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Transparency data

# School attendance, improving the consistency of support: new burdens assessment

Published 6 May 2022

## Applies to England

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The lead department should complete the pro forma. It can be tailored to the specific policy where appropriate, but should cover the same information.

These issues should be discussed with the Department for Levelling Up, Housing and Communities at the earliest possible stage, and the pro forma can be revised as the assessment is taken forward. Send the signed off pro forma to the Department for Levelling Up, Housing and Communities.

If this is a first assessment, departments must complete the fields in bold to show that they meet the requirements of the Cabinet. The remaining fields must then be completed when the policy is more developed.

Section 20 requires departments to state when a full assessment will be completed.

## Details of the proposal

### **Q1. Name of lead department.**

A1. Department for Education

### **Q2. Working level contact details in lead department.**

A2. Name: Jennifer Meehan and Adam Luke

Team: School Attendance Policy and Strategy Team

Email: [school.attendance@education.gov.uk](mailto:school.attendance@education.gov.uk)

### **Q3. Name of policy/duty/expectation.**

A3. A duty on local authorities to have regard to guidance issued by the Secretary of State in respect of how they use their service to improve school attendance. New statutory guidance will outline the minimum attendance support offer local authorities are expected to provide pupils and families in their area through existing powers, duties, and services.

Additionally, new legislation providing the Secretary of State the power to set a single national framework for issuing fixed penalty notices in respect of attendance, removing the existing duty (under the Education (Penalty Notices) (England) Regulations 2007 as amended) and subsequent burden for each local authority to draw up a code of conduct for issuing penalty notices.

### **Q4. Description of the policy objective.**

A4. Good attendance at school is a prerequisite to pupils' attainment, wellbeing and wider development. The pupils with the highest attainment at the end of key stage 2 (KS2) and key stage 4 (KS4) have higher rates of attendance over the key stage compared to those with the lowest attainment.

At KS2, pupils not meeting the expected standard in reading, writing and maths had an overall absence rate of 4.7%, compared to 3.5% among those meeting the expected standard.

At KS4, pupils not achieving grade 9 to 4 in English and maths had an overall absence rate of 8.8%, compared to 5.2% among those achieving grade 4.

Find out more about [the link between absence and attainment at KS2 and KS4](#).

For the most vulnerable pupils, regular attendance is also an important protective factor and the best opportunity for needs to be identified and support provided.

Research has shown associations between regular absence from school and a number of risky behaviours. This includes:

- crime - 90% of young offenders had been persistently absent

- serious violence - 83% of knife possession offenders had been persistently absent in at least 1 of the 5 years of study

As persistent absence is often a symptom of wider issues in a child's life, local authorities and their partners play a crucial role in overcoming barriers to attendance and ensuring all children can access the full-time education to which they are entitled.

Local authorities are both the facilitator of wider support needed by individual families and schools to overcome barriers in the short term, and the strategic leader that works across a geographical area to remove them in the longer term. They have a range of existing duties and powers at their disposal to provide targeted support and/or take forward statutory action to secure a child's right to full-time education.

Local authorities vary significantly in size, structure and demographics, and there is currently no clear guidance or statutory expectations on how local authorities should use these duties and powers or run their attendance services, especially what supportive measures they should use to provide the support pupils and parents need when barriers to attendance cause absence. As such, the type of support available to pupils, parents and schools differs significantly between local authorities which fuels unfairness and inconsistency across the attendance system. This has also led to over-reliance on statutory legal intervention in some local authority areas as the only means to improve attendance.

Lack of guidance or statutory expectations for local authorities' attendance services means that there is duplication across different services and agencies in many local authorities. In some areas, this results in poor outcomes for families, with pupils who need support to access a full-time education receiving a fragmented service response or being unable to access the appropriate intervention in an efficient and timely manner. This also leads to inefficient use of existing funding.

To address this, subject to Parliament, the Secretary of State intends to introduce a new general duty on local authorities to use their functions to improve attendance in their areas and have regard to guidance issued by the Secretary of State in respect of that duty.

