



Children, Education and Safeguarding Committee Business Planning 2019-2024 29th November 2018

Title	Business Planning 2019-2024
Report of	Chairman of the Committee - Councillor David Longstaff
Wards	All
Status	Public
Urgent	Yes
Key	No
Enclosures	Appendix A: Corporate Plan Appendix B: Approach to delivery Appendix C: Medium Term Financial Strategy (MTFS) and savings proposals for Committee
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Summary

The development of the council's Corporate Plan and Medium Term Financial Strategy have been aligned to cover the next five years (2019-2024). This paper sets out the priorities for the committee which are from the corporate plan, as well as the strategic approach to delivery. It also sets out the allocated budget for the committee and how it will meet its financial targets. The indicative savings proposals for the Children, Education and Safeguarding Committee for 2019-2024 is £9,793,000

The budget projections through to 2024 are indicative figures. The budget will be formally agreed each year as part of the council budget and council tax setting process, and therefore could be subject to change.

A final budget will be considered by Policy and Resources Committee on 20 February 2019 before being recommended to Council on 5 March 2019. The final Corporate Plan will be published following this.

Officers Recommendations
1. That the Committee consider the Corporate Plan (Appendix A) and the Corporate Plan priorities in Appendix B for referral to Policy and Resources Committee before adoption by Full Council.
2. That the Committee consider the MTFS proposals that relate to the committee as set out in Appendix C after having considered the initial equalities impacts and refer their comments to Policy and Resources Committee for eventual decision by Full Council.
3. That the Committee approve the increases in fees charges listed set out in Table 3 and refer them for noting to Policy and Resources Committee.
4. That the Committee consider the savings proposals for the next financial year as set out in Appendix C subject to the initial equalities impacts and refer them to Policy and Resources Committee for consultation and eventual decision by Full Council.
5. If the Schools Forum does not support either proposal 1 or proposal 3, as set out in section 6.8.8 of this report, at its meeting on 27 th November, the Committee give delegated authority to the Strategic Director, Children and Young People to submit an application to the Secretary of State for a decision, following discussion with the Chairman of the Children, Education and Safeguarding Committee.
6. That the Committee delegate authority to the Strategic Director, Children and Young People to enter negotiations with Cambridge Education to enable delivery of the Early Years Standards provision, including services currently provided through a Service Level Agreement with the Barnet Early Years Alliance, via the strategic partnership with Cambridge Education and to enter into contractual arrangements as appropriate, following discussion with the Chairman of the Children, Education and Safeguarding Committee..

1. WHY THIS REPORT IS NEEDED

- 1.1 This report is required as part of the business planning process in order to discuss and approve the priorities for the Theme Committee to 2024. Additionally, the report sets out the financial position of the Council and specifically the context for this Committee. The report also seeks Committee approval for the savings programme for services within its terms of to be recommended to Policy and Resources Committee, as part of the budget setting process.

2. STRATEGIC CONTEXT

- 2.1 The council wants to create successful places, achieve great outcomes, deliver quality services and develop resilient communities. But, like all councils, it faces an

increasingly difficult financial challenge, with funding sources not keeping pace with demand and uncertainty about how services will be funded in the future.

