

Wiltshire Council

Cabinet

21 January 2014

Subject: Review of positive leisure-time activities for young people

Cabinet member: Councillor Laura Mayes – Children's Services

Key Decision: Yes

Executive Summary

As a local authority, Wiltshire Council has a statutory duty to secure for young people aged 13-19¹ access to sufficient positive leisure-time activities to improve their well-being. For more than ten years, Wiltshire Council, and the former county and district councils, met this requirement through the provision of an open access development service for young people. The youth work team of the Integrated Youth Service currently operates across the county, offering a mix of centre and street-based youth work with an annual budget of £1.3m.

In the ten years since the service was first established the lives of young people have changed considerably. The rapid expansion of home entertainment, the growth in the number of commercial leisure providers, and the launch of smart technology combined with the phenomenon of social networking means young people are growing up in changing social environments and living very different lives. The council recognises that it needs to respond to these changes and consider the most appropriate approach to meet young people's needs. Feedback from prior consultation with young people reveals that;

- They want to have a greater influence about services which affect them;
- They value sport and leisure based activities;
- They want positive leisure-time activities to be decided locally; and
- They want community campuses to include suitable space for them.

At present, approximately 8 percent of the 13-19 population access the council's youth work provision.² Many young people are likely to be engaged in a vast array of other activities offered by voluntary, community and private sector providers. Based on this the council needs to reflect on the future provision of positive leisure-time activities – recognising the valuable contribution of the voluntary and community sector – as well as considering how it positively engages with young people given the change in their lifestyles.

The council also recognises the need to consider changes to government youth policy. In 2012, the Department for Education set out a new approach called Positive for Youth, which included updated statutory guidance on services and activities to improve young people's well-being. Local authorities were reminded

¹ Up to age 24 for young people with a learning difficulty.

² Represents 3585 individuals covering the period 01/04/2013 to 30/09/2013.

of their responsibility to continue to support young people, especially those who are more vulnerable, to engage positively in their communities and make a successful transition to adulthood. The government also defined a new role for councils to shift their role to be an enabler of services, rather than a direct provider, with an enhanced role for the voluntary and community sector.

This approach aligns with the principles of the Localism Act, which shifts power and control from local authorities and public sector providers into the hands of local communities and individuals. This also reflects the council's vision; to create stronger and more resilient communities by encouraging and supporting local communities to do more for themselves and, as a consequence, become less reliant on decreasing public sector resources.

Since becoming a unitary council in 2009, Wiltshire Council has adopted a radical and forward thinking approach to delivering its vision and services. A major programme of transformation will deliver significant savings and improved public services through the development of 18 community campuses. The campuses, designed by communities, will provide the services they want and need, in a location they consider best for their community and run by communities. The campuses will provide modern, sustainable, fit for purpose facilities, offering co-located services including libraries, leisure, police, health and community services. The first campus will open in Corsham in June 2014.

The campuses offer new opportunities for local communities, including the younger generation, to participate and get involved in a range of services, activities and local decisions that affect them.

The council needs to manage unprecedented financial challenges by balancing the growing demand for services against the reduction in funding from central government. This has meant taking tough decisions to reduce spending over the next four years. In February 2013, the council agreed to reduce spending across the Integrated Youth Service by £250,000 per annum, based on the changes as highlighted above. Further savings will be required in the 2014/15 budget year.

To help manage increased service expectations, particularly in safeguarding and social care, the council along with partner organisations has developed an Early Help Strategy. This seeks to improve outcomes for children, young people and families by providing the right help as soon as it is needed. To deliver this strategy the council needs to re-focus its youth services so that young people in most need of support can access and are provided with help before problems escalate and reach crisis point.

It is clear that the existing model for meeting the council's statutory duty to secure access to positive activities for young people requires review and that there is a need to do things differently and work in a more innovative way to meet the needs of young people in the future.

A new approach needs to respond to the modern lives of young people and should be shaped by their views, as well as meet the legal duties of the council. Future provision needs to align to the new community campuses and be sustainable ensuring that help, support and resource is provided to the young people who need it most.

Proposal(s)

That cabinet reviews how the council meets its statutory duty to secure for young people aged 13-19³ access to sufficient positive leisure-time activities which improve their wellbeing, and sufficient facilities for such activities. This report sets out a range of options for cabinet to consider, with a provisional recommendation to develop a community led approach, subject to formal consultation with young people, internal staff and other key stakeholders to inform the decision making process. In considering the options cabinet members are reminded of the need to comply with the following legal obligations:

- Take steps required by s507B(9) of the Education Act 1996 to ascertain the views of qualifying young person's about the proposals;
- Comply with and pay due regard to the Public Sector Equality Duty under s149 of the Equality Act 2010, which requires that all councillors must consider the equality issues and impacts of proposals as part of the decision making process.

All councillors are advised to read the Equalities Impact Assessment (Appendix 1) prior to cabinet as well as taking note of the equality considerations set out in this report. In addition, councillors should consider the risks associated with the proposals as detailed in the attached risk register (Appendix 2). It is mandatory for the cabinet as decision-makers, to read and examine this report in full, including the appendices.

Reason for Proposal

Section 507B of the Education Act 1996 requires that every local authority in England must, so far as reasonably practicable, secure for qualifying young persons in their area access to sufficient positive leisure-time activities which improve their well-being, and sufficient facilities for such activities. Updated statutory guidance (June 2012) reminded local authorities of their responsibility to continue to support young people, especially those who are more vulnerable, to engage positively in their communities and make a successful transition to adulthood. The government also defined a new role for councils to shift their role to be an enabler of services rather than a direct provider, with an enhanced role for the voluntary and community sector.

