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| **Consultation****Launch Date 5 March 2012****Respond by 25 May 2012****Ref: Department for Education**  |
| Consultation on Draft Revised Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's WellbeingThe Government has confirmed that it will retain the duty on local authorities set out in section 507B of the Education 2006 to secure sufficient educational and recreational leisure-time activities for the improvement of the wellbeing of 13 to 19 year olds, so far as is reasonably practicable. This duty also requires local authorities to ascertain and take into account young people's views and to publicise information about the local offer of all available provision. The purpose of this consultation is to gather views on draft revised statutory guidance to which local authorities must have regard in fulfilling their obligations under this duty. |
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| Consultation on Draft Revised Statutory Guidance for Local Authorities on Services and Activities to Improve Young People's Wellbeing |
| **A Consultation** |
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| **To** | Local authorities, young people, schools, parents/carers and organisations working with young people |
| **Issued** | 5 March 2012 |
| **Enquiries To** | If your enquiry is related to the policy content of the consultation you can telephone: 0370 000 2288 or e-mail: positivefor.youth@education.gsi.gov.uk |

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|  | Contact Details |
|  | If your enquiry is related to the policy content of the consultation you can telephone: 0370 000 2288 or e-mail: positivefor.youth@education.gsi.gov.uk.If you have a query relating to the consultation process you can contact the CYPFD Team by telephone: 0370 000 2288 or via the Department's ['Contact Us'](http://www.education.gov.uk/help/contactus) page.  |
| 1 | Executive Summary |
| 1.1 | The Government has confirmed that it will retain the duty on local authorities set out in section 507B of the Education 2006 to secure sufficient educational and recreational leisure-time activities for the improvement of the wellbeing of 13 to 19 year olds, so far as is reasonably practicable. This duty also requires local authorities to ascertain and take into account young people's views and to publicise information about the local offer of all available provision. |
| 1.2 | The purpose of this consultation is to gather views on draft revised statutory guidance to which local authorities must have regard in fulfilling their obligations under this duty. The guidance is for local authorities, however, we also welcome responses from other groups who may have an interest in this area - in particularly responses that represent the views of voluntary and community sector organisations and young people themselves. |
| 1.3 | We are happy to receive suggestions for brief inserts and/or revisions to the revised guidance. However, please note that our aim is to increase the effectiveness of the guidance by ensuring that, compared to the guidance it is replacing, it is much shorter and focused more strongly on essential principles rather than prescriptions for the nature or level of youth provision. |
| 2 | Background and Context |
| 2.1 | In December 2011, the Government published [*Positive for Youth - a new approach to cross-government policy for young people aged 13-19 in England*](http://www.education.gov.uk/childrenandyoungpeople/youngpeople/Positive%20for%20Youth). This set out a co-produced vision for a society in which all young people have the supportive relationships, strong ambitions and good opportunities they need to realise their potential. |
| 2.2 | Educational attainment is key to young people's success, but their experiences at home and in their community are also crucial to helping them form and pursue their ambitions. Most young people get all the support and opportunities they need from their families, communities and from school or college. However, a wide range of other services, including youth work, can play a key role, particularly in the lives of the most disadvantaged or vulnerable young people. |
| 2.3 | A significant proportion of the services and opportunities available to young people outside of school or college are provided by community and voluntary organisations - often independent of public funding. Many charities are highly experienced at engaging and supporting the most vulnerable and disadvantaged young people. |
| 2.4 | Within the context of local partnership, the Government believes that local authorities should have specific strategic responsibility for co-ordinating the overall local offer of all available provision for young people. Positive for Youth therefore confirmed the Government's intention to retain the duty on local authorities to secure, so far as is reasonably practicable, sufficient services and activities to improve the wellbeing of young people, Positive for Youth also made clear that the Government will not prescribe from the centre which services for young people should be funded or delivered or to what level, or ringfence funding for this purpose. It believes that better outcomes can be achieved if local authorities and their partners have the flexibility and responsibility to prioritise available resources for services for children, young people and families according to local need. |
| 2.5 | Positive for Youth did, however, set out some important principles that the Government believes will be embodied in any high quality local system of support for young people - these principles are reflected in the draft revised guidance. |
| 3 | The Proposals |
| 3.1 | Rationale and Scope |
| 3.1.1 | The rationale for retaining this duty is the evidence for:* the significant contribution that a wide range of services can make to improving the wellbeing of young people; and
* the significance of young people's personal and social development to more concrete and longer term outcomes such as educational attainment and employment.
