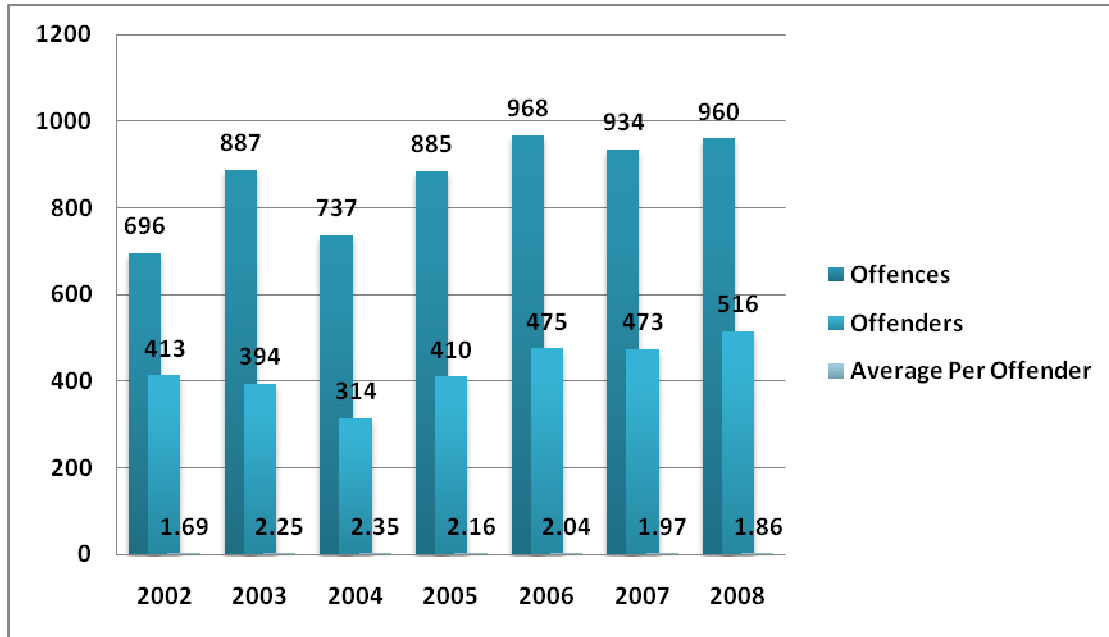
**3.6**      Trends in youth offending

Over the longer term, there have been some differences in the way in which data is collected and analysed, making it necessary to add a caveat to comparisons across the following and preceding tables. For example the way that the police categorise crime types has changed over time so that offences which might previously been detailed as snatch thefts have been redefined as robberies – a more serious offence and one which adds to the figures for levels of violent crime. The apparent increase in the numbers of young offenders for last year indicated in the table below is a reflection of the increased accuracy of data collection about young people given police reprimands rather than those serving court ordered sentences. This was as a consequence of changes to the way in which the police notify the YOS of such disposals.

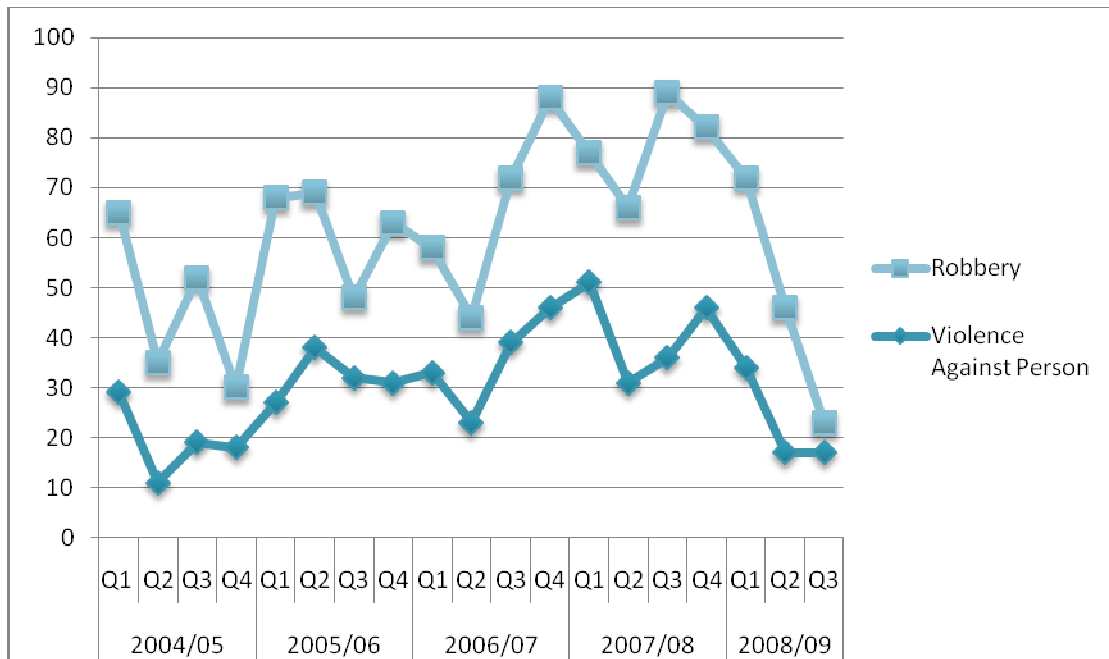
In addition, our statistics are largely derived from our database (Youth Offender Information System) and are a reflection of those arrested and brought to justice, rather than levels of offences committed. If we focus on the past three years in particular it does seem to be the case that the levels of offending and the numbers of offenders have remained relatively stable. Given the increase in the numbers of young people in the relevant age range (which whilst not reflected in official statistics, is reflected in the rising numbers requiring secondary school places) we do seem to be holding to a standstill position.