The council's existing model for principally meeting this duty requires a systematic review to reflect the changing world we live in and there is a need to do things differently and work in a more innovative way to meet the needs of young people, in the future. A new approach needs to respond to the modern lives of young people and should be shaped by their views, as well as meet the legal duties of the council. Future provision needs to align to the new community campuses and be sustainable to ensure that help, support and resource is provided to the young people who need it most.

Name of Director	Terence Herbert	Carolyn Godfrey
Designation	Associate Director	Corporate Director

³ up to 24 for young people with a learning difficulty

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Purpose of Report

1. The purpose of this report is to review how the council meets its statutory duty to secure for young people aged 13-19 (up to 24 for young people with a learning difficulty) access to sufficient positive leisure-time activities which improve their well-being, and the provision of sufficient facilities for such activities. In doing so, there is a need to ensure compliance with the council’s Public Sector Equality Duty under s149 of the Equality Act 2010 in the decision making process.
2. The report sets out a range of options for cabinet members to consider, with a provisional recommendation to develop and implement a community led approach, subject to formal consultation with young people, internal staff and other key stakeholders to inform the decision making process and future provision.

Background

Introduction

3. The provision of positive leisure-time activities is a key part of the local authority’s overall offer to young people and communities, and the council is committed to continuing this provision. A positive activity can be any educational or recreational leisure-time activity that is arts, sports, leisure, informal education and community based which helps young people to achieve healthy and safe lifestyle outcomes.
4. For more than ten years, Wiltshire Council (and the former county and district councils) has met its statutory duty to secure access to positive activities for young people primarily through the provision of an open access development service for young people. Since the service was first established the lives of young people have changed considerably. The rapid expansion of home entertainment, the growth in the number of commercial leisure providers, and the launch of smart technology combined with the phenomenon of social networking means young people are growing up in changing social environments and living very different lives.

5. To respond to this as well taking into account other key drivers for change, as outlined below, it is appropriate for the council to systematically review how it meets its statutory duty in response to the changing world we live in. A new approach needs to respond to the modern lives of young people and should be shaped by their views, as well as meet the legal duties of the council. Future provision needs to align to the new community campuses and be sustainable ensuring that help, support and resource is provided to the young people who need it most.
6. Options for the future provision of positive leisure-time activities have been developed by key officers in consultation with cabinet members. In October 2013 an internal cross-cutting project management group was established, chaired by the Head of Service for Integrated Youth and Preventative Services, to oversee the development of the proposals. This group has helped shape the options for consideration in this report.

Statutory Requirements

Education Act 1996

7. Section 507B of the Education Act 1996 requires that every local authority in England must, so far as reasonably practicable, secure for qualifying young persons in the authority's area access to sufficient educational and recreational activities (also referred to as positive leisure-time activities) which are for the improvement of their well-being, and sufficient facilities for such activities. Statutory guidance was issued by the government Department for Children, Schools and Families in March 2008.
8. The government published a new youth policy in 2012 called Positive for Youth, including updated statutory guidance on services and activities to improve young people's well-being. For youth services the guidance reminded local authorities of their responsibility to continue supporting young people, especially those who are more vulnerable, to engage positively in their communities and to make successful transitions to adulthood.
9. Updated statutory guidance defined a new role for local authorities as an enabler of services rather than a direct provider, with services mainly delivered by the voluntary and community sector. Councils were reminded of the need to take steps to ascertain the views of young people and take them into account in making decisions about services and activities for them. The government does not prescribe what local authorities should fund or deliver or to what level. It is the council's responsibility to take the strategic lead to work with young people, the voluntary/community sector and other relevant partners to understand and meet young people's needs.

Public Sector Equality Duty (PSED) 2010

10. Section 149 of the Equality Act 2010 sets out a general duty which requires the council to have due regard to the need to:
 - a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

- b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c) Foster good relations between people who share a protected characteristic and those who do not.
11. The duty is in relation to protected characteristic groups and has to be applied in the delivery of Wiltshire Council services and in the employment of its staff. The relevant protected characteristics include age, disability, gender reassignment, marital and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
 12. Councillors are advised to read Appendix 3 which provides further detail on the local authority's statutory duties in respect of the Education Act 1996 and Public Sector Equality Duty 2010.

Current provision

13. Although the council's 507B statutory duty has largely been met through the provision of an open access development service (now youth work team) for young people to date, it's important to note that it has also been satisfied in part by a broader youth offer. This includes a range of other council and voluntary/community sector youth services and activities.
14. At present the council's youth work team operates from 24 sites across Wiltshire (Appendix 4), largely offering centre based youth work provision that is open to all 13-19 year olds, with some outreach work in Holt, Studley Green and The Friary. In some community areas provision is also available to 11 and 12 year olds. Bridging Projects are also provided which offer disabled young people the opportunity to engage in positive leisure-time activities in Chippenham, Devizes, Durrington, Malmesbury, Marlborough, Pewsey, Salisbury, Tisbury, Trowbridge and Warminster.
15. Youth workers also coordinate Youth Advisory Groups (YAGs) across the county, involving young people in shaping local services and activities which affect them. Recent data from the integrated youth database shows that 3585 13-19 year olds engaged with the youth work team from 1st April to the end of September 2013. During this time these individuals attended the service 31,186 times – averaging 8.7 attendances per young person attending.
16. The council's integrated youth service youth work team also coordinates the Wiltshire Youth Arts Partnership which provides targeted positive activities to vulnerable groups. The Duke of Edinburgh Award scheme provides informal education opportunities and an outdoor education centre offers outdoor activities via a traded service to local schools.
17. The council also runs Sparksite, a website and radio station which provides information to young people about local opportunities and positive-leisure time activities. In addition, a phone and web-based service called 'The Line' is funded which provides confidential advice and support for young people.
18. The Wiltshire Skills4Success programme is also available; a £265,000 Wiltshire Council funded scheme which aims to help young people develop

the confidence and skills they need to take up education, work or training opportunities.