- 2.2 The council has successfully risen to its financial challenges thus far, evidenced by delivering savings in excess of £155million since 2010. It was highlighted at the June 2018 Policy and Resources Committee that the council faced difficulty in balancing it's in year position with a forecast overspend of £9.5m. Since then, a number of actions have been taken to reduce this, however there is still some way to go to fully balance.
- 2.3 Looking forward it is anticipated that these challenges will continue. Through refreshing the council's medium term financial strategy (MTFS) the organisation now faces an anticipated budget gap of £69.9m to 2023/24. This includes the savings of £17.3m already identified for 2019-20, plus a further gap of £52.6m to 2023/24.
- 2.4 To address that gap, the council will need to make some tough decisions about priorities and how limited funds are spent. This may mean that the council stops doing some things or does them in very different ways, as well as looking at how it can find opportunities to generate more income.
- 2.5 Despite the challenges, the council is ambitious for Barnet and the people that live and work here. During this time of significant challenge, the council has seen levels of resident satisfaction remain high both in terms of satisfaction with the council as well as with the range of local services. The latest Residents' Perception Survey (Autumn 2017) indicates that 85 per cent of residents are satisfied with Barnet as a place to live and 65 per cent feel that the council is doing a good job.
- 2.6 The council must now prioritise its limited resources effectively and develop plans for the next five years to deliver both statutory duties and ambitions for Barnet within these financial constraints. The council wants to ensure residents get a fair deal by maximising opportunities, sharing responsibilities with the community and partners, and working effectively and efficiently.
- 2.7 To ensure the council has a plan that reflects local priorities, as well as a financial strategy that will support a financially sustainable position, the development of the Corporate Plan and MTFS have been aligned to cover the next five years (2019-to 2024). This will help to ensure we have a medium-term plan of how we will allocate our limited resources in line with what we want to achieve for the borough. The priorities within the Corporate Plan will be considered by Policy and Resources committee on 11 December, to enable a final decision to be made by Full Council.
- 2.8 The Corporate Plan, known as Barnet 2024, is being refreshed to reflect the priorities of the new administration who were elected in May 2018, and resident feedback on what matters. Feedback has been captured through public consultation and engagement that took place over the summer of 2018. The Corporate Plan, Barnet 2024, will set the strategic direction of the council, including outcomes for the borough, the priorities we will focus limited resources on, and how we will approach delivery.
- 2.9 The three outcomes for the borough focus on place, people and communities:

- A pleasant, well maintained borough that we protect and invest in
- Our residents live happy, healthy, independent lives with the most vulnerable protected
- Safe and strong communities where people get along well

The full list of corporate priorities for the next five years that support these outcomes, and the approach to delivery, can be seen in Appendix A.

- 2.10 To support delivery of the outcomes in the Corporate Plan, Barnet 2024, the theme committee will be responsible for delivering any corporate priorities that fall within its remit, as well as any additional priorities that relate to matters the Committee is responsible for under its Terms of Reference.
- 2.11 These priorities will inform an annual theme committee delivery plan which will set out the key activities, performance indicators/targets, and risks in relation to the corporate and committee priorities. Delivery plans will be approved by Theme Committees in early 2019 and will be refreshed on an annual basis.
- 2.12 The vision for this committee, which is set out in the Children and Young People's Plan, is to make Barnet the most family friendly borough in London— where children, young people, and their families are safe and healthy, are informed and responsible, and feel listened to. At the core of this is a resilience based model of practice which involves identifying issues early and supporting families to build their resilience, underpinned by high quality social work. Our safeguarding arrangements for vulnerable children and young people will be effective and robust, with greater interface between services to provide a cohesive approach. We strive for schools in Barnet to remain among the best in the country, with enough early years and school places for all and children achieving the best they can, with attainment and progress of pupils in the top 10% nationally, and the progress of the most disadvantaged and vulnerable pupils accelerated.
- 2.13 The corporate priorities relevant to this Theme Committee, and the strategic approach to delivery are set out below and can also be seen in Appendix B.

Corporate Priority	How will we meet this by 2024?
Improving services for children and young people and ensuring the needs of children are considered in everything we do	<ul style="list-style-type: none"> • Improving children's services to get a 'good' Ofsted rating • Providing effective leadership and empowering staff • Improving the social, emotional and mental health and wellbeing of children and young people • Preventing young people from getting involved in violence, crime, exploitation and anti-social behaviour • Being a good corporate parent to children in care and care leavers
Ensuring we have good schools and enough school places so all children have access to a great	<ul style="list-style-type: none"> • Planning and forecasting to deliver school places to meet identified needs • Improving pupils' achievement and narrowing the attainment gap • Improving outcomes for children and young people with

education	<p>special educational needs and disabilities</p> <ul style="list-style-type: none"> • Supporting children to have the best start in life and be ready for learning
Ensure we are a family friendly borough	<ul style="list-style-type: none"> • Helping children to live in safe and supportive families and communities • Providing services that encourage and build resilience • Ensuring children and families know about and can influence decisions that affect them • Increasing the participation, voice and influence of young people • Embedding children's rights across policies and procedures