**Levels of Youth Crime in Brent 2002-2008**



**Trends: Violent offending and Robbery**



Please note –

- The data refers to the month in which the offender was found guilty rather than that in which the offence happened.
- The two offences are closely mirrored because those found guilty of robbery are also often, simultaneously, found to be guilty of violence against the person

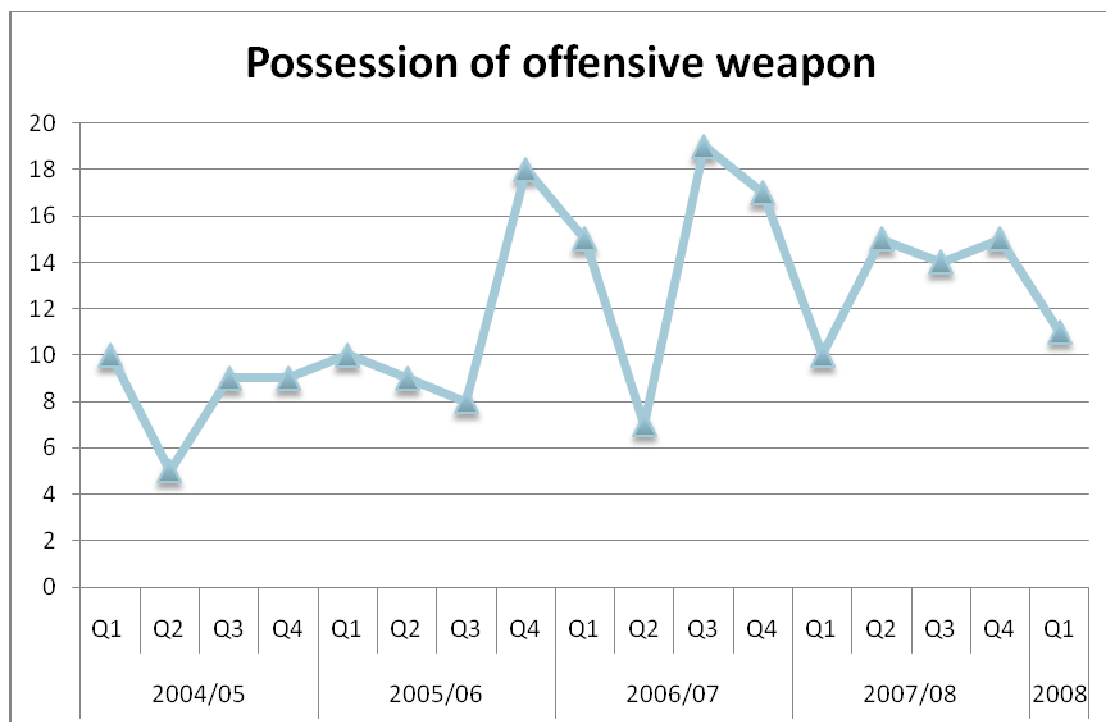
As is apparent, there are peaks and troughs in this offending and the most recent verified data indicates a real drop in this type of offending – mirroring a borough wide reduction in this offence type for both youth and adult offenders in the last year .

## Knife Crime

Following the recent concerns about knife carrying by young people, the YJB has rolled out national programme intent on addressing this issue – the Knife crime Prevention Programme. Brent was amongst the 20% of YOTs who were already delivering a bespoke programme targeting this type of offending and we have had a project officer employed by the charity Catch 22 (previously Rainer) and funded through the Bridge House Trust’s Fear and Fashion (anti-knife crime) Initiative based at the YOS since April 2007. The focus of the officer’s work is to reduce the carrying of knives and other weapons by young people known to Brent Youth Offending Service working with them both individually and in group work programmes as well as working collaboratively with the police’s Community Youth Engagement Service officers.

### **Knife Crime Prevention Group Work Programme**

- **Attitudes to knife carrying** – Exploring attitudes to carrying knives and the rules young people apply to their lives, fear of crime, territoriality, gangs
- **The law** – The legal implication of the use of knives
- **Health** – Medical implications of using a weapon, first aid element. Raising awareness pictures of knife injuries etc
- **Social Implications of weapon carrying** – impact on family, community
- **Managing conflict**, helping young people understand their experience of youth violence, mediation skills
- **Victim Interaction** – testimonies from victims of knife crimes.
- **Public space awareness** – enabling young people to keep themselves safe in their community.
- **Peer education** – ex offenders presenting their own experiences and learning’s.



The data in the chart above shows the numbers of young people who have been convicted of possession of any offensive weapon – rather than just knives - and does not show if the weapon was used in the commission of an offence. It does show a decrease over peaks in 2006 and 2007 and this chimes with recent Brent police data. Police ‘Stop and Search’ powers have been used fairly extensively to look for weapons in both youth and adult stops but increasingly without weapons being found. The emphasis on how seriously carrying offensive weapons will be viewed by the police and judiciary does seem to be having the desired effect.

### Serious Youth Violence

Figures produced in July of this year showed Brent as having the 7<sup>th</sup> largest youth population in London, but having a ranking of 26<sup>th</sup> in the incidence of Serious Youth Violence (SYV) despite being one of the 15% most deprived areas in the country. The data below is provided by MPS and the category SYV includes any offence of Most Serious Violence, Gun Crime or Knife Crime, where the *victim* is aged 1-19. Unlike the data derived from YOS sources, the measure counts the number of victims of offences, rather than the number of offences, or the number of offenders. More recent figures from this source show an increase in the incidence of SYV with the 12 month rolling figures showing an increase from 121 incidences to 133. Part of this is accounted for by changes in the way in which crime types are categorised, but it also reflects a recent spate of disturbances, particularly in and around the more deprived estates in the south of the borough.

| <b>Youth Violence</b>           | <b>Brent<br/>Rolling Year<br/>May07-Apr08</b> | <b>Brent<br/>Rolling Year<br/>May08-Apr09</b> | <b>Brent<br/>Rank in MPS<br/>(1=worst)</b> | <b>MPS<br/>Rolling Year<br/>May08-Apr09</b> |
|---------------------------------|---|---|--|---|
| Rate per 1,000 youth population | 10.9  | 9.3   | 26 <sup>th</sup>                           | 11.3  |
| Rate per 1,000 total population | 2.8   | 2.4   | 25 <sup>th</sup>                           | 2.7   |

### Gangs and Territorially based groups

The YOS is aware of territorial tensions between groups of young people on our estates, particularly in the south of the borough and have established a forum including partners from both the police and the Community Safety Partnership to monitor what is happening, ensure effective information sharing and to develop policies and procedures to address the issues presented by this.