This is part of a package of proposals to improve the consistency of attendance support provided to pupils and parents across England as set out in the recent white paper: [opportunity for all - strong schools with great teachers for your child](#).

New statutory guidance will aim to standardise the minimum attendance support offer local authorities should provide pupils and families in their area. This will give local authorities clarity on their role on attendance, as well as standardising access to support for parents and schools across geographical areas. It will focus on prevention, early intervention, and, where appropriate, working with an early help or whole family plan to ensure at-risk pupils are identified at an earlier stage, and that appropriate support options and services are exhausted before punitive actions are considered in order to change attendance behaviour.

Over time, this should result in:

- less pupils requiring intensive late-stage intervention, reducing the educational time missed by the pupil
- improving outcomes and reducing costs for local authorities (both in volumes of pupils requiring support and in the intensity and type of intervention required)

Where support has not worked or has not been engaged with, legal intervention (such as an education supervision order or attendance prosecution) may be required as a last resort. Subject to Parliament, we will introduce a national framework for issuing fixed penalty notices in respect of absence, replacing the existing duty (under the Education (Penalty Notices) (England) Regulations 2007 as amended) for each local authority to draw up a code of conduct for issuing penalty notices.

Replacing the existing duty with a national framework will help to combat the wide disparity in issuing penalty notices between local authorities and require support options to be explored first.

As well as consistency for pupils and parents, it will:

- provide clarity for schools and multi-academy trusts (particularly those supporting geographically spread schools)
- remove the need for local authorities to develop, consult and implement their own codes of conduct

As the policy intention is to improve prevention and early intervention, in time, the ambition is to reduce the number of cases requiring legal intervention (and therefore the number of fixed penalty notices issued).

**Q5. Stage proposal is at (for example initial draft, consultation document, Cabinet clearance). If first draft, please state when update will be submitted.**

A5. The government consulted on these measures earlier this year. We expect to write round in week commencing 18 April and publish a response to the consultation (and final new burdens assessment) after local election purdah in the week commencing 9 May 2022.

**Q6. Brief expected timeline of the forthcoming key stages, including committee clearance.**

A6. Write-round on draft consultation response expected week commencing 18 April 2022.

Publication of response and burdens assessment week commencing 9 May 2022.

**Q7. What the proposal requires local authorities to do, and how this differs from what they are doing now. If there is no difference, why is the new power/duty/expectation being made?**

**A7. Duty to have regard to guidance issued by the Secretary of State in respect of school attendance.**

Local authorities currently have a range of powers and duties to improve school attendance across their education, early help and social care functions. The new duty will therefore reinforce what local authorities are already expected to do but provide statutory guidance on how that should be fulfilled to improve the consistency of what pupils, parents and schools can expect from their local authority regardless of where in the country they live.

Recognising the importance of local authorities being able to design the service in a way that meets the needs of their local contexts, the new statutory guidance will standardise the minimum support offer provided by local authorities, but not require a specific resource level or model of service provision. Following consultation with local authorities, schools and trusts, local authorities will be expected to:

- track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to focus improvement efforts
- have an attendance support team which provides the following core functions free of charge to all schools (regardless of type):
  - communication and advice: regularly bring schools together to communicate messages, provide advice and share best practice between schools and trusts within the area
  - targeting support meetings: hold regular conversations with schools, using their attendance data to identify pupils and cohorts at risk of poor attendance and agreeing target actions and access to services for those pupils - where they are in place, this could be achieved through existing team around the school meetings to avoid duplication
  - multi-disciplinary support for families: provide access to early help support workers to work intensively with families to provide practical whole-family support where needed to tackle the causes of absenteeism and unblock the barriers to attendance
  - legal intervention: take forward attendance legal intervention (using the full range of parental responsibility measures) where voluntary support has not been successful or engaged with
- monitor and improve the attendance of children with a social worker through their Virtual School

These expectations for local authorities are designed to:

- promote prevention and earlier intervention for pupils and families
- put appropriate support in place at an earlier stage
- reduce the need for enforcement action

They will apply to all schools and should not be part of local authority traded services. They will also sit alongside minimum expectations for schools, trusts and governing bodies which will transfer some of the existing work local authorities do on attendance (such as late gates, door knocking, communication with parents) from local authorities to schools. Local authorities who currently deliver all or some of the new expectations of schools/ trusts on behalf of schools will be able to continue doing so as long as it does not reduce their ability to deliver the minimum components of local authorities set out above.