Theme Committee Savings

- 2.14 In order to address the budget gap between 2019 and 2024 savings proposals have been identified. A range of savings and / or income generation proposals within the Committee's area of responsibility can be seen below within table 1 and in Appendix C for full detail.
- 2.15 In April and May 2017, Children's services in Barnet were judged by Ofsted to be inadequate when they undertook an 'Inspection of services for children in need of help and protection, children looked after and care leavers, and review of the effectiveness of the Local Safeguarding Children Board'. The Council fully accepted the findings of the report and has been working collectively with the partnership to drive the improvements needed to transform services for children, young people and their families from inadequate to good. In June 2017, the Policy and Resources Committee agreed to invest an additional £5.7m in Family Services. The original savings target for the Children, Education and Safeguarding Committee for 2018/19-2019/20 was £8.303m, was also reviewed and revised to £4.435m in the 2018/19 Policy and Resource Committee Business Planning Report. This investment in additional resources has seen a significant decrease in caseloads and increase in management oversight in order to deliver safe, high quality practice.
- 2.16 There have been four Ofsted monitoring visits to date, which have indicated that there is steady progress but that there is still some way to go to be 'good'. The most recent letter following a visit in July/August stated that 'the scope and pace of the improvement work over the last year has been appropriately considered and has been steady.' It is critical that any savings that are proposed are not going to impact on the improvement to the quality of children's services, which could undermine the progress that is being made.
- 2.17 Some of the savings, such as through the development of 0-19 Family Hubs and through the Cambridge Education contract, have previously been agreed at this Committee and this savings plan reflects those agreements. Where possible, the approach has been to propose savings through bringing in additional income and through back-office savings rather than reducing services.
- 2.18 As the Committee is responsible for education services, it has to consider savings from the dedicated schools grant (DSG), as well as savings from the council's general fund. The DSG is ring-fenced funding to fund education in schools within the

borough. It is split into four blocks: schools block, high needs block, central schools services block and early years block. There are regulations and statutory guidance prescribing how the funding can be used to ensure a minimum funding guarantee to schools. Not all of the council's education responsibilities can be funded from the DSG and if there is a shortfall in funding in the DSG, the council can decide to use funding from its general fund to meet this shortfall.

- 2.19 There is increasing pressure on high needs block ("High Needs") budgets across the country, as a result of demographic growth, the increasing complexity of needs and the impact of the government's special educational needs reforms (in particular extending educational provision for pupils with special educational needs from 0 to 18 year olds to 0 to 25 year olds). Across 27 London Boroughs there is an overall overspend on High Needs budgets of £55.7 million. These pressures have impacted on the council's High Needs budget this year, which is now forecasting an overspend of over £1m in 2018-19, despite savings of £1.2m having already been made.
- 2.20 The main causes of the overspend are
- Increasing numbers of pupils with Education, Health and Care Plans (EHCPs) - a 30% increase in the number of children and young people with an EHCP between 2014 (when the new SEND reforms were introduced) and 2017.
 - An increase in post-16 numbers and costs – 16-19 year olds with EHCPs rising from 309 in 2016 to 493 in 2018, and 19-25 year olds with EHCPs rising from none in 2016 to 174 in 2018.
 - Increasing complexity – Barnet's Special Schools provide for pupils with the most complex needs; their placement costs rose from £5.5m in 2015-16 to £7.1m forecast for 18-19.
- 2.21 Further savings measures are proposed, as set out in Table 2 below. The impact of the first four proposed savings in the table will not be felt until 2019-20, so there will be a carried forward deficit in the DSG from the current year. In order to remove the deficit and to prevent cuts in provision and support for pupils with special educational needs and disabilities, it is also proposed to transfer 0.5% (£1.26m) of the 'school block' from within the overall 'Schools Budget' to the High Needs block. This is the fifth proposal in Table 2 and is permissible in accordance with the Education and Skills Funding Agency's Operational Guidance. This will reduce the funding distributed to schools in the schools block. Section 6.8.8 below provides some information on consultation and the decision-making process in relation to this proposal.
- 2.22 Table 3 sets out changes to fees and charges. These are in line with the recommendation agreed by the Children, Education and Safeguarding Committee as part of the 0-19 Family Hub Business case on 6th June 2018 to 'deliver traded non-statutory services at full cost recovery'.