Increasing public concern about ‘gangs’ fuelled by media interest has led to what may be a somewhat distorted view of the scale of the problem in Brent. In order to look at the question more dispassionately and identify the scale extent and nature of any such activity in the Borough, funds were identified to research the issue and London Metropolitan University were commissioned for this purpose. This research is currently underway – the first phase having included a mapping exercise using various sources to draw up a picture of what is already known to agencies and verifying that with police data. It also included questionnaires for young people. For the purpose of the research the academically resilient Hallsworth and Young (2004) definition of gangs, peer groups and criminal networks has been utilised. These

definitions are recognised by the MPS and other agencies including the Probation Service.

**Organised Criminal Group:** members are professionally involved in crime for personal gain operating almost exclusively in the grey or illegal marketplace.

**Gangs:** "Relatively durable, predominantly street based groups of people who see themselves (and are seen by others) as a discernable group for whom crime and violence is integral to the groups identity"

**Peer Groups:** "Relatively small, unorganised and transient groups composed of peers who share the same space and a common history. Involvement in crime will be mostly non- serious in nature and not integral to the identity of the group".

The researchers have now embarked on the second phase of the research which is more qualitative, interviewing key contacts across the borough including staff from the Police's Borough Intelligence Unit, Youth Offending Service, Probation, NAD Community Group and Operation Trident as well as seeking to interview individuals who have identified gang or peer group involvement. Having experienced some delays the research findings are now due to be ready in January 2010 and we hope that this will assist us, alongside partners, to develop appropriate interventions.

### 3.7 Working across services and agencies: Recent developments

#### YOS and Social Care Protocol

Although the YOS is sited within the Social Care division of the department, there are differences in the main drivers for the services delivered by the YOS and those of colleagues elsewhere in Social Care. These derive both from legislation and the guidance governing the work involved, and this has the potential to give rise to conflicts at times in the joint working relationship. Young people come to the attention of either youth offending or social care for a variety of reasons. Whilst the 1989 Children's Act does define a child who offends as a Child In Need (CIN), since offending will impact on their welfare or may be a consequence of or symptomatic of welfare concerns, most referrals can be broadly defined as primarily welfare or justice concerns. Welfare concerns cover issues from child protection to general support for a young person and / or their family. Justice concerns are as a result of offending, or the risks of offending, by the young person.

We do need to work together to maintain the balance between 'care and control'. In order to facilitate this, we have recently undertaken a review of the protocol between the YOS and Social Care Social Work (SCSW) services and have, in addition, had a number of meetings focused on enhancing joint working. This review of the protocol has been undertaken to update the terminology employed, reflect changes in work practices and revise procedures.

A key focus of the protocol is to ensure improved partnership working when children and young people are receiving services from both partners. Where the work required is purely of a justice or welfare nature, the case management is clear. Welfare cases are the responsibility of SCSW Teams; justice cases are the responsibility of the YOS. However, where the issues are less easily defined, the case management responsibility is more complex. This protocol aims to make such roles and responsibilities clear to all practitioners.

This protocol outlines the roles and responsibilities of practitioners who find themselves involved in cases known to another team. In such cases it will help to provide the type of care that good practice dictates. The protocol is designed to assist in developing a positive attitude towards collaborative and complementary models of social work, encouraging clearer understanding of each team's roles and constraints and facilitating information sharing. This, in turn, will benefit the children and families with whom we work. In addition, the protocol covers arrangements for co-working and the transfer of cases between the teams, helping to produce a standard of service consistent with the quality of care that practitioners strive to deliver.

### Family Intervention Project

*Family Intervention Projects* (FIPs) are part of a series of measures aimed at improving outcomes for families and are one of the delivery mechanisms for the Think Family approach. This approach is aimed at transforming the way we work with families, seeking to move towards inter-agency and inter-departmental approaches to service delivery, placing families at their centre. FIPs have been piloted in a number of areas and have proven to be a cost-effective way of delivering positive outcomes for the most difficult and chaotic families.

FIPs offer a programme of intensive work with families, each of whom have a dedicated key worker with a small case-load who is able to offer an intensive focus on the family concerned. The programme requires whole family assessments which give rise to a contract signed by both the family and the service outlining the changes that are expected, the support that will be provided and possible consequences if changes are not made. Key methods in this approach are that the work with both the family as a whole and with individual members is persistent and assertive. Whilst seeking to empower the family, the contract will include sanctions where necessary. A prerequisite for success is that there are effective multi-agency arrangements in place – particularly around information sharing. This includes a commitment from the agencies and departments concerned to offer strategic level support to the FIP. It demands a move towards joint commissioning across adults' and children's services and improved integration between them, as well as improved multi-agency working.

The Brent FIP is in the process of becoming operational as this report is being written and it is intended that work will begin with the families in December. The selection process will be based on referrals of families who meet a number of the following criteria; although the first two are weighted since the express intention of this programme in Brent is to reduce youth offending.

#### ***FIP Selection Criteria***

- Young person known to the YOS or Anti-Social Behaviour (ASB) Teams
- A significant adult or sibling is subject to a custodial disposal
- A parent has mental health problems
- A parent has long standing illness, disability or infirmity,
- There has been a recent significant bereavement or sudden incapacity leading to family crisis
- A parent is a substance misuser
- Housing providers have cause for concern likely to lead to eviction for ASB
- History of Domestic Violence
- Children have a history of suspension and exclusion from school or are frequent non-attenders

The national evaluation of FIPs has indicated that whereas the average cost of services to families in the FIP programme is between £8,000- £20,000 the amount spent on comparable ones outside of the programme is between £250,000 and £350,000. For those involved there has been a halving of the number of families facing a range of enforcements and a massive reduction in involvement in ASB for families successfully exiting the programme. The proportion of families reported to have issues with domestic abuse was reduced from 26% to 8% and the proportion of families reported to have educational/learning issues was cut from 37% to 21%. Poor parenting was assessed to be down from 60% to 32% and very significantly, the number of families reported to have child protection issues was halved by the time they left the project.

### **3.8 Restructuring and resources**

The funding of the YOS reflects its status in that more than 50% of the budget is derived from non-council sources; the bulk of it coming from the YJB, but contributions are also made in both cash and in kind by the Police, Probation and Health Services. These external funds are largely ring-fenced for specific outcomes required by the funding body and it is the core budget, coming from the LA, which is utilised to deliver the main business of supervising young people on court ordered sentences as well as the key costs of maintaining the service.