19. Community area boards also sponsor a variety of youth projects in their local areas. Over the last four years the council has delegated £100,000 per annum to area boards for youth projects, with an additional £162,000 (a one-off amount) in the 2013/14 budget. This funding is in addition to the £1 million community grants budget allocated to area boards. Approximately 25-30 percent is allocated to support youth related activities.
20. Community areas allocate funding by a variety of means including participatory 'You Decide' type events; where local young people prepare bids, pitch to the attendees and then the audience (community representatives and members of the public) vote for the winners. The initiative of devolving funding to community area boards in this way has been welcomed and valued by local communities, and has helped to support the development of home-grown community youth groups which offer a range of positive leisure-time activities for young people.

Buildings

21. As stated earlier in this report, the council directly provides positive leisure-time activities from twenty-four sites across the county (Appendix 4). The total annual cost of these sites is approximately £650,000. However, there are a wide range of other community assets which are also being used or could be used to provide suitable space for youth activities. As part of a community mapping exercise council officers are working with community areas to identify these assets.
22. In addition, the campus programme means that suitable space and facilities for youth activities will form part of the campus developments. Communities are leading the development of campus proposals, directly influencing the facilities and services in local areas. Whilst these campuses are developed the council will work with community areas to identify suitable, accessible space for youth activities which makes the best use of local resources available.

Feedback from previous consultation with young people

23. The council has carried out a number of consultation exercises with young people over the last three years to ascertain their views on positive leisure-time activities. Several methods have been used to support young people's voice and influence, including focus groups and surveys.
24. Results from the Tomorrow's Voice survey perhaps provide the most extensive overview of young people's views. The survey involves consultation with local 11-18 year olds through classes in Wiltshire's secondary schools. There are usually two surveys per year with questions posed by the council, health, police and fire and rescue. Approximately half of the secondary schools are surveyed each time, with around 1,200 young people taking part. The information below is based on survey's undertaken in 2011 and 2012. Young people tell us:

- a) They are most satisfied with services provided by their local leisure centre, voluntary run youth groups and libraries.
- b) That most services they come into contact with help them to participate in fun activities and improve their physical fitness.
- c) They would prefer their youth club/centre to be within walking distance of their home; however 37 per cent of those who responded (Spring 2011) stated location didn't matter as they wouldn't attend anyway.
- d) That social space for young people is important.
- e) That the cost to attend a youth club should be as low as possible.

25. In 2011, the council undertook a specific consultation with young people on the development of an 11-19 years commissioning strategy. This mainly involved 13-19 year olds, many of whom were engaged in youth work. 746 young people from schools, community area young people issue groups, voluntary/community sector, Wiltshire Assembly of Youth, Children in Care Council and bridging projects contributed to a review of the council's development service for young people. These young people said:

- a) They wanted to have a greater influence about services which affect them.
- b) They would like to keep their local youth centre and would like campuses to include suitable space for them, designed by young people.
- c) That positive relationships with workers/adults are important and valued.
- d) That access to youth work and positive activities should be fully inclusive and free of charge.
- e) They would like help to do better at school/college and move into employment and training.
- f) They are still struggling with transport issues in some areas and want a local access point to services. It would be good to have youth activities in one place.

26. As part of the consultation young people were invited to consider four options for the future shape of the development service for young people; testing the market; local partnerships; local management and campus links; less buildings, more voluntary/community sector support. The majority of respondents favoured the local management and campus links option.

27. A pre-consultation event also took place on the 11-19 years commissioning strategy which invited young people to give their views on what's positive and what needs to change within their local community area. Young people were asked specifically about their thoughts on positive leisure-time activities. They said:

- a) Sport and leisure is important.
- b) Informal education opportunities are beneficial.
- c) Community area young people's issue groups and access to the area boards for young people are valuable.
- d) Transport can be a major barrier to accessing positive leisure-time activities.
- e) Youth groups provided by the council and the voluntary/community sector are highly rated.

28. In addition to the above, the views of young people engaged in Youth Advisory Groups (YAGs) across the county were gathered in August 2013 at an event focused on reviewing progress and setting out a vision for YAGs, as well as identifying key issues in Wiltshire. A key message from those present was that they wanted their local YAG to have a greater say in shaping local services and activities for young people.

Learning from other local authorities

29. Many areas in England have already moved away from directly providing positive leisure-time activities for young people; significantly reducing funding in this area. These areas have re-focused in-house youth services provision on targeted work with vulnerable young people, and have taken steps to enable the voluntary and community sector to provide universal services.

30. Nearby local areas such as Somerset, Hampshire, Gloucestershire and North Somerset have developed voluntary/community led approaches to the provision of positive activities. Information about how other areas are meeting their 507B statutory duty is included in Appendix 3.

31. In November 2013 the Court of Appeal ruled that North Somerset Council acted unlawfully in 2012 when it reduced funding to its youth services by more than 70 percent over a three year period. It was found that the council had failed to comply with its obligations under s507B of the Education Act 1996 and the applicable statutory guidance. It had also failed to meet its public sector equalities duties under s149 of the Equality Act 2010.