The move towards prevention and early intervention through early help, and whole family working rather than duplication between services has been a core area of transformation for all local authorities over the past 10 years. Attendance has been a core component of the supporting families programme throughout that period. That, in conjunction with longstanding continued specific responsibilities on attendance mean local authorities should already be providing the above. That said, we are aware there is variation in how this is being delivered with some local authorities providing these functions free to all schools, some local authorities trading some of these functions, and some local authorities only offering statutory legal action as part of their attendance service.

Following implementation of the guidance, the above minimum expectations should not be traded or require service level agreements from schools. This does not mean local authorities cannot trade other elements of attendance management and improvement to schools and trusts, for example delivery of school level responsibilities or training for attendance staff.

The new guidance will build on local authorities' existing work and is designed to be delivered through better use of existing resource, including the multi-agency work of the supporting families programme (totalling £695m by 2025). The department is aware of at least 8 local authorities across the country that are already providing all of these core functions free to all schools from within existing budgets (and use of DSG, enforcement income and support families and public health funding).

We do, however, recognise many local authorities will need time to transition to meet these expectations, including those that need to revise or remove themselves from models of trading or service level agreements. We expect to publish guidance in May 2022 that will come into effect on a non-statutory basis from academic year 2022 to 2023. When parliamentary time allows, this guidance will become statutory. This will be no earlier than academic year 2023 to 2024 to provide local authorities with time to transition.

We also recognise that successful discharge of these requirements does not require additional attendance specific funding, but success will depend on integration and joined-up working with other services. As well as the increase in supporting families funding, the government is investing £82 million to extend family hubs to another 75 areas, £79 million into additional mental health support teams in schools and an extra £2.3 billion by 2023 to 2024 through the NHS long term plan to support an additional 345,000 pupils with their mental health.

We are also making significant investment in the SEND system. By the 2024 to 2025 financial year, the core schools' budget will have increased by more than £7 billion compared to their 2021 to 2022 level, including an additional £1 billion for 2022 to 2023 alone for children and young people with high needs.

Through the SEND green paper, we also committed to £30 million for 10,000 additional respite places, alongside £82 million to create a network of family hubs, so more children, young people and their families can access wraparound support. Additionally, we are taking immediate steps to stabilise local SEND systems by investing an additional £300 million through the safety valve programme and £85 million in the delivering better value programmes over the next 3 years.

### **National framework for issuing fixed penalty notices for absence**

Currently, local authorities are required, under [regulation 14 of the Education \(Penalty Notices\) \(England\) Regulations 2007](#), to draw up a code of conduct for issuing penalty notices, which anyone with the power to issue a notice must follow. Some local authorities allow head teachers to issue penalty notices, others allow police officers to issue penalty notices and some do not issue any penalty notices at all.

This has resulted in significant inconsistencies across schools and local authorities, meaning that families are treated differently depending on what school their child attends or which local authority their child's school is located in. This inconsistency meant that in 2021 to 2022, 22 local authorities accounted for over 50% of all penalty notices issued, whilst 15 local authorities issued fewer than 10 penalty notices (with 7 issuing none).

The new minimum expectations of local authorities are intended to promote prevention and early intervention reducing the likelihood that fixed penalty notices need to be issued. Where they are issued, the process followed and costs incurred should not differ from current practice.

The national framework for issuing fixed penalty notices in respect of absence, will however remove (from 2023 to 2024 academic year at the earliest) the existing duty (under the Education (Penalty Notices) (England) Regulations 2007 as amended) for each local authority to draw up and consult on a code of conduct for issuing penalty notices. This process will therefore remove that legal burden, but we do not expect any cashable savings as officer time will still be needed for the delivery of the system. In the first year, any saving from the removal of this legal burden is also



likely to be required to review existing processes and adapt the enforcement aspect of their attendance service to comply with the framework.