In the last report to the Scrutiny Committee, the issue of greatly increased case-loads for staff and the concomitant concern about the YOS's ability to deliver a safe service was raised. At that point, we had also embarked on a restructuring of the service which was being drafted within the existing staff cost parameters. Subsequently the Children and Families Department agreed that there would be an increase in the budget allocation to the service allowing us to increase our staffing establishment by three staff. The effect of this has been that we now have two additional case officers and a dedicated post holder working with young people who are on remand or on a bail package. The increase in the number of case officers has allowed a reduction in average case loads, so that although they remain higher than ideal, front-line staffs are able to work more effectively and safely with the young people they supervise than previously. We are concerned that the probable increase in demand for contact time that the Scaled Approach will instigate may have a negative impact on this.

The intention of the restructuring was to prepare the service for the changes in the youth justice system detailed above, to allow for a greater level of quality assurance and to retain experienced staff. Prior to this, case officers were arranged in teams which reflected the severity of the sentence type. All case officers now manage a generic case-load allowing for better use of resources, more closely aligned to the needs of the YRO and the Scaled Approach, but fundamentally also allowing for consistency in the supervisory relationship with young people. Bringing us into line with other services within the Social Care Division, we now have a Principal Officer able to support the Head of Service, strengthening the management structure and, in the case of the YOS with a specific remit for performance management. In addition, we have introduced a layer of Senior Practitioners who are able to focus on particular areas requiring developmental support (for example on our Court Services and on Parenting). By creating a career path within what was a very flat structure, we have been very successful in retaining experienced and highly qualified staff.

### 3.9 Possible issues for a Task Group

Members may wish to explore these issues in more depth

- The outcome of the research currently underway by London Metropolitan University into the question of gangs and how the Children and Families Department can work with partner agencies to respond to the issues identified.
- The likely impact of the 'Think Family ' approach on how we are able to deliver services to reduce youth offending and re-offending alongside other unwanted outcomes for children and young people.


#### **Contact Officer**

Anita Dickinson – Acting Head of Brent Youth Offending Service  
[anita.dickinson@brent.gov.uk](mailto:anita.dickinson@brent.gov.uk) – Tel 0208 937 3812

**Director of Children and Families - John Christie**

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|  <p>The logo of Brent Council, featuring a central coat of arms with a shield, a crown, and two lions, surrounded by the words 'BRENT COUNCIL' in a circular arrangement.</p> | <p><b>Children and Families Overview and Scrutiny<br/>Committee</b></p> <p>Tuesday 15<sup>th</sup> December</p> <p><b>Report from the Director of Children and<br/>Families</b></p> |
| For Information  | Wards Affected: ALL   |
| <p><b>Improving outcomes for underachieving groups</b></p>   |   |

## 1.0 Summary

- 1.1 Improving outcomes for underachieving groups remains a high priority for the local authority and for the School Improvement Service in particular. This is reflected in the School Improvement Service action plans which refer to accelerating the rate of improvement of underachieving groups, narrowing and eliminating gaps.
- 1.2 In Brent there has been a borough-wide drive to improve outcomes for its main underperforming groups, Black Caribbean and Somali pupils.
- 1.3 This report will focus on the impact of that work and provide an overview of the five Every Child Matters outcomes for the White British, White Other and White Irish groups. The report will draw on data currently available to the local authority. It should be noted that information on outcomes in all areas is not available.

## 2.0 Recommendations

- 2.1 Members are invited to note:-
  - progress to date for particular underachieving groups, namely Black Caribbean and Somali pupils
  - the overview of the performance of White British, White other and White Irish heritage groups in Brent
  - action being taken to secure future improvements.

### **3.0 Improving outcomes for Black Caribbean and Somali pupils**

- 3.1 In Brent schools the six main ethnic groups are Asian Indian (15%), Black African (15%) of which Somali pupils form the largest group (8%), Black Caribbean (10%), White British (9%), White Other (9%) and Asian Pakistani (6%). For this report purposes it is worth noting that White Irish make up 1% of Brent school population. For the past few years, the lowest performing groups have been Black Caribbean and Black Somali pupils. Addressing this underperformance has been a high priority for the local authority.
- 3.2 There have been some significant improvements for these groups both in educational attainment and in other measures such as social care. The following paragraphs show some of the progress that has been made so far.
- 3.3 At key stage 1 the percentage of pupils achieving level 2 or above in all four subject areas (reading, writing, mathematics and science) has increased for both Black Caribbean and Somali pupils.
- 3.4 There has been an increase in the percentage of Black Caribbean pupils achieving 5A\*-Cs at GCSE from 32% in 2005 to 59% in 2009 and for Somali pupils from 34% in 2005 to 52% in 2009.
- 3.5 There has been a year on year reduction in the number of young people who are Not in Education Employment and Training (NEET). There was a 10% reduction in the percentage of Black Caribbean NEET (down from 23% in 2008) and an 8% reduction of Black African NEET (down from 14% in 2008).
- 3.6 However, there are areas where significant improvement is still needed. For example, in 2009, 41% of Black Caribbean pupils and 28% of Somali pupils achieved 5A\*-C GCSE including English and Mathematics compared to the Brent average of 57/59% (provisional data). In addition, Black Caribbean pupils are still significantly over-represented in school exclusions, on the youth offending register and on child protection plans.
- 3.7 Whilst the areas of improvement are encouraging, we are committed to sustaining our improving outcomes drive so that gaps in educational attainment continue to be reduced and the outcomes for Black African and Black Caribbean children and young people across all five Every Child Matters outcome areas are brought into line with the outcomes achieved by children and young people as a whole across Brent.
- 3.8 A new structure for improving outcomes for Black African and Black Caribbean children and young people has been set up in order to continue this work. An improving outcomes strategy group is chaired by the Assistant Director of Children and Families. Three multi-agency groups have been set up to address different strands. The three areas are; improving outcomes for 9-13 year olds; improving outcomes for 14-19 year olds and reducing Black Caribbean exclusions. These multi-agency groups are chaired by Brent headteachers who report back to the strategy group termly.