TABLE 1- SUMMARY OF SAVINGS PROPOSALS – General Fund proposals

ITEM	DESCRIPTION	19/20 (£000)	20/21 (£000)	21/22 (£000)	22/23 (£000)	23/24 (£000)	TOTAL
Contract management , including keeping costs down	Inflationary increases to third party contracts are built into the budget. These savings would be achieved by negotiating rates across contracts including: secure accommodation, fostering support, and short breaks	418	334	334	334	334	1,754
Charging ESG services to the budgets of maintained schools.	Charging budgets of maintained schools to fund services previously funded from the Education Services Grant (ESG) and de-delegation to fund school improvement activities if school improvement grant is removed by the Department for Education.	1,000					1,000
Placements	Continuing Health Care contribution to appropriate placements for 18-25 year olds	300	300				600
Gainshare	Gainshare with Cambridge Education through increased income from contracts with other local authorities				100	50	150
Grant funding	Savings through better use of grant funding- eg Troubled Families grant, Youth Justice grant, Trusted Relationships grant	275	200				475
Early Years further service reform	Development of 0-19 Family Hubs, including reconfiguration of Council staff into Hubs, with no impact on front line staff	527					527
Early Years service reform	Transfer Early Years Standards provision, including services provided through two Service Level Agreements with the Barnet Early Years Alliance, to Cambridge Education	75	75				150
Safeguarding Children's Partnership	Implement new multi-agency arrangements for safeguarding children to replace the current Local Safeguarding Children Board, resulting from the new Children Act 2004 responsibilities, introduced by the Children and Social Work Act 2017. This requires a 'shared and equal duty' between statutory partners.		100				100

Legal Spend	Reduce spend through commissioning less external counsel		250				250
Contact Centre	Remodelling of Contact Centre – this proposal will be subject to a future report, once further detail is known.			150	200	350	
Demand Management	Remodelling of placements to reduce number of children in high cost placements	400	450	405	550	725	2,530
Autism Placements	Earlier intervention to avoid significant future growth in high cost packages/placements for young people with high functioning autism with challenging behaviour					200	200
Staff flexibility	Back office saving through voluntary option for non-social work staff to work 4 day weeks			270	270		540
Contracts Review	The 19/20 savings will be delivered through further Cambridge Education contract savings- a rebate on pensions under 'allowable assumptions' and through not renewing the Barnet Pre-School Learning Alliance contract when it expires at the end of March 2019	277	50				327
Agency staffing costs including overheads	A reduction in agency staffing and a reduction in the overhead for agency staffing	190	200				390
Education and Skills- New Delivery model	Contractual savings to be delivered as part of the strategic partnership with Cambridge Education to provide Education and Skills services.	450					450
TOTAL		3912	1959	1009	1404	1509	9793

TABLE 2- SUMMARY OF PROPOSALS FOR SAVINGS IN THE HIGH NEEDS BLOCK OF THE DEDICATED SCHOOLS GRANT

ITEM	DESCRIPTION	19/20 (£000)	20/21 (£000)	TOTAL
Education, Health and Care Plan assessments - alignment with the Code of Practice	Review of decision-making on requests for EHC assessments, to ensure alignment with the statutory Code of Practice, providing a clear, graduated response to need, where the majority of children and young people with SEND have their needs met at SEN Support.	530	400	930

Review of decision-making on the length of post-16 placements, to ensure alignment with the Code of Practice.	Review of decision-making on the length of post-16 placements, to ensure alignment with the statutory Code of Practice and development of alternative pathways with parents, young people and post-16 providers. Any savings are likely to begin from September 2019.	270	200	470
Negotiate appropriate funding rates for post-16 providers	Negotiations with providers to reduce rates. Full impact would be for new placements from September 2019.	120	200	320
Reduce Top-up rates for Additional Resourced Provision (specialist SEN provision attached to mainstream schools)	Review of top-up levels to ensure the amounts paid per pupil with a specialist ARP place are appropriate to meet needs, as part of a rebalancing of provision and funding between ARPs, special schools and mainstream schools.	280	0	280
Seek Schools Forum agreement to the transfer of 0.5% of the Schools Block to the High Needs Block (i.e.£1.26m)	The proposal would reduce the funding available for distribution through the school funding formula by approximately £1.26m. This amount would be transferred to the High Needs block in order to fund the costs of provision and support for pupils with special educational needs and disabilities.	1260	0	1260
TOTAL		2460	800	3260