The new regulations for a national framework for issuing fixed penalty notices will cover the same areas as existing local authority codes of conduct but will replace individual local thresholds with national thresholds at which a penalty notice must be considered, require individual case by case decisions when a threshold is met and specify the maximum number of penalty notices that can be issued to a parent in a given period.

**Q8. Expected date the policy impacts on local authorities. If implementation is to be phased in, please give estimated dates for each phase.**

**A8. Duty to have regard to guidance issued by the Secretary of State in respect of school attendance.**

Subject to the February consultation, the guidance is expected to be published in May 2022 alongside the consultation response. The expectations set out in the guidance will apply on a non-statutory basis for the beginning of academic year 2022 to 2023. Subject to legislation we anticipate the guidance becoming statutory no earlier than the beginning of academic year 2023 to 2024.

**National framework for issuing fixed penalty notices for absence**

Subject to the February consultation, we will consult on the contents of the national framework for fixed penalty notices, including the thresholds for considering a Fixed Penalty Notice, must in summer 2022 .

**Q9. Is an impact assessment being completed? If this shows that the policy impacts on the private sector in the same way with no disproportionate impact on local authorities, contact the Department for Levelling Up, Housing and Communities new burdens team to confirm that the new burdens rules do not apply in this case. This does not mean there are no local government finance matters that might need to be addressed.**

A9. A low impact assessment was completed for the consultation on several attendance measures including the new expectations of local authorities, this has been updated following consultation. The equivalent annual net direct cost to business (EANDCB) would be zero for this measure as the expectations only apply to local authorities.

## Estimated costs/savings

### **Q10. Has the proposal been appraised in accordance with HM Treasury Green Book principles? What was the outcome of the appraisal?**

A10. An appraisal has been conducted in accordance with HM Treasury Green Book principles. Evidence gathered from a sample of 4 local authorities meeting the expectations suggests that the guidance will lead to an estimated total annual staff saving of £274,743 across all local authorities in England from the financial year 2023 to 2024 when the guidance becomes statutory, outweighing any costs incurred during transition. We do not, however, believe this will be a cashable saving and should be reinvested back into the service provision by the local authorities who make savings (as has been done in the local authorities sampled).

### **Q11. Best estimate of reasonable costs and savings involved for local authorities for each individual year. Please give breakdown by financial year and state whether costs are revenue or capital.**

(a) Overall additional total costs to local authorities for each year.

A(a) Duty to have regard to guidance issued by the Secretary of State in respect of school attendance

#### **Summary**

The guidance will set out expectations of local authorities relating to the discharge of existing duties and responsibilities and are about making more effective use of existing resources (in line with the wider move to early help, whole-family working). Therefore, there are no additional costs to local authorities as estimated costs are cost neutral or less than the estimated costs of current attendance services.

#### **Data**

As local authorities vary significantly in size, structure, and attendance support offer, it is difficult to determine the cost of the changes local authority attendance services will be required to make in

order to meet the minimum expectations.

Costings have been developed based on the approximate cost of local authority attendance staff nationally per pupil population, compared to cost of attendance staff in local authorities whose attendance support services already closely reflect the expectations which will be set out in the new guidance, and who deliver this service in a similar model to that of the attendance support team (referred to as 'local authorities using the delivery model' below) per pupil population.

## Methodology

### Local authority staff attendance costs

The number of FTE attendance staff per pupil population nationally was derived from anonymous, self-reported data submitted by 119 local authorities (78% of the total) via an online survey organised by the department in July 2021. The survey found there were approximately 1,110 FTE attendance staff across 119 local authorities, giving an average of 9 FTE attendance staff per local authority. We assume that the local authorities in the survey are representative of all local authorities nationally. The distribution of pupil numbers between local authorities was similar to the distribution at a national scale.