## 4.0 Overview of White British/White Other and White Irish

### *Enjoy and Achieve*

- 4.1 In 2009, both White British and White Irish pupils (boys and girls) performed at or above the Brent average for all pupils at all key stages except at key stage 4. White British pupils performed 2 percentage points below the Brent average for 5 A\*-C GCSE including English and Mathematics. White Irish pupils performed 20 percentage points below the Brent average for the same measure.
- 4.2 In 2009, White Other pupils, performed below Brent averages in all areas and key stages except in mathematics at key stage 1 and against the indicator 5A\*-C GCSE at key stage 4. At key stage 1 girls tend to perform better than boys whereas at key stage 2 White Other boys' performance is better than girls. It is worth noting that within the White Other heritage group, a large proportion of pupils are of either Eastern or Western European heritage and are therefore more likely to be bilingual. Once these pupils acquire English they tend to excel in their educational achievements.
- 4.3 In 2009 31% of White British pupils in receipt of free school meals (FSM) achieved 5A\*-C GCSE including English and Mathematics compared to 40% of all Brent pupils in receipt of FSM.
- 4.4 At key stage 4 White Other pupils who are in receipt of FSM perform better than pupils who are not in receipt of FSM and perform above the Brent average. This bucks the national trend.
- 4.5 In 2008 White British pupils were the third largest group for fixed term exclusions (8% of total exclusions) followed by White Other (5.7% of total exclusions). This is broadly in line with their percentage of the school population. For White British pupils the greatest reason for exclusion was disruptive behaviour and for White Other it was for physical assault against a pupil. This is in line with the two most common reasons for fixed term exclusions for all pupils in Brent. In terms of permanent exclusions, 12.5% of White British pupils were excluded from Brent schools in 2008 and 2.5% of both White Irish and White Other pupils.
- 4.6 White British pupils have the second highest number of referrals to the Education Welfare Service (EWO) in Brent (9% of referrals). This is in line with their percentage of the school population. This is usually triggered if there is persistent absenteeism. The EWO service then works with both the school and the family to improve attendance.

### *Stay safe*

- 4.6 The number of children in care from White British and White Irish heritage groups has decreased since September 2008. However, the figure for White Other has increased from 4.2% to 5.4%. Although there has been an increase this figure is still lower than for White British (9.1%) and White Irish pupils (7.4%).

- 4.7 There has been an overall increase in the number of children becoming subject to Child Protection Plans. The percentage of White British pupils on these plans has increased from 5.2% to 8.7%. The number of White Other pupils subject to Child Protection Plans has also increased from 3.6% to 8.3%. This upward trend has not had an impact on White Irish pupils; there has been a decrease from 4.7% to 0% of White Irish pupils who are subject to Child Protection Plans in 2009.
- 4.8 The number of core assessments for White British and White Other pupils has decreased for White British from 8.1% in 2008 to 7.9% and for White Other from 5.3% in September 2008 to 4.8% in September 2009.

*Making a positive contribution*

- 4.9 The number of young people known to the Youth Offending Service from both White British (2.8%) and White Other (2.3%) groups is relatively low in comparison to the White Irish group (12.2%).

*Achieving economic well being*

- 4.10 The number of pupils from White British heritage who are NEET is growing. Black Caribbean is the largest group followed closely by White British pupils. In 2009 8.8% of NEET young people were White British. In 2008 it was evident in the 'Annual Activity Survey' (which is a point in time survey of Year 11 leavers) that the white categories (including White British, White Irish and White Other) had a far higher percentage of young people who were not entering education compared to all other groups. This trend has been discussed at the Brent 14-19 Strategic Steering group, the 16-19 Funding and Commissioning Steering group, the Locality Partnership Boards and the Brent NEET Strategy group. Connexions Personal Advisers have delivered information, advice and guidance to support young people in making informed choices and effective transitions. Personal Advisers have also worked hard to keep in contact with young people. This includes outreach out into the community and visits to homes of young people who are out of contact with the service. This is significant in ensuring that the numbers of young people whose current activity status is not known remains below target levels.
- 4.11 The School Improvement Service has devised an action plan in partnership with three other neighbouring local authorities to improve the attainment of FSM pupils. The plan has a particular focus on improving the attainment of white boys on FSM. A range of activities are identified in the action plan, for example, appointment of a strategic lead to work across all three local authorities, all three local authorities to develop an action research based model to work in partnership with schools and a joint conference to be delivered at the end of the project to disseminate outcomes. London Challenge is likely to provide funding to the collaborative to implement the plan.
- 4.12 The improving outcomes strategy group will be looking at additional data for these three heritage groups to consider whether or not there is a case to widen the focus of the improving outcomes group to include this strand of work.

**Contact Officers**

Rik Boxer, Deputy Director – Children and Families Department, Achievement and Inclusion Division, 020 8937 3201

Naureen Kausar, Head of Ethnic Minority and Travellers Achievement Service, 020 8937 3344

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## **Children and Families Overview and Scrutiny Committee**

15<sup>th</sup> December 2009

### **Report from the Director of Children and Families**

For Information

Wards Affected:  
ALL

## **Update on the transfer of responsibility for 16-19 education provision from the Learning and Skills Council to the Local Authority**

### **1 Summary**

- 1.1 The Apprenticeships, Skills, Children and Learning Act became law in November 2009. The act transfers the Learning and Skills Council's (LSC) responsibilities for funding and commissioning 16-19 education provision to local authorities from 1 April 2010.
- 1.2 The transfer of these responsibilities will help Brent Children's Partnership to integrate the planning, funding and local accountability of services provided for young people and their families. It will help to ensure that provision meets the needs of young people and that their outcomes improve.
- 1.3 This report sets out the responsibilities which the local authority (LA) will have and the progress the LA has made in planning for the commissioning of 16-19 education provision.

### **2 Recommendations**

- 2.1 It is recommended that the Scrutiny Committee:
  - Notes the information provided in this report
  - Considers the implications for the LA and Brent's young people
  - Considers the proposed principles for strategic commissioning (refer to paragraph 4.6).