32. The court found there was insufficient evidence that the council had taken the steps required by s507B(9) of the Education Act 1996 to ascertain the required views of qualifying young people about the proposal. In addition, the council had failed to pay due regard to the Equality Duty because there was a lack of evidence that councillors understood and had used the full equality analysis found within committee papers to inform decision making. Instead they had an over-reliance on a summary document which failed to include detail about the impacts on different 'protected characteristic' groups needed to make an informed decision.

Wiltshire Council Business Plan & Medium Term Financial Strategy

33. At the heart of the council's four year Business Plan (2013-17) is a vision to create stronger and more resilient communities. Key priorities are to continue to protect the most vulnerable in our communities, boost the local economy; creating and safeguarding jobs, and encourage communities to come together and provide support so that they can do more for themselves.

34. The plan also includes a commitment to continue to address unprecedented financial pressures against a backdrop of reduced government funding and increased demand for service provision, particularly for those who are most vulnerable in our communities. This requires tough decisions and in February 2013 the Wiltshire Council Financial Plan, reduced spending across the integrated youth service by £250,000 per annum. The target reduction in 2014/15 budget year is £500,000.

Early Help

35. To help manage increased service expectations on children's safeguarding and social care (e.g. Munro review of child protection (May 2011) and new Ofsted framework for the inspection of children's services (November 2013)) the Wiltshire Children and Young People's Trust and Safeguarding Children's Board has developed an Early Help Strategy. This seeks to improve outcomes for children, young people and families by providing the right help as soon as it is needed. To deliver this strategy the council needs to re-focus its youth services so that young people in most need of support can access and are provided with help before problems escalate and reach crisis point.

Main Considerations for the Council

36. Cabinet members are invited to consider the following options for the future provision of positive leisure-time activities for young people:
- a) Retain the current in-house service but reduce value.
 - b) Outsource the service.
 - c) Encourage and support staff to form a Public Service Mutual.
 - d) Develop a community led approach.
37. In order to ensure compliance with the Public Sector Equality Duty councillors must consider the equalities issues and impacts associated with each of the options set out within this report. It is strongly advised that councillors read the Equalities Impact Assessment prior to the meeting (Appendix 1).
38. To ensure compliance with statutory guidance and the council's Human Resources policy, consultation with young people, affected staff and other key stakeholders will be required on each of the four options to inform the decision making process.
39. Consultation with affected staff will commence following cabinet approval and will involve them being formally placed at risk of potential redundancy. Shortly afterwards a ten week consultation will be initiated with young people and the voluntary/community sector. Robust scrutiny of the proposals will also take place via the Children's Select Committee.
40. Each of the options has been evaluated by assessing their advantages and disadvantages, including an analysis of their equalities impact. Particular consideration has been given to the options in terms of their ability to support the principles of quality, sustainability, staff empowerment, voice of young people, localism, partnership working and the drivers for change and review of youth services. Cabinet members are advised to provisionally select the option that:
- a) Responds to the modern lives of young people and is shaped by their views.
 - b) Enables the council to meet its legal duties.
 - c) Is aligned to the council's vision and community campus developments.

- d) Is sustainable, ensuring that help, support and resource is provided to the young people who need it most, helping the council to manage increasing demand on children's social care.

Appraising options

Option A – Retain the current in-house service but reduce value

41. The current Integrated Youth Service budget for youth work would be reduced to achieve the budget reduction, prompting a staff restructure, which would result in a significant reduction in staff posts. An internal restructuring option could be to develop four hubs covering North, South, East and West (with the option of an additional rural hub covering Mere and Tisbury). Each hub would be comprised of one full-time youth work team leader and two full-time youth development workers.
42. The hubs would take on a developmental role in the delivery of local positive leisure-time activities. This would involve enabling and supporting local voluntary/community sector clubs and projects (e.g. training, supervision etc). Hubs would continue to deliver some positive leisure-time activities provision targeted at vulnerable groups and would be ambassadors of good youth work practice. Voluntary/community sector youth groups would be invited to join local hubs and supported to meet specific quality standards. Members of the hubs would have access to a small fund to help cover basic running costs.
43. Strengths of this option are that it enables the current service to continue but on a reduced scale. To a degree it would retain the knowledge and skills of the existing workforce. However, the capacity of the service would be greatly reduced and making the required savings would prove very difficult, particularly when taking into account the terms and conditions of existing staff. It is likely that such a model would be unsustainable in the longer term and it would prove to be a challenge to respond to any further reductions in income in the future.

Equalities Impact

44. The knowledge and understanding of the needs of the youth work team client base by current staff would continue with this model, thus ensuring a greater probability of meeting the different needs of young people and reducing the likelihood of discrimination or barriers to service.
45. The additional working with the community and voluntary sector may present an opportunity to engage with organisations who can provide specialist support and knowledge – and may potentially extend the connections with young people from 'hard to hear' groups who do not currently access any positive leisure-time activities.
46. There may be an impact on some young people living in the more rural areas of the county without good public transport links/access to a household car as hubs are created concentrating on the main urban areas of Wiltshire.

47. If this option was selected; the human resources impact would need to be reviewed in line with service requirements and the Equality Impact Assessment

Option B – Outsource the service

48. This option would involve developing a new service specification for the provision of positive leisure-time activities. This would be shaped by key stakeholders, including young people and would be based on the resources available. An open and competitive tendering exercise would be used to identify and select a preferred provider. However, there would be the option to select a number of providers to deliver in different parts of the county.