Costs were estimated by calculating the average number of pupils in an local authority per member of FTE local authority attendance staff in a business as usual (BAU) scenario, compared to a scenario where all local authorities run a delivery model meeting the new expectations. The number of attendance staff required is then monetised using local authority attendance staff wages.

For all 152 local authorities, we estimate that at least 95% of the 119 local authority respondents to the survey were not running delivery models meeting the new expectations (assuming the 8 local authorities running models meeting expectations participated in the DfE 2021 local authority attendance survey). There are on average 5,490 pupils per member of local authority attendance staff. Statistics on pupils in schools in England as collected in the January 2021 school census show the total number of pupils attending schools in England as, 8.9 million. We estimate nationally there are currently approximately 1,623 FTE local authority attendance staff.

For the BAU scenario, an [Education Welfare Officers' \(EWOs\) average wage](#) (£25,734 ) was used to proxy attendance staff wages across all local authorities. EWO was found to be the most common official job title listed in attendance staff data in the local authority survey. We assume EWOs are FTE attendance staff and that they only work on attendance. However, feedback from local authorities with models meeting the new expectations suggests that attendance is usually not the entirety of a person's job, instead it is the shared responsibility across several different roles. The variation in roles for those covering attendance can also be seen in the local authority attendance survey data, however, for modelling purposes we have simplified this to EWOs. Accounting for non-wage costs, we estimate the average wage of one FTE attendance staff is £31,395 in 2023 to 2024, giving a total annual local authority attendance staff cost (revenue cost) of

£51 million in the financial year 2023 to 2024.

All costs given in real terms for 2023 to 2024 using [GDP deflators at market prices December 2021](#).

To calculate costs for all local authorities running a delivery model meeting expectations, we used the sample of 4 local authorities who are already operating the model. The sample size is small as the number of local authorities currently running a delivery model similar to that set out in guidance is low (approximately 8 nationally). Although a small sample size, the local authorities within the sample vary in geographical location, serve a mix of both urban and rural areas, and have a large range of pupil population sizes (from less than 25 thousand pupils in their area to over 100 thousand). Given limited data available on the costs of running the delivery model, we assume the sample is representative of all local authorities across the country meeting the expectations. This is supported by the average number of pupils per local authority in the sample (58,938) being close to the [national average for number of pupils per local authority \(58,631\)](#).

The average number of FTE attendance staff per local authority found in the sample was 8 and the average number of pupils per local authority attendance staff was approximately 6,985, 1,495 more than BAU estimates. Accounting for all 8.9 million pupils, this suggests 1,276 FTE attendance staff would be needed if all local authorities were to adopt the new delivery model, 347 less than BAU estimates.

The average wage from the sample data for FTE attendance staff is approximately £39,730 in 2023 to 2024. This is higher than the BAU average wage (£31,395) as it is more likely to reflect what happens in practice (that attendance staff are made up of several roles with different wages) than the assumption used for the BAU scenario. There is a risk that due to the small sample size of local authorities currently meeting the new expectations, the sample may not be representative of all local authorities adopting the delivery model. However, the costs above are the best estimates we can give at this stage given the very limited data available. We have discussed and agreed this overall approach to estimating costs with the wider group of local authorities with whom we have consulted.

Using £39,730 as a wage across all local authorities, this gives a total annual local authority staff attendance cost (revenue cost) of £50.7 million in the financial year 2023 to 2024 when the guidance becomes statutory. This presents an local authority attendance staff annual saving of £274,743 in the financial year 2023 to 2024. Lower attendance staff numbers required to meet the new expectation, and savings are indicative of the reduction in resource needed if all local authorities were to meet the new expectations. However, we do not expect there to be a reduction in overall local authority staff numbers as a result of these measures as we expect staff will be redeployed to other family support roles.

All costs given in real terms for 2023 to 2024 using [GDP deflators at market prices December 2021](#).