## Detail

### 3 The 16-19 cohort

- 3.1 The LSC is funding 6,048 places for 16-19 year old learners in Brent this academic year. This represents a total budget of £32,878,000. Of these places: 1,671 are at the College of North West London; 3,400 at LA funded secondary schools; 60 at Brent Adult and Community Education Service (BACES); 150 at Certified Computing Personnel (CCP). The other funded places are at academies, special schools, apprenticeship training providers and providers sub-contracted to deliver in Brent.
- 3.2 The programmes of study funded include: 3,291 Level 3 (Advanced) places; 995 Level 2 (Intermediate) places; 887 Foundation Learning (Level 1 and Entry Level) places.
- 3.3 About 35% of Brent's 16-19 year old learners are from other LA areas. They are mainly from Barnet, Harrow, Hertfordshire, Ealing and Camden. Approximately 45% of Brent's 16-19 year old residents study in other boroughs. These are mainly Harrow, Barnet, Westminster, Kensington and Chelsea, Hammersmith and Fulham, Ealing and Camden.

### 4 Commissioning responsibilities

- 4.1 Brent Council will be the lead commissioner for local education provision for 16-19 year olds and for 16-25 year olds with learning difficulties and/or disabilities that start from September 2011 at school sixth forms, the College of North West London and training providers based in the borough. This includes Brent's provision for learners living outside the borough.
- 4.2 Brent Council's Children and Families Department established the **16-19 Funding and Commissioning Steering Group** in March 2009 to plan for the transfer of responsibilities from the LSC and to create Brent's commissioning plan. The Assistant Director for Strategy and Partnerships is leading the planning and chairs this group. It includes the Assistant Director for Achievement and Inclusion and representation from: Joint Strategy and Commissioning; Connexions; Planning, Information and Performance; Corporate Finance; Human Resources; Regeneration; 14-19. Commissioning will be led by the Joint Strategy and Commissioning team and will be managed by the Strategic Co-ordinator for 14-19 Education and Training.
- 4.3 Three new **national** organisations have been established to support the process:  
**The Young People's Learning Agency (YPLA)** will:
  - Set the national framework for 16-18 commissioning



- Control the overall national budget for 16-19 education
- Monitor the quality of LAs' commissioning planning and regional planning
- Provide strategic data analysis to support LA commissioning
- Allocate funds to councils to deliver their commissioning plans
- Commission and monitor 16-18 provision at academies.

**The Skills Funding Agency (SFA) will:**

- Commission further education colleges and training providers to deliver education and training for learners over the age of 19 and to deliver apprenticeships for young people and adults
- Performance manage further education colleges.

**The National Apprenticeship Service (NAS) is part of the SFA and will:**

- Work with employers to develop apprenticeship programmes
- Help young people and adults to participate on apprenticeship programmes.

**4.4 The London Regional Planning Group (RPG) has been established to lead and support LA-led 16-19 commissioning in London. Its key tasks will be to:**

- Support and co-ordinate the commissioning process at borough and inter-borough level, with the aim of ensuring consistency, where appropriate
- Write and distribute a regional statement of priorities, in line with national guidance, to inform local commissioning priorities
- Undertake specific commissioning tasks at a regional level on behalf of all the London boroughs
- Lobby for sufficient resources for London's learners
- Submit a regional commissioning plan to the YPLA within the timetable of the National Commissioning Framework
- Seek to resolve conflict at a borough or inter-borough level and administer a complaints procedure, as required
- Undertake such other tasks as shall be agreed having regard to guidance on Regional Planning Groups published from time to time by the Department for Children, Schools and Families (DCSF).

The Regional Planning Group is accountable to London Council's Leaders Committee.

**4.5 Brent is a member of two inter-borough commissioning groups based upon the travel-to-learn patterns referred to in paragraph 3.3. They are with:**

- Barnet and Harrow (and possibly Hertfordshire)
- Hammersmith and Fulham, Camden, Kensington and Chelsea, Ealing and Westminster.

The LAs will use these groups to monitor the quality of outcomes for their residents studying at out of borough provision and to challenge

each other where outcomes are unsatisfactory. They will work together to ensure provision meets the needs of local young people and to avoid duplication. This may involve joint commissioning.

### **Commissioning Principles**

- 4.6 Brent Council will be responsible for developing a 16-19 commissioning plan. The commissioning process must be based on published principles. The Local Government Association (LGA) has recommended that LAs start their discussions by considering the following as a possible set of principles:

*The LA will commission whichever providers are best placed to deliver sustainable high quality outcomes for the young people for whom provision is being commissioned, regardless of governance. The LA's commissioning decisions will:*

- *Ensure the best quality provision for each young person*
- *Meet both learner choice and economic need*
- *Ensure the future delivery of, and access to, the universal 2013 entitlement*
- *Ensure that individual commissioning decisions are made within the framework of a strategic approach to system-wide development*
- *Be impartial with respect to the type of provider*
- *Be independent of the LA of residence of the learner.*

### **Commissioning Priorities**

- 4.7 LA commissioning plans must meet local, regional and national priorities. The **local priorities** for Brent's commissioning plan will be aligned to Brent Children and Young People's Plan. To meet priority 2, "Excellent education and training is available to all children and young people", Brent's commissioning plan will aim to achieve:

- Attainment and progress at Key Stage 5 that matches or exceeds national averages
- More young people with access to 21<sup>st</sup> century high quality learning environments
- Access for all young people to the information, knowledge and skills required to make informed choices and effective transitions to adulthood and working life
- Access for all young people aged 16-19 to a broad range of high quality learning opportunities and experiences including Diplomas and Apprenticeships.
- The development of young people's economic and financial capability.

- 4.8 The London **regional priorities** are:

- Participation rates: building towards full participation for all 16-19 year olds in relevant and appropriate learning by 2015
- Achievement rates: improving outcomes for young people
- Progression rates: for 14-19 year olds and older into further and high education and employment.