49. The contract(s) with the provider(s) would be managed by commissioners and there would be the option to use a payment by results finance model. As part of the contract the council could offer the provider free space within campuses or other suitable buildings.

50. Strengths of this option are that it would enhance the role of the voluntary, community and private sector in the provision of services and activities for young people. A contract commitment of at least three years may also bring some stability and continuity of service to young people and other stakeholders. Staff redundancies might also be minimised through transfer of undertakings (TUPE). Securing one overall provider to cover the whole county would be unlikely however, resulting in multiple contracts which could prove difficult to manage. New providers may also lack local knowledge and may not have the infrastructure in place to deliver provision to a satisfactory standard in rural areas, concentrating instead on urban towns.

Equalities Impact

51. It is difficult to determine the exact equalities impacts with this option as the range and level of impacts would depend on the scope of the contract and the model of delivery that is applied.

52. There could be a reduction in service provision through the contract (due to funding constraints), which potentially could impact on the geographical reach of positive leisure-time activities impacting on those young people living in the more rural areas of the county and with poor public transport/lack of household access to a car.

53. The service specification would need to have clear performance outcomes relating to equality to be able to monitor take up, satisfaction and access to services by different protected characteristic groups.

54. A future contractor(s) would also have to consider its responsibilities under the Public Sector Equality Duty in relation to its workforce and this would also have to be monitored through the contract review/quality assurance process.

55. The human resources impact on existing youth work team staff would be lower than the community led approach described below but these would

have to be carefully considered within any Equality Impact Assessment process.

Option C – Encourage and support staff to form a Public Service Mutual

56. A mutual is an organisation that has spun out of the public sector and continues to deliver a public service involving a high degree of employee control. It can take a range of forms such as for profit, not for profit, charity, social enterprise and community interest company. The Cabinet Office is advocating the development of mutual's at present and has established a Mutuels Information Service.
57. A service specification and contract would be developed between the council and the mutual, shaped by key stakeholders and managed by commissioners. Free space within campuses or other suitable buildings for youth activities could be made available to the new organisation. A payment by results funding system could be used where payments are made to the mutual based on the outcomes achieved.
58. Key strengths of this option are that it would empower existing staff to take ownership and respond to the key challenges. It would also retain the knowledge and skills of the existing workforce and help to minimise redundancies. However, strong commitment from staff would be needed, and it may prove difficult to provide the savings needed within the required timescales due to the complexities involved in establishing a new organisation. A new start up company may also be at risk of failure within its first year.

Equalities Impact

59. It is difficult to determine the exact equalities impacts with this option as the range and level of impacts would depend on the scope of the contract and the model of delivery that is applied.
60. The knowledge and understanding of the needs of the council's youth work team client base by current staff would continue into the mutual, thus ensuring a greater probability of meeting the different needs of young people and reducing the likelihood of discrimination or barriers to service.
61. The numbers of existing youth work team staff affected by this proposal in terms of redundancy could be less than other options.
62. Any contract would need to fully reflect and monitor the application of the Public Sector Equality Duty for the council to be confident that the duty is being met.

Option D – Develop a community led approach

63. To empower communities via community area boards with funding from the council to develop and make available positive leisure-time activities within their local area. Under this model community areas would have an annual budget for positive activities, and would consult closely with young people

(including via Youth Advisory Groups) to identify local needs and priorities and decide how this resource is best deployed. This approach would seek to build on the range of activities and partnerships that already operate at this level and would involve the council moving from being the service provider to an enabler role.

64. The budget for each community area could be set and distributed using the existing youth work or area board funding formula to ensure that resource is allocated fairly according to local need, taking into account factors such as population, deprivation and sparsity. Funding in the form of grants would create potential opportunities for individuals and small community led groups (including parents/carers) to set up new youth projects, as well as promote improved partnership working between existing youth activity providers. Volunteering opportunities for individuals and groups within communities may also be enhanced.
65. To enable community areas to take on this responsibility area boards would establish a specific sub group which would oversee the development and provision of positive leisure-time activities. This would facilitate the engagement of local voluntary/community sector groups and other key stakeholders, including young people and partner agencies such as the police, fire and rescue service. The group would be based on the model used for Community Area Transport Groups (CATGs) and could make recommendations to the area board, as appropriate. The group could also monitor local provision.
66. To support implementation, the area boards would be allocated professional help, advice and support (an enabling role) from Wiltshire Council employed community development youth advisers (new posts). These staff would work collaboratively with the voluntary and community sector to assist area boards in the provision of positive leisure-time activities which meet young people's needs. Staff would have a key focus on quality assurance, including a strong emphasis on safeguarding.
67. The council's sports development officers, who engage with sports clubs, community groups and area boards would also provide additional support where relevant, to sport and physical activity. The community development youth adviser posts would be reviewed while a community led approach and processes are embedded within local areas.
68. Taking into account the council's important role in safeguarding a quality mark scheme would be developed for community providers of positive leisure-time activities. This would be managed by the council with support from corporate procurement to administer an accredited list of approved providers which community areas would be advised to use locally.
69. It is important that young people are involved in decision-making about local provision. With a community led approach it is proposed that Youth Advisory Groups (YAGs) are coordinated differently, with several youth participation events or workshops taking place in each community area on an annual basis.