TABLE 3 – CHANGES TO FEES AND CHARGES

Reference /Area	Fee/ Charge Title	Description	Unit of Measure	Charges 2018/19	Charges 2019/20	Change from prior year (actual)	Change from prior year (%)
Youth services	Duke of Edinburgh	Silver Award Enrolment Fee	Per Award	£ 25.00	£ 30.00	£ 5.00	20.00%
Youth services	Duke of Edinburgh	Gold Award Enrolment Fee	Per Award	£ 32.00	£ 35.00	£ 3.00	9.38%

3. REASONS FOR RECOMMENDATIONS

- 3.1 Local Government as a whole continues to face significant reductions in funding and increased demand for services, as set out in the above context. These challenges require continual longer term, robust financial and strategic planning and the recommendations in this report support this.
- 3.2 By law, the council is required to set a legal, balanced budget. These proposals are the best way of doing that by meeting financial targets and delivering outcomes and ambitions for Barnet.

4. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 4.1 The alternative option is not to approve the proposed savings for 2019/20, the MTFS and the additional priorities. This would require alternative savings to be identified in order to meet the Council's budgetary challenges.

5. POST DECISION IMPLEMENTATION

- 5.1 As part of recommendation 1, following approval of the priorities that sit within this committee, plans will be developed to deliver these.
- 5.2 If the Children, Education and Safeguarding Committee approves recommendation 2 and 3 made by this report, then the savings proposals will be referred to Policy and Resources Committee on 11 December as part of the budget setting process.
- 5.3 If the Schools Forum does not support either proposal 1 or proposal 3, as set out in section 6.8.8 of this report, at its meeting on 27th November, and, in response to recommendation 4, the Children, Education and Safeguarding Committee is asked to delegate authority to the Strategic Director, Children and Young People to make an application to the Secretary of State for approval of the proposal(s). As the meeting of School Forum is after the date of publication of this report, a verbal update will be provided to the committee.

6. IMPLICATIONS OF DECISION

6.1 Corporate Priorities and Performance

- 6.1.1 The council's corporate plan, which sets out the outcomes, priorities and approach, has been refreshed for 2019 to 2024, alongside the Medium Term Financial Strategy for the same period. The updated corporate priorities can be seen in Appendix A. Committees may also have specific additional priorities they will deliver alongside this. The performance indicators/targets for the corporate and committee priorities will be updated in early 2019 as part of the theme committee delivery plans.

6.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 6.2.1 The Children, Education and Safeguarding Committee savings programme will enable the council to meet its savings gap as set out in the MTFS. These budgets will be formally agreed each year, and individual proposals will be subject to appropriate consultation and equality impact assessments where necessary. For this reason, the proposals are subject to change.