- 4.9 The **national priorities** are due to be published this month. They are likely to highlight the council's statutory responsibilities to:
- Provide all 16-19 year olds with access by 2013 to the 14-19 national entitlement to: Foundation Learning; Functional Skills; GCSEs and A Levels; Diplomas; Apprenticeships.
  - Engage all 17 year olds in education, training or employment with training by 2013 and all 18 year olds by 2015.
  - Provide access for all young people to the high quality impartial information, advice and guidance (IAG) that they need to make informed decisions about their futures.
- 4.10 The LA will be responsible for monitoring the success of all provision commissioned by the LSC that finishes or starts after April 2010. However, the responsibility for monitoring academies will rest with the YPLA. The Brent 16-19 Funding and Commissioning Steering Group is planning to use the national *Framework for Excellence* to assess the quality of Brent's provision and the provision that Brent residents attend. This framework includes the following criteria:
- The success rates of all course programmes. This includes the proportion of young people starting courses that achieve the qualifications and value-added measures of progress.
  - Learner destinations
  - Ofsted grades
  - Learner views
  - Resource efficiency
  - Financial health

All education and training providers have been informed about the framework through Brent's 14-19 Partnership. The College of North West London is part of the national pilot and the LA is conducting a local pilot with a school sixth form.

- 4.11 The LSC is legally responsible for commissioning places for the academic year commencing September 2010. LA officers are developing their skills by supporting the LSC's final commissioning round and by participating in training delivered by the LGA and London Councils. From April 2010, a Contracts Support Officer will transfer to the LA from the LSC.
- 4.12 Brent officers are actively participating in all RPG activities. To date the work has been on establishing regional protocols, managing the staff transfer and preparing to support the LSC's commissioning of 2010 provision.

## **5 Challenges**

- 5.1 The proportion of Brent's young people attaining Level 2 by age 19 is 77.4% and attaining Level 3 by age 19 is 56.3%. Both figures are above the national average. However, these averages mask the

differences between groups of learners. For example the Level 3 attainment gap at age 19 between learners that were in receipt of free school meals at age 15 and those that were not is 18.8%. Although this is below the national average it illustrates that a key challenge will be the commissioning of provision that will ensure high quality outcomes for all groups of learners.

- 5.2 London has an over-supply of 16-19 education places compared to other regions and Brent's proportion of young people participating in education and training at age 17 is above the national average at 95%. This is likely to lead to a diversion of resources to other areas. However, intelligence from Brent Connexions shows that many of the young people that are not engaged are vulnerable and require targeted local provision that will have a higher per unit cost.
- 5.3 High quality impartial Information, Advice and Guidance is essential to support young people with their choices. The success rates at most of the borough's 16-18 providers are high. However, some young people are choosing pathways without adequate advice that is leading to high drop-out rates at some education providers. These young people are more likely to stay disengaged, having failed to achieve any of the qualifications that they had enrolled for. A key challenge will be to ensure that IAG is of a consistently high quality across all the schools, colleges and training providers that Brent young people attend.
- 5.4 The LA has been using existing resources to plan for the transfer. It is not clear how much it will be funded to manage these new responsibilities. However, the LA has been informed that from April it will receive funding equal to five LSC staff posts and funding to cover ancillary costs.

### **Background Papers**


- a) Raising Expectations: Enabling the system to deliver White Paper  
March 2008
- b) The Apprenticeships, Skills, Children and Learning Act 2009

### **Contact Officers**

Krutika Pau, Assistant Director Strategy and Partnerships,  
Krutika.Pau@brent.gov.uk  
0208 937 3126

John Galligan, Strategic Co-ordinator for 14-19 Education and Training  
John.Galligan@brent.gov.uk  
0208 937 3325

John Christie, Director of Children and Families

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|                     | <p><b>Children and Families Overview and Scrutiny Committee</b><br/>15<sup>th</sup> December 2009</p> <p><b>Report from the Director of Children &amp; Families</b></p> |
| For Information  | Wards Affected: ALL   |
| <p><b>Special Educational Needs: update on progress of SEN Improvement and Efficiency Review</b></p> |   |

## 1.0 Summary

- 1.1 A report providing an overview of progress and provision for children with special educational needs was presented to Children and Families Overview and Scrutiny Panel in November 2008. It was noted that a SEN review was scheduled to take place under the Council's Improvement and Efficiency Scheme and members recommended that progress on the implementation of the review and other SEN developments were reported back to the Committee. This report provides an update on progress.

## 2.0 Recommendations

- 2.1 That members note the report and comment on the issues arising.

## 3.0 Detail

### Improvement and Efficiency Review

- 3.1 A SEN service review is underway as part of the Council's Improvement and Efficiency programme. The remit of the review also includes the work of the Children with Disabilities Team whose work is focussed on providing support to carers through provision of care at home, direct payments and short breaks. This aspect of the review is not included in this report.
- 3.2 The scope of the review was agreed in April 2009 and it is anticipated that the review will be completed by the end of the year. In relation to SEN, the following areas are included in scope:
- Review of SEN staffing structure within central local authority services
  - Statementing criteria
  - Placements, including commissioning of out-Borough placements
  - Processes, including performance against national performance indicators for timescales in completing statements
- 3.3 The service review has been set a savings target of £250,000 as part of the One Council Transformation Programme.

- 3.4 The review is currently at the evaluation and analysis stage and interim findings have yet been formally reported. However, there are a number of emerging issues which are likely to be included in future improvement programmes. These are set out below.

### **Emerging Finding 1**

- 3.5 There continues to be insufficient in-borough provision for children with SEN which is leading to significant overspends in the Dedicated School Grant and which in turn puts pressure on local authority central budgets, such as transport.
- 3.5.1 The numbers of children with SEN requiring a statement has risen significantly over the past 3 years. In 2006, 196 statutory assessments of SEN were started. In 2008, this figure rose to 242 and a further increase in 2009 is projected.
- 3.5.2 There have been major improvements to special school provision following a previous SEN review in 2004/5. However, there continues to be a pressure on places in Brent special schools arising particularly from the increasing numbers of children with autism and associated learning difficulties and increasing numbers of children with profound and multiple learning difficulties.
- 3.5.3 There is a major proposed development programme at Hay Lane and Grove Park special schools which will assist in meeting the demand for specialist places. The Council's Executive agreed in May 2009 to proceed to design phase for a scheme to rebuild Hay Lane and Grove Park schools. The schools are both all age special schools and are located on adjacent sites. The current state of the buildings is poor. The proposed rebuild will ensure that the educational environment is well suited to the needs of students and will provide much needed improvement to specialist facilities. It will increase the combined capacity of the schools from 210 to 235 places. The two schools have formed a hard federation under a single governing body. The local authority is currently consulting on a proposal to merge the two schools.
- 3.5.4 There are also improvements planned to specialist provision within mainstream schools. Designated mainstream provision for secondary aged students with autism is being established at Preston Manor High School to be operational by September 2010. This will provide 12 places for students who are able to manage the curriculum demands of a secondary school but who require specialist support and a carefully structured environment to help address their social and communication needs. Some students with this profile of needs currently attend specialist out-Borough provision. It is anticipated that designated mainstream provision for autism will also be established in the primary sector but a host school is yet to be identified.
- 3.5.5 In addition, further improvements to SEN provision are also planned as part of Brent's Building Schools for the Future (BSF) proposals. It has been agreed that, as part of the BSF vision, all Brent Secondary Schools will establish a centre of excellence for young people with SEN with enhanced facilities, specialist teaching, strong professional development arrangements and on-site health and therapeutic services. This will enable more young people with SEN, particularly those with moderate learning difficulties and complex physical and medical needs, to have their needs successfully met in mainstream settings.
- 3.5.6 The review is highlighting the short-term need to provide additional in-Borough provision whilst longer-term developments come to fruition.