70. YAGs would be based on events that are currently used to engage members of the public in the Joint Strategic Assessment and would encourage young people from across the community to come together within a forum to discuss local issues and shape services and activities which affect them. It is suggested that in developing a community led approach young people would lead the transformation of YAGs, along with a significant contribution from the voluntary/community sector.
71. In moving toward a community led approach the council would strengthen safeguarding arrangements for the most vulnerable young people by re-investing resource into early help and targeted support provided by eight new full-time youth support worker posts. These staff would work closely with communities and would also coordinate the delivery of targeted positive leisure-time activities for young people with learning difficulties and disabilities.
72. As part of this model the council would continue to fund Sparksite, which provides information to young people about local opportunities and positive leisure-time activities. 'The Line' service would also continue to provide confidential information and support to young people via phone and online.
73. Strengths of this option are that it gives communities, and young people a much greater say on local provision, enabling them to develop innovative and community based approaches which respond to local needs. It also complements campus developments, and safeguarding for the most vulnerable young people would be strengthened through a stronger early help offer. The scheme however, is potentially complex to administer and there could be issues with ensuring a consistent minimum offer to young people across the county. Evidencing impact may also prove challenging and there would be staff redundancies.

Equalities Impact

74. Community area boards are an executive arm of the council and would need to comply with the Public Sector Equality Duty (PSED). There would need to be clear monitoring arrangements in place to ensure that the PSED is being met; any quality assurance framework would need to integrate equalities performance outcomes/criteria and these would need to be built into any review process. This would demonstrate what funding is being allocated to the range of opportunities being offered, take up and satisfaction of provision. It would also evidence the involvement and engagement of young people in the development of positive leisure-time activities by protected characteristic groups for example.
75. The model could potentially advance equality of opportunity and foster good relations due to the intergenerational elements – i.e. younger/older people and those from different backgrounds working together through the area board. In addition, the model presents an opportunity to ensure the views from a more diverse range of young people are heard in decisions that could affect them and be innovative in meeting the needs of more 'hard to hear'/vulnerable groups of young people.

76. Although this model would build on a current scheme of delegation of funding to area boards for youth projects, there needs to be consideration of the capability of the area boards to deliver this model, in particular their understanding around the consistency and practical application of the PSED to ensure equality of access and inclusion.
77. There would be significant human resources impacts in this proposal regarding the numbers of existing youth work team staff affected by possible redundancy. This would need to be fully projected and analysed through the Equality Impact Assessment process. When looking at the make-up of the current service in terms of gender, the workforce data collected suggests it is likely that redundancies would affect women more than men.

Provisional recommendation – making the case for a community led approach

78. Following careful assessment of the options it is recommended that cabinet members provisionally approve the development of a community led approach (option D), subject to formal consultation with young people, staff and other key stakeholders to inform the decision making process. A visual representation of a community led model is included as Appendix 5.
79. A community led approach responds to the views of young people from prior consultation, giving them a greater influence in shaping positive leisure-time activities within their local area. This will help to ensure that local provision is responsive to the modern lives, needs and views of the younger generation.
80. The model further enhances the role of area boards and Youth Advisory Groups to develop innovative and community-led approaches to designing and delivering services, which is a key action within the council's Business Plan. The approach empowers communities by shifting the council's role from a provider to an enabler and builds on the council's tried and tested initiative of devolving funding to community area boards for youth projects.
81. The approach supports the council's overall direction of travel, which involves moving towards a delivery approach which maximises investment in community campuses.
82. Devolving resource to community areas will create enhanced opportunities for the voluntary/community sector, particularly social enterprise. This is likely to encourage the development of a wider variety of positive leisure-time activities for young people, as well as offer increased local volunteering opportunities.
83. The approach facilitates improved joint working across the council (such as children's services and leisure) and brings together a coherent overall youth offer, which provides choice to young people and meets their needs. A wider range of activities at local level is likely to have a positive effect on the public health of the 13-19 years population.
84. The model places the provision of positive leisure-time activities on a more sustainable footing for future years and re-investment in early help will support the council to better manage demand on social care, making sure

that help, support and resource is targeted on the young people who need it most.

Impact of a community led approach

85. The shift to a community led model will mean that 50.3 FTE (full-time equivalent) posts in the current integrated youth service could be made redundant (this will affect approximately 144 staff). There will be some redeployment opportunities available and it will be important for cabinet members to understand the impact of these redundancies in relation to staff from protected characteristic groups. This information will be captured in the Equalities Impact Assessment.
86. The model will involve the creation of several new posts which are outlined below. The experience of the existing sports development officers within leisure services will provide additional support to these new roles and the Youth Advisory Groups and as appropriate to sport and physical activity.
- a) Youth Support Worker (8 full-time posts, 2 per existing children's services locality) – the purpose of these posts is to strengthen local safeguarding arrangements by providing early help to the most vulnerable young people. These staff will also coordinate the delivery of targeted youth activities for young people with learning difficulties and disabilities.
 - b) Community Development Youth Advisers (4 part-time posts) will provide professional advice and support (enabling function) to the area boards and home-grown youth groups, as well as providing practical capacity on the ground to help young people have a voice in local decision making. This will include work with area boards to support the development of Youth Advisory Groups [these posts will be subject to ongoing review]. Advisers will target support to area boards in most need of assistance.
87. Some staff affected by redundancy could be reemployed by town/parish councils or voluntary/community based organisations. There might be others who decide to setup their own business on a self-employed basis or as a social enterprise, trading their services to community area boards. Help for those staff who are interested in setting up their own business will be available from the Wiltshire Business Support Service.

Implementation

88. Development of proposals will be led by Children's Services who will manage the staffing issues, working closely with relevant stakeholders across the council. The Youth Services Project Management Group will oversee the consultation and implementation process (Appendix 6).
89. Following cabinet's decision on a provisional recommendation officers will commence formal consultation on all four options with affected staff, young people and the voluntary/community sector and will also initiate full scrutiny of the proposals via the Children's Select Committee. The Equality Impact Assessment will be updated throughout this process.