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| 3.1.2 | The guidance issued by the last government focused heavily on constructive leisure time activities (or ‘positive activities') - which through their structure and discipline can lead to personal and social development. This revised guidance makes clear that the activities in scope of this duty include a wide range of locally determined services that can improve young people's wellbeing (which is defined explicitly in broad terms in the legislation itself as relating to young people's physical, mental and emotional wellbeing; their protection from harm and neglect; their education, training and recreation; their contribution to society; and their social and economic wellbeing). The draft guidance provides examples of the wide range of outcomes to which such services might lead. |
| 3.2 | Involving Young People |
| 3.2.1 | Local authorities have a duty to ascertain and take into account the views of young people in making decisions about local services. As set out in Positive for Youth, the Government is passionate about young people's right to have their voice heard on issues that affect their lives - in line with Article 12 of the United Nations Convention on the Rights of the Child. It believes that every local authority should maintain structured arrangements for supporting and enabling representative groups of young people to have their say in decisions and on the quality of local provision. |
| 3.3 | Other Considerations |
| 3.3.1 | The Government believes that young people and a wide range of local partners should be involved at every stage of the commissioning cycle, working closely with local authorities to identify need, plan provision, deliver services, and review quality and progress. Reflecting the vision and principles set out in Positive for Youth and the best of local practice, the guidance sets out at a high level a small number of considerations to which the Government believes local authorities should have regard throughout this process. |
| 3.4 | Sufficiency and Accountability |
| 3.4.1 | While the Government will publish annually a national set of data to demonstrate overall progress in improving outcomes for young people across the country, this does not constitute a national performance framework for local authorities - indeed not all of the data to be published can be disaggregated to local level. Positive for Youth made clear that local authorities are primarily accountable to local people and are free to define their own set of data indicative of their progress in improving outcomes for young people. |
| 3.4.2 | The draft revised guidance sets out the basis on which the Government proposes that a local offer to young people could be deemed to be sufficient - focusing on impact and outcomes, not on inputs such as the nature or level of provision. It is important to remember that the duty does not require all local authorities to secure a sufficient offer - rather, it requires them to do what is reasonably practicable to secure such an offer. The guidance also therefore sets out explicitly a proposal for the basis on which a local authority might judge whether it has done all that is reasonably practical to secure a sufficient offer. |
| 3.4.3 | The Government is committed to a new sector-led system for improvement support and challenge, through the Children's Improvement Board (CIB), to help local authorities improve outcomes for children, young people and families. The CIB's membership is drawn from the Association of Directors of Children's Services, the Society of Local Authority Chief Executives and the Local Government Association. |
| 3.4.4 | In parallel to the consultation on this draft revised guidance, the Department for Education will work with the CIB to develop a protocol for responding to any concerns about the quality or sufficiency of services for any area of services for children, young people and families in which there is currently no inspection or centralised performance framework (including services for young people). Where, despite sector-led improvement support and challenge, there is evidence that a local authority is failing in any respect to perform the relevant statutory functions to an adequate standard or at all, Ministers will not hesitate to exercise their powers of intervention. |
| 4 | How To Respond |
| 4.1 | Consultation responses can be completed online at [www.education.gov.uk/consultations](http://www.dcsf.gov.uk/consultations) by emailing  positivefor.youth@education.gsi.gov.uk or by downloading a response form which should be completed and sent to:Youth Policy Team, Department for Education, Level 5, St Paul's Place, 125 Norfolk Street, Sheffield, S1 2FJ. |
| 4.2 | If, before you respond to this consultation, you would like an opportunity to discuss the draft guidance with others, you may wish to join the Supporting Services for Young People Knowledge Hub. The Hub is a sector-led initiative run by the Local Government Association and National Youth Agency, and supported by the National Council for Voluntary Youth Services. It is not DfE owned or managed. It aims to provide an online gateway to a wide variety of resources for those that work with young people across the public and voluntary sectors. This includes free access to resources such as discussion fora, ‘hot seat' discussions, blogs, and a document sharing facility and library. |
| 4.3 | From 12 March through to the end of this consultation, the Supporting Services for Young People Knowledge Hub will be promoting discussion on the draft guidance and each of the consultation questions. To register to join the free Knowledge Hub, click [here](https://knowledgehub.local.gov.uk/home). Once you have registered you will need to click on 'Groups' and search using the ABC list for the ‘Supporting Services for Young People' hub and ask to join. |
| 5 | Additional Copies |
| 5.1 | Additional copies are available electronically and can be downloaded from the Department for Education e-consultation website at: [http://www.education.gov.uk/consultations](http://www.dcsf.gov.uk/consultations%20)  |
| 6 | Plans for making results public |
| 6.1 | A summary of the responses to this consultation and the final revised guidance will be published on the Department for Education website in summer 2012. |