<b>Financial year 2023 to 2024</b>	<b>National average (BAU scenario)</b>	<b>Average from local authorities using the delivery model</b>
Average of number of pupils per attendance staff	5,490	6,985
Average number of attendance staff per local authority	9	8
Cost of attendance staff	£31,395	£39,730
Total approximate staff cost	£50,963,231	£50,688,488
Saving compared to BAU	£274,743	

### Implementation costs

Given the variation between local authorities and limited data available for local authorities currently operating delivery models meeting expectations, it is difficult to accurately estimate the time it would take local authorities to implement these changes.

To account for the uncertainty in one-off transition costs occurring in 2023 to 2024, we have provided a range of estimates for 2023 to 2024:

<b>Implementation time assumption (hours)</b>	<b>60</b>	<b>70</b>	<b>80</b>	<b>90</b>	<b>100</b>
Implementation cost per local authority	£1,239	£1,445	£1,652	£1,858	£2,065
Implementation costs for all local authorities	£188,325	£219,713	£251,101	£282,488	£313,876

Based on informal consultation, we assume implementation takes approximately 80 hours per local authority. Monetising this resource cost using the average local authority attendance staff wage from the local authority sample gives an implementation cost of £1,652 per local authority and a total implementation cost of £251,101 in 2023 to 2024. We have consulted on these assumptions with LGA and ADCS who did not raise concern. We will further test the accuracy of these assumptions through our local authority school attendance advisory group.

### Overall costs

Based on this analysis, there are no additional overall costs to local authorities as estimated annual costs are less per year than the estimated costs of current attendance services, with a £23,642 saving in the financial year 2023 to 2024. We do not, however, believe this will be a cashable saving and should be reinvested back into the service provision by the local authorities who make savings (as has been done in the local authorities sampled).

Total savings for the first 3 years:

<b>Financial year</b>	<b>Total savings</b>
2023 2024	£23,642
2024 to 2025	£280,057
2025 to 2026	£285,512

### **National framework for issuing fixed penalty notices for absence**

Local authority codes of conduct vary significantly in content, and not all are available publicly. We are also yet to develop the policy and consult on what thresholds will be included in the national framework for fixed penalty notices. Therefore, it is not possible to determine the cost of the changes local authority attendance services in adapting their code of conduct to meet that of the national framework.

However, the new statutory expectations for local authorities are designed to deliver earlier interventions for pupils and families, put appropriate support in place at an earlier stage and therefore reduce the need for enforcement action. We expect the cost-saving from the statutory expectations will off-set the cost of local authorities moving their codes of conduct to that of the national framework.

#### **i. Element attributable to ‘one off’ implementation costs.**

A(i) All local authorities are working with partners to improve integration of support for families in line with the early help system guide but are at different points of maturity. The early help system guide sets out a national vision and descriptors for a mature early help system. This is used by all areas and their partners to assess the maturity of their local support for families through a self-assessment tool to support discussion, reflection and action planning.

Whilst we expect most transition efforts and costs to be part of this ongoing work, we recognise there may be some initial work and reflections in the short term (between now and September 2023). Local authorities may need to:

- make sure they understand with the new expectations and guidance
- review existing provision and discuss and design new provision where necessary
- change internal processes and systems (including staff discussion and changes to job descriptions)
- change internal budgets and adaptations to traded models where used
- communicate and consult on changes to service delivery (for example, with schools)

The extent to which local authorities will need to carry out the above activities will vary between local authorities and depend on their current attendance support offer.

Based on informal consultation, we assume implementation takes 80 hours per local authority, monetising this using the average local authority attendance staff wage from the sample gives an implementation cost of £1,652 per and a total implementation cost of £251,101 in 2023 to 2024 (using [GDP deflators at market prices December 2021](#).)

Implementation time assumption (hours)	80
<hr/>	
Implementation cost per local authority	£1,652
<hr/>	
Implementation costs for all local authorities	£251,101
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Given the variation between local authorities and limited data available, it is difficult to accurately estimate the time it would take local authorities to implement these changes. We will assess the accuracy of these assumptions through local authority stakeholder and LGA feedback.

During consultation with the majority of local authorities, they have not raised significant concerns about the scale of one-off costs. This indicates that, like us, they view these as being in line with the sorts of costs typically borne by local authorities when reviewing and reorganising aspects of their services, and more than outweighed by the likely resulting savings.