90. The council's communications team will manage the internal and external communications and a communications plan has been developed which includes key messages the proposed consultees.
91. Consultation with young people will be led by the council's voice and influence team. To ensure broad reach of consultation and the inclusion of a wide range of young people, a strategy has been developed with a number of different engagement opportunities. The basis of which includes:
- a) A consultation and engagement homepage on www.sparksite.co.uk which outlines the changes, houses key documents and will have video snapshots of young people stating the four options. The link to the SNAP survey will also be housed here.
 - b) An online SNAP survey which will be accessed via www.sparksite.co.uk. The link will be promoted on all twitter sites and young people's social network sites.
 - c) Direct texting to over 19,000 young people sharing the link for the consultation homepage, stating that changes are going to be made to how we provide positive activities for young people in Wiltshire and asking them to have their say.
 - d) A focus group consultation will be developed and this will be taken out to all representative groups such as Wiltshire Assembly of Youth, Children in Care Council, BoBs and GoGs (Lesbian, Gay, Bisexual and Transgender youth groups) and Wiltshire Youth Disabled Group. It will also be adapted and taken into special schools and offered to Youth Advisory Groups, school councils and voluntary sector groups. The focus group sessions will be delivered by members of the Voice and Influence Team.
 - e) One to one structured discussions with young people at various locations around Wiltshire. This would include some youth centres, sports clubs, leisure centres and voluntary sector groups e.g. scouts and air cadets.
 - f) Links for the survey will be sent out to all secondary schools and information will be included on Wisenet. All secondary schools will be contacted and offered the opportunity to engage in the consultation in a range of ways, from signposting their students to the survey, to focus groups and assemblies.
92. During the formal consultation process there will be the opportunity for stakeholders to present alternative options. These and the views of young people and other interested parties will be taken into account during the process.
93. Once the consultation has been completed, officers will present a final report to cabinet in April 2014 providing an analysis of stakeholder feedback along with a final recommendation. The Equality Impact Assessment will be updated with all consultation feedback and will be attached to the final cabinet report to inform decision making and ensure compliance with the Public Sector Equality Duty. It is anticipated that a new model of delivery will be in place by September 2014.

Relevance to the Council's Business Plan

94. The provisional recommendation to develop a community led approach supports the council's vision to create stronger and more resilient communities. The proposal strengthens support for the most vulnerable in our communities and encourages people to come together so they can do more for themselves.
95. The proposal supports delivery of the following key actions:
- a) Further enhance the role of area boards and Youth Advisory Groups, developing innovative and community-led approaches to designing and delivering services;
 - b) Continue to improve our safeguarding services to protect the most vulnerable in our communities;
 - c) Provide opportunities for every child and young person to improve their attainment and skills so they can achieve their full potential;
 - d) Create a campus opportunity in each community area.

Safeguarding Implications

96. It will be important to ensure that vulnerable young people within communities continue to be identified so that they can receive the right support as soon as problem first arise, before things reach crisis point. The re-investment in eight full-time equivalent youth support worker posts will provide improved early help and targeted support to young people in most need. This will help them and their families to build resilience, overcome barriers, reduce risky behaviours and improve outcomes. Staff will work closely in partnership with universal services, including local providers of positive leisure-time activities.
97. Positive activity providers will need to ensure appropriate, accessible environments for young people and keep them safe from harm. As part of the community led approach community development youth advisors will work alongside relevant colleagues and the voluntary/community sector to help embed robust safeguarding arrangements within community areas by:
- a) Supporting and skilling up area boards to develop robust processes for developing educational and recreational leisure-time activities. This will include setting out a framework which defines best practice.
 - b) Working with existing voluntary/community sector infrastructure (e.g. Develop) to offer professional advice and support to voluntary and community groups on a range of subject areas, with a strong focus on safeguarding e.g. training covering health & safety, managing risky behaviours, child protection, safe recruitment of staff and volunteers etc.
 - c) Promoting and supporting the establishment of a clear early help pathway for vulnerable young people between universal and targeted/specialist services within localities.
 - d) Work with the council's corporate procurement team to develop and administer a quality mark scheme across the county for providers of positive leisure-time activities. Through an accreditation exercise led by the council, providers will need to meet certain criteria (e.g. robust child

protection policy in place etc) in order to achieve the quality mark. Community areas will be advised to use those providers who are on the accredited provider list.

- e) In the transition to a new model of delivery it will be necessary to ensure that any vulnerable young people which are currently being supported by youth work staff are identified and case loaded to the new youth support workers or other suitable professionals within integrated youth and preventative services.

Public Health Implications

98. The provision of positive leisure-time activities within community areas is likely to have a positive impact on the health and wellbeing of the local youth population. A community led approach will engage communities in the development of a range of educational and recreational activities which are focused on improving young people's health and well-being.
99. Health inequalities often arise as a result of the unequal distribution of the determinates of health, such as socio-economic status. We know that such inequalities can arise early in life as evidenced by variations in health and social outcomes such as levels of childhood obesity and variations in educational attainment. Positive leisure-time activities within community areas could support reduction in such inequalities if activities were targeted appropriately and informed by local Joint Strategic Assessments. Consideration for how this would be managed within the proposed operating model will require consideration as work progresses. Such an approach would ensure that those young people at greatest risk of poorer health outcomes are able to access services to improve their health and wellbeing and would support activity to mitigate the impacts of child poverty.