## **Emerging finding 2**

- 3.6 There is an opportunity to explore alternative models for commissioning out-Borough placements, joining up education and social care commissioning arrangements.
- 3.6.1 There will continue to be a need to place some young people with exceptional needs in specialist out-Borough provision. Residential placements may be sought where there are exceptional education, social care and/or health needs which cannot be met locally. These will be the most complex and vulnerable group of young people in Brent.
- 3.6.2 Currently, residential placements may be secured by education through the SEN Assessment Service or by social care through the Planning and Resources service. There is a case for combining these functions within a single commissioning service. This has the potential to bring about efficiencies, ensure consistency in placement and monitoring processes and improve the way in which contracts with providers are managed.

## **Emerging finding 3**

- 3.7 Strategic management of SEN needs to be strengthened. This is a key area for development in order to respond effectively to projected increases in demand and to mitigate the budgetary impact.
- 3.7.1 Senior managers within SEN Services have a range of operational and management responsibilities and there is insufficient capacity for strategic planning.
- 3.7.2 It is proposed that a SEN transformation programme is developed which would bring together the following 7 inter-related strands of work
- strategic management
  - lack of in-borough provision
  - budgets and commissioning
  - relationships with schools
  - performance against national and local indicators
  - integration of services
  - legal issues
- This work would be supported by a dedicated specialist project manager.
- 3.7.3 This is similar to the model which has been successfully used to drive the Social Care Transformation Programme and has brought about efficiencies and improvements to service delivery.

## **Issues outside the scope of the review**

- 3.8 Members have requested that this report also covers issues of delivery of services at the front line, through schools. This has not been the focus of the review.
- 3.9 An analysis of school Ofsted reports between September 2006 and July 2009 show that provision for pupils with SEN and disabilities is at least satisfactory or better for 98% of primary, secondary and special schools and good or better for 69%.
- 3.10 Latest comparative data on attainment and progress of pupils with SEN produced by the National Strategies show the following
- In Key Stage 1, the percentage of pupils achieving below level 1 is higher than the national average but improving.
  - In Key Stage 2, the percentage of pupils achieving below level 3 in English and Maths combined is higher than the national average but improving faster than the national average
  - The percentage of pupils making 2 levels of progress from Key Stage 1 to Key Stage 2 in Brent is better than the national percentage.
  - At Key Stage 2, the gap between pupils with SEN and their peers is below the national average, but this must be viewed in the context of higher than national average percentage of pupils with SEN

- At Key Stage 4, there has been a significant rise in the percentage of pupils attaining 2 GCSE's. The progress of pupils across key stage 3 and key stage 4 is better than the national average
- At Key Stage 4, the gap between pupils with SEN and their peers has widened but this must be viewed in the context of rapidly improving overall attainment in the local authority

The National Strategies adviser for SEN monitors the work of the local authority in improving outcomes for children and young people with SEN. The evaluation from the latest visit in June 2009 was that Brent's making good progress in developing a flexible range of provision and improving the capacity of mainstream schools.

3.11 The local authority provides a comprehensive range of support to schools including the following:

- Advice and guidance on planning and evaluating effective SEN provision through provision management
- Advice on using data to evaluate performance and progress
- Advice and guidance of disability equality and accessibility, including making reasonable adjustments to include pupils with complex needs
- Advice and guidance on developing high quality provision for pupils with sensory and communication needs
- Advice on assessment and progress of pupils with SEN
- Advice on developing the role of parents in their child's learning
- Promoting the sharing of good practice and regular meetings and briefings for SENCO's
- Tailored school-based training, both twilight and training days, to support the raising of attainment of pupils with SEN
- Extensive centre-based training programme in areas of leadership and management, inclusive practice and specialist needs

The list is not exhaustive.

3.12 A rolling programme of SEN audits of mainstream schools has been introduced as part of the local authority monitoring strategy. All mainstream schools will be audited over a 3 year period 2008-10 to monitor the use of SEN funding, support school's self-evaluation and identify strengths and areas of development.

3.13 Members have also expressed some concerns about the use of terminology and have requested clarification. Nationally, the following terms are commonly used.

- Special educational needs (SEN) – relating to children and young people at Early Years/School Action, Early Years/School Action Plus and those having statements of SEN
- Learning difficulties and disabilities (LDD) – this is a broader term including children and young people with special educational needs (SEN), as above, and those who maybe experiencing no significant educational difficulties but who may have physical/medical needs requiring adjustments to be made to enable their full participation in school and other settings
- Special educational needs and disabilities (SEND) – this is a relatively recent term, now widely used to encompass children and young people with SEN and/or disabilities.

In line with national expectations and practice, the above terms are used in Brent and we are careful in use of language to avoid labelling child solely in terms of their disability or special educational needs.

**Contact Officers:** Rik Boxer, Assistant Director Achievement & Inclusion,  
Chesterfield House, 9 Park Lane, Wembley, Middlesex HA9 7RW  
Tel: 020 8 937 3201. [rik.boxer@brent.gov.uk](mailto:rik.boxer@brent.gov.uk).

**Rik Boxer Assistant Director of Children & Families**