6.3 Social Value

- 6.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners

should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

6.4 Legal and Constitutional References

- 6.4.1 Section 31A of the Local Government Finance Act 1992 requires billing authorities to calculate their council tax requirements in accordance with the prescribed requirements of that section. This requires consideration of the authority's estimated revenue expenditure for the year in order to perform its functions, allowances for contingencies in accordance with proper practices, financial reserves and amounts required to be transferred from general fund to collection fund.
- 6.4.2 Local authorities owe a fiduciary duty to council tax payers, which means it must consider the prudent use of resources, including control of expenditure, financial prudence in the short and long term, the need to strike a fair balance between the interests of council tax payers and ratepayers and the community's interest in adequate and efficient services and the need to act in good faith in relation to compliance with statutory duties and exercising statutory powers.
- 6.4.3 In relation to the DSG, this is a ring-fenced budget for funding education services, including funding for schools. The Council cannot use this funding towards any other purpose. Some of the Council's education functions cannot be funded by the DSG and if there is a shortfall in the DSG, the Council is permitted to fund any deficit from its general fund. There is detailed statutory guidance on use of the DSG and movement between the blocks and all proposals are in accordance with these. There are also regulations prescribing the decision making process, the role of the schools' forum and the requirement for consultation with schools on any proposals. Detailed reports were submitted to Schools Forum, following consultation with relevant schools on the proposals. As Schools Forum will meet only 2 days before this meeting, it is not possible to feedback the discussion or decision of that body in this report, however a detailed verbal update will be provided at the meeting.
- 6.4.4 The proposal for Cambridge Education to deliver services relating to early years is based on the ability for the Council to request Cambridge Education to deliver education related services as part of the change procedures under the contract. The recommendations delegate authority to the Strategic Director, Children and Young People to make a decision on this, once the detailed contractual arrangements have been considered. As part of this decision, the Strategic Director will consider any implications resulting from a change in service provider and a reduction in funding.
- 6.4.5 Some of the proposals, particularly around high cost placements and use of EHCPs, relate to savings resulting from operational decisions being made in a different way, resulting in an anticipated saving. These decisions will be made on a case by case basis, within the legal framework. The saving is therefore an indicative saving and its deliverability will be dependent on a number of factors. As part of the budget setting process, Policy and Resources Committee will consider the need for an appropriate contingency to cover any savings that are indicative and may not be met due to operational decisions. Some of the proposals in the MTFS relate to proposals that are at a very early stage. These proposals will be subject to further business planning and decision making to test whether they can be delivered and what the

impact of such a proposal will be. These proposals will be considered in further detail during future business planning reports.

- 6.4.6 The Council's Constitution (Article 7, Article 7 – Committees, Forums, Working Groups and Partnerships) sets out the responsibilities of all council Committees. This committee has a wide range of responsibility for all matters relating to children, schools and education. This includes approving the Children and Young People Plan and leading on the council's responsibilities under the Children Act 2004 and Education and Inspection Act 2007. The Committee's responsibilities include making recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
- 6.4.7 All proposals emerging from the business planning process will need to be considered in terms of the council's legal powers and obligations (including, specifically, the public-sector equality duty under the Equality Act 2010).

6.5 **Risk Management**

- 6.5.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. Risks associated with the saving proposals will be outlined within the Theme Committee reports as each proposal is brought forward for the Committee to consider.
- 6.5.2 An integral part of the Theme Committee delivery plans will be identifying any risks to delivering the corporate or committee priorities and key activities.
- 6.5.3 Risks will be reviewed quarterly (as a minimum) and any high-level risks will be reported to the relevant Theme Committee and P&R Committee.

6.6 **Equalities and Diversity**

- 6.6.1 Equality and diversity issues are a mandatory consideration in the decision-making of the council. The Equality Act 2010 and the Public-Sector Equality Duty, requires elected Members to satisfy themselves that equality considerations are integrated into day-to-day business and that all proposals emerging from the business planning process have taken into consideration the impact, if any, on any protected group and what mitigating factors can be put in place.
- 6.6.2 An Equality Impact Assessment was previously undertaken for the following proposals:
- Development of 0-19 Family Hubs, including reconfiguration of Council staff into Hubs- an Equality Impact Assessment was included in the Full Business Case that went to the Children, Education and Safeguarding Committee on 6th June 2018.
 - Education and Skills new delivery model- An initial Equalities Impact Assessment was included in the business case that went to the Children, Education and Safeguarding Committee on the 15th September 2014.

- There is an Equality Impact Assessment included in the consultation documents on the schools budget for both maintained schools and academies. Details of this will be provided to the committee verbally, once the decision of Schools Forum is known.
- 6.6.3 An initial assessment of the equality implications for the proposal to transfer early years services to Cambridge Education is that the proposal will impact on younger children and their families to a greater extent than the wider population and the equality implications will be neutral, as despite the saving, Cambridge Education is better placed to deliver an integrated service, so it is anticipated that this will provide a more joined up service at a lower cost. The equality implications will be kept under review and taken into account as the proposal develops.
- 6.6.4 Some of the proposals involve indicative savings from making operational decisions in a different way, for instance in relation to EHCPs and placements budgets. These proposals will impact on children and young people and their families and in particular children and families with special educational needs and disabilities to a greater extent than the general population. The equality implications will be considered on a case by case basis and will be kept under review by the individual services. Decisions will continue to be made within the statutory framework, in the best interests of children and their families, and in line with the Corporate Parenting principles as set out below.
- 6.6.5 The consultation section below outlines details of planned consultation on the budget proposals, including consultation with groups representing families with children with SEND. The results of this consultation will be analysed to identify any equality implications arising from the budget proposals and this will be considered by Policy and Resources Committee as part of the budget setting process.