We understand from consultation some local authorities will need to make very few changes to their existing processes and models, but others will require more significant changes to internal processes, staff structures and funding arrangements.

We expect the annual savings in local authority attendance staff resource of £274,743 (or £1,808 per local authority) would allow up to 88 hours of local authority officer time before cost neutrality, which based on informal consultation would be more than comfortable to cover the types of activities covered.

Therefore, as well as being cost neutral year to year, based on the experience of all the authorities who have already transformed to provide the core areas of the new expectations, we expect an

increased support offer by local authorities will result in a decrease in the number of cases requiring late-stage intervention. We therefore expect any immediate costs of implementation that go above the comfortable estimations to be countered by the longer-term cost savings to the local authority.

## ii. Recurring costs element (for the first 3 years).

A(ii) Costs of all local authorities operating a delivery model meeting expectations:

### Financial year    local authority attendance staff costs

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2023 to 2024	£50,688,488
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2024 to 2025	£51,668,811
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2025 to 2026	£52,675,326
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Current local authority attendance staff costs (BAU scenario):

### Financial year    local authority attendance staff costs

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2023 to 2024	£50,963,231
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2024 to 2025	£51,948,868
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2025 to 2026	£52,960,838
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Resulting annual saving in local authority attendance staff costs:

### Financial year    local authority attendance staff savings

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2023 to 2024	£274,743
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2024 to 2025	£280,057
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2025 to 2026	£285,512
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Note: these costs do not include one-off implementation costs in the financial year 2023 to 2024.



**(b) Estimated specific and identified savings for each year - these must be additional to the annual savings authorities are expected to make and their treatment consistent with the appropriate HM Treasury guidance on efficiency.**

A(b) Over time, local authorities may see savings from adapting their services to deliver the expectations in guidance, as we would expect the number of cases requiring costly targeted or legal intervention to decrease through the prevention and early intervention. Local authorities already using the model have confirmed that since adapting their services to one which delivers whole family working, they have been able to decrease their attendance specific service spend and use the previously duplicated funding to offer a better, more holistic family plan with a single lead practitioner.

**(c) What are the direct and indirect impacts on local authorities pay and pensions costs?**

A(c) We do not anticipate any direct or indirect impacts on local authorities pay and pensions costs.

**(d) Overall estimate of the Net Additional Cost (costs-savings) to local authorities for each year.**

A(d) We do not anticipate net additional costs to local authorities for each year. There will be an estimated total net saving of £23,642 to local authorities in 2023 to 2024 due to implementation costs and recurring annual savings in local authority attendance staff costs. Total net savings then increase to £280,057 in 2024 to 2025 and £285,512 in 2025 to 2026.

<b>Financial year</b>	<b>Total net savings</b>
2023 to 2024	£23,642
2024 to 2025	£280,057
2025 to 2026	£285,512

## **Discussion with authorities**

**Q12. What discussions have taken place with local authority associations, for example with the LGA or LC? If there is no planned contact with local authorities**

## **through representative bodies, please explain why.**

A12. The new burdens estimate of costs and savings has involved engagement with a sample of local authorities, the department's reference group of local authority attendance leads, the Local Government Association (LGA), the Association of Directors of Children's Services (ADCS) and sector working group on education and children's services (SWGECs).

In addition, we informally consulted with 150 out of 152 local authorities during the development of the expectations outlined in the guidance. During this exercise, there was broad agreement that an effective attendance system should deliver all of the components outlined in the new statutory guidance.

We recently publicly consulted on the proposals for new statutory guidance and for a national framework for legal intervention. The 2 most common themes from local authorities were:

- that a proposal to bring consistency across local authorities was welcomed
- there may be a lack of funding or resource for some local authorities, or that it would require them to reprioritise existing resource

Overall, the majority of local authority employees (94%), either strongly or somewhat agreed that a minimum set of expectations for local authority attendance services should be set.