6.7 Corporate Parenting

- 6.7.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the council does. To this end, great attention has been paid to the needs of children in care and care leavers when approaching business planning within Family Services, to ensure decisions are made through the lens of what a reasonable parent would do for their own child.
- 6.7.2 Each of the seven corporate parenting principles have, and will continue to be, considered as part of the development and delivery of MTFS proposals for 2019/20 and beyond; especially within service areas where there are greater savings pressures, such as Demand Management on Placements. In the case of placements savings, an initial strategic outline case has been developed which takes into account the corporate parenting principles, such as 'acting in the best the interests, and promoting the health and well-being of children and young people' and 'taking into

account the views, wishes and feelings of children and young people'. Data from a range of sources was reviewed and analysed to inform the proposals, which included:

- Feedback from care about their experience of placements and unmet needs
- Data pertaining to care leavers rent and council tax arrears
- Consultation responses from care leavers regarding the newly introduce council tax relief policy
- Benchmarking with 'good' and 'outstanding' Ofsted rated local authorities

This insight enabled savings proposals to be developed through the lens of what a reasonable parent would do to support their own children, and ensured due regard of the corporate parenting principles. As work progresses to further develop business cases and deliver plans in order to achieve savings, further steps and opportunities will be taken to seek out the views of children in care and care leavers, and ensure services that meet their needs and reflect the corporate parenting principles continue to be delivered.

6.8 Consultation and Engagement

6.8.1 As a matter of public law, the duty to consult with regards to proposals to vary, reduce or withdraw services will arise in four circumstances:

- Where there is a statutory requirement in the relevant legislative framework
- Where the practice has been to consult, or, where a policy document states the council will consult, then the council must comply with its own practice or policy
- Exceptionally, where the matter is so important that there is a legitimate expectation of consultation
- Where consultation is required to complete an equalities impact assessment.

6.8.2 Regardless of whether the council has a duty to consult, if it chooses to consult, such consultation must be carried out fairly. In general, a consultation can only be considered as proper consultation if:

- Comments are genuinely invited at the formative stage
- The consultation documents include sufficient reasons for the proposal to allow those being consulted to be properly informed and to give an informed response
- There is adequate time given to the consultees to consider the proposals
- There is a mechanism for feeding back the comments and those comments are considered by the decision-maker / decision-making body when making a final decision

- The degree of specificity with which, in fairness, the public authority should conduct its consultation exercise may be influenced by the identity of those whom it is consulting
 - Where relevant and appropriate, the consultation is clear on the reasons why and extent to which alternatives and discarded options have been discarded. The more intrusive the decision, the more likely it is to attract a higher level of procedural fairness.
- 6.8.3 Public consultation and engagement on the Corporate Plan took place between 16 July 2018 and 23 September 2018. The findings from this have been considered and incorporated into the draft document.
- 6.8.4 A total of 287 questionnaires were completed and 141 residents attended the three Question Time Leader led events.
- 6.8.5 Key headlines from the consultation are as follows:
- A clear majority of those responding to the questionnaire agree with all the outcomes the council is proposing to focus on for the next five years, with around nine out of ten respondents (90%) agreeing with each of the councils proposed outcomes.
 - There was a similar level of agreement for the priorities set out under each outcome, with 80-90% of respondents agreeing with each of the priorities. The one exception to this was 'Delivering on our major regeneration schemes' where six out of ten agreed.
 - Around 80% also agreed with the approach the council has outlined to deliver its outcomes over the next five years.
 - When residents were asked to comment further, the main feedback was that they wanted more detail on how the priorities would be delivered and funded. This has resulted in more detail around the strategic approach to delivery being included in the draft corporate plan.
 - Further comments on the outcomes, priorities and approach were very varied, the most common themes were around; street cleansing, tackling enviro-crime and anti-social behaviour, improving air quality and investing in sustainable transport methods. This feedback has now been incorporated and reflected in the draft plan. Comments on our approach related to outsourcing of services, robust management of contract and service delivery arrangements and a commitment to remaining transparent in our work. There was also a clear theme around how we balance our council tax rates with being able to deliver services.
 - This feedback has now been incorporated and reflected in the draft plan.
- 6.8.6 Public consultation with residents and businesses on the overall budget for 2019-2024 will commence on 12 December 2018 subject to agreement from the P&R Committee on 11 December 2018. The final budget will then be recommended to

P&R Committee on 20 February 2018 ahead of final approval at Full Council on the 5 March 2019.

- 6.8.7 In terms of service specific consultations, the council has a duty to consult with residents and service users in a number of different situations including proposals to significantly vary, reduce or withdraw services. Consultation is also needed in other circumstances, for example to identify the impact of proposals or to assist with complying with the council's equality duties. Service specific consultations will take place where necessary in line with timescales for any changes to be implemented.
- 6.8.8 In relation to the proposals around schools funding, DfE guidance indicates that:
- Local authorities may transfer up to 0.5% of their schools block funding into another block, with the approval of their schools forum.
 - Local authorities wishing to make a transfer should consult with all local maintained schools and academies, and the schools forum should take into account the views of the schools responding before giving their approval.
 - If the schools forum turns down a proposal from the authority to move funding out of the schools block, but the authority wishes to proceed with the transfer, it must submit a disapplication request to the Secretary of State by 30 November 2018.

The guidance also states that:

- Local authorities can fund some services relating to maintained schools only from maintained school budget shares, with the agreement of maintained school members of the schools forum.
- If the local authority and schools forum are unable to reach a consensus on the amount to be retained by the local authority, the matter can be referred to the Secretary of State
- Schools forums can agree to de-delegate further funding for additional school improvement provision, in 2019 to 2020

There is no requirement to consult schools directly on the following two proposals in this report:

1. A proposal to fund some services, previously funded from the Education Services Grant, from the budget shares of maintained primary and secondary schools.
2. A proposal to increase de-delegation from maintained school budgets in order to continue the school improvement (LNI) service in its current form.

However, the council, with the agreement of the Schools Forum, has decided to consult schools on both matters before the Schools Forum is asked to make its decisions. The consultation with schools also includes consultation on the following proposal, as required by DfE guidance:

3. A proposal to transfer 0.5% of the Schools Block to the High Needs Block.

The consultation documents (one on all three proposals for maintained schools only, and one on proposal 3 only, for Academies and Free Schools) can be accessed via the background papers section of this report. Consultation is from 1 to 23 November. The Schools Forum is meeting on 27th November and its decisions will be reported to the Children, Education and Safeguarding Committee at its meeting on 29th November.

If the Schools Forum does not support either proposal 1 or proposal 3, the committee is asked to give delegated authority to the Strategic Director, Children and Young People, to ask the Secretary of State to approve the proposal(s).

- 6.8.9 For the 2019/20 savings proposals, some separate service specific consultations have already taken place as part of earlier committee decision making. The current consultations are the schools funding consultations for maintained schools and academies. As part of the budget consultation, parent groups representing children with SEN or a disability will be invited to consider the proposals and make representations. Any representations will be considered by Policy and Resources Committee before making a final recommendation on the 2019/20 budget.

7. INSIGHT

- 7.1 A range of data and information has been used to develop the proposals.

8 BACKGROUND PAPERS

- 8.1 Children, Young People and Family Hubs Full Business Case for Children, Education and Safeguarding Committee on 6th June 2018:
<https://barnet.moderngov.co.uk/documents/s46576/Committee%20Report.pdf>
- 8.2 Education and Skills Future delivery of service for Children, Education, Libraries and Safeguarding Committee on 12th January 2015:
<https://barnet.moderngov.co.uk/documents/s20181/Education%20and%20Skills%20Future%20Delivery%20of%20Services.pdf>
- 8.3 Consultation with primary and secondary maintained schools on the proposals relating to the Schools Budget
<https://www.surveymonkey.co.uk/r/schoolsbudgetmaintained>
- 8.4 Consultation with primary and secondary Academies and Free Schools on the proposals relating to the Schools Budget
<https://www.surveymonkey.co.uk/r/schoolsbudgetacademies>