## **Q13. Give a brief description of the authorities' views, particularly on costs and financing (note: there is no obligation to agree final finance assessments with them).**

A13. A draft of this assessment has been shared with LGA, ADCS and SWGECs for comment.

LGA have been broadly supportive of the principle of providing greater consistency to the role of the local authority in managing attendance and standardising the minimum attendance support offer local authorities provide to families in their area.

LGA have not raised specific concerns about the estimates in the new burdens assessment or the conclusions it draws. However, they noted that other teams within the local authorities will be impacted by the changes beyond the immediate attendance team (for example, HR teams in changing job descriptions).

We recognise that implementing the changes outlined in the new statutory guidance will impact teams beyond attendance service delivery teams. Given the variation between local authority service structures (both within attendance and beyond) and their current attendance support offer,

is it difficult to accurately estimate which teams will be involved in implementing the changes, and what time resource will be required. The estimates in our assessment above would allow up to 88 hours of local authority officer time before cost neutrality, which local authorities could use across whichever team is best suited to implement the changes.

ADCS noted that the supporting families funding has various priorities (including attendance) and that local authorities use this funding to meet their local priorities beyond just attendance. We acknowledge that local authorities use the supporting supporting families fund to meet local priorities beyond attendance, but we know that local authorities that are currently running a service which meets the expectations in the new statutory guidance use a portion of their supporting families funding allocation to support their attendance service.

Attendance has been a core component of the supporting families programme over the past 10 years and we will continue to work closely with DLUHC and local authorities to make best use of early help investment.

SWGECs were supportive of the policy objective of the new statutory guidance and stressed the importance of consistency of attendance support across local authorities. The group noted that the calculations in this assessment demonstrated there was sufficient funding to support the implementation of the new statutory guidance at national level, but local authorities may be required to restructure this funding internally.

SWGECs agreed that due to the variation in local authority structures, funding calculations at national level was the only way to feasibly conduct this assessment.

We will continue to work closely with local authorities to understand what further support may be required as local authorities move towards implementing the expectations in guidance.

## **Providing the resources**

**Q14. If there are net additional costs, has the lead department identified where the funding for this new burden is coming from and agreed to fully fund them? Please give details.**

A14. N/A

**Q15. What costing evidence/analysis do you have/are you going to undertake to demonstrate that the funding is sufficient, and when will you be providing this?**

A15. N/A

**Q16. If costs are to be met by charging, do these cover the full net additional costs, and do authorities have the freedom to determine the fee levels consistent with recovering reasonable costs?**

A16. N/A

**Q17. If your assessment is that the proposal will result in no additional costs being placed on local authorities, how will you ensure that this is the case?**

A17. Local authorities will be given a full academic year to prepare for the guidance becoming statutory. We will monitor implementation and seek feedback on the new guidance throughout that year.

## **DCLG New Burdens Team Sign Off**

**Q18. Have you shared your assessment with the New Burdens Team?**

A18. We shared the first draft of this new burdens assessment with the new burdens team on 15 March 2022, and shared the final assessment on 30 March 2022.

## **Departmental Finance Director Sign Off**

**Q19. Please state if this is a first or a final assessment of your proposal. If first please indicate when a final assessment will be submitted.**

A19. This is the final assessment of the proposal.

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Certification that the estimated net additional costs falling on local authorities has been assessed in accordance with the guidance on new burdens and that this will be fully funded. That to the best of finance director's knowledge the estimates are a true and fair assessment of the net additional costs falling on authorities. Confirmation that their department is aware that if the proposed policy or initiative is implemented, there may be an independent post-implementation scrutiny carried out (paid for from within their department's existing resources) and that under or over-payments of grant revealed by the scrutiny may inform future decisions on funding.

Signed: Anthony Foot

Name: Anthony Foot (Finance director)

Date: 01/04/2022

Address: Sanctuary Buildings, Great Smith Street, London, SW1P 3BT

Please send the form to the relevant Department for Levelling Up, Housing and Communities contact.

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For completion by the Department for Levelling Up, Housing and Communities New Burdens Team:

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