Environmental and Climate Change Considerations

100. There are no particular impacts of this work on environmental and climate change issues. It may be the case that more localised provision may result in fewer journeys being made by council staff and members of the public.

Equalities Impact of the Proposal

101. In order to comply with the Public Sector Equality Duty under Section 149 of the Equality Act 2010 all councillors must consider the equality issues and impacts of proposals as part of the decision making process. An analysis of the equality issues and impacts of the various options for the future provision of positive leisure-time activities are included in this report. In addition an initial but detailed Equality Impact Assessment has been developed (Appendix 1). This is a working document and will be reviewed and updated on a regular basis, taking account of progress and feedback from stakeholders.
102. The council's equalities officer is leading on the equalities impact assessment process in close liaison with Councillor Allison Bucknell (Portfolio Holder for Staffing Equalities, Customer Care and Systems Thinking). Councillor Bucknell is a member of the project management group and

equalities is a key workstream which is integrated into all other aspects of the overall project.

103. It is strongly advised that all councillors read the Equalities Impact Assessment prior to the meeting as well as taking note of the equality considerations set out in this paper to inform discussions and the decision making process.

Risk Assessment

104. A risk register has been developed and will be maintained by the project management group. Key risks are raised and discussed at meetings of the group and any significant risks identified would follow corporate guidelines in being escalated. A risk register is attached with this report (Appendix 2) and councillors are strongly advised to consider these risks and mitigating actions before making a decision.

Risks that may arise if the proposed decision and related work is not taken

105. The current model for meeting the council's statutory duty may not continue to meet the needs of young people, leading to disengagement and poorer outcomes.
106. The budget reduction identified within the Medium Term Financial Strategy for integrated youth services would not be achieved.
107. The council's vision and priority to support and empower communities to do more for themselves is not fully realised - particularly the key action to further enhance the role of area boards and Youth Advisory Groups, developing innovative and community led approaches to developing and delivering services.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

108. Risks associated with the provisional recommendation are detailed within the attached risk register.

Financial Implications

109. The current integrated youth services revenue budget allocated to supporting the council to meet its 507B statutory duty is £1,343,400 per annum.
110. The full year impact of the shift to a community led approach would reduce the budget to £842,600 in 2014/15, providing full year savings of £500,800. The staff and public consultations will take place from January/February and the length of time these take will depend on the responses received and any alternative options which might require consideration. Following this variable timetable, the implementation date is likely to be between July and September 2014. This means the pro-rata saving for 2014/15 would be

between £360,000 and £250,000, and the £500,000 savings target would not be achieved in year one. This has already been noted by cabinet members.

111. If the community led option were selected, the indicative budget would be as follows; £437,100 per year would be allocated to community area boards (pro rata equivalent in 2014/15) for the provision of positive leisure-time activities. This would be in addition to the £100,000 per year that area boards already receive for youth projects through the area board base budget. Further information on the proposed 2014/15 budget for principally meeting the council's 507B duty is included in Appendix 7. The funding to community areas for the provision of positive leisure-time activities would be made available for the lifetime of this council.
112. With a community led approach a decision would be required on how funding is deployed in a fair and equitable way to community areas (taking account of key factors like population, deprivation and sparsity). Current options available include the youth work or area board funding formulas. To help determine a suitable method for the distribution of funding at a local level it will be important to agree outcomes for a community led approach in the first instance. This work will be undertaken by officers in due course and a recommendation will be made to cabinet as and when required. Further to this a decision will be required as to whether or not funding to area boards is ring-fenced for positive leisure-time activities.
113. The shift to a community led approach may enable area boards and local youth groups to attract additional funding from a range of other sources to support youth based projects and activities, bringing additional investment into Wiltshire.
114. The council's shift to an enabling role rather than a direct provider of positive leisure-time activities and a significant reduction in staff posts is likely to stimulate a wider review of the integrated youth and preventative service, which may provide further synergies (and possible savings) in future years.

Legal Implications

115. The proposal set out in this paper is subject to various legislative provisions, namely 507B of the Education Act 1996 and the Equality Act 2010 (Public Sector Equality Duty). The proposal is influenced by the findings of the recent Court of Appeal Judgement [Hunt, R (on the application of) v North Somerset Council, 2013) which ruled that North Somerset Council had acted unlawfully when making a reduction in funding to youth services. It will be vital that Wiltshire Council learns from the findings of the Judgement. The legal risks to the council associated with the proposal will be minimised through the use of internal legal advice (and external where appropriate) and effective monitoring and influence from legal services.
116. Appropriate application of the Transfer of Undertaking (Protection of Employment) Regulations 2006 in relation to staffing matters and information disclosure facilitating a transfer will be progressed by Human Resources together with on-going support provided by Legal services.

Options Considered

117. Four key options have been identified and outlined within this report to enable the council to continue to meet its 507B statutory duty, including a provisional recommendation to develop a community led approach, subject to formal consultation with young people, affected staff and other key stakeholders to inform the decision making process. Stakeholders will be consulted on all four options and will have the opportunity to present alternatives. These and their views will be taken into account during the decision making process.

Conclusions

118. Cabinet is asked to consider the four options detailed within this report and approve the provisional recommendation to develop and implement a community led approach, subject to formal consultation with young people, affected staff and other key stakeholders to inform the decision making process.

119. In making their decision cabinet members are strongly advised to consider the equalities impact of each option and the need to fulfil the council's Public Sector Equality Duty. The risks associated with the proposal should also be considered as part of the decision making process.

120. Cabinet is asked to consider a further report which provides feedback from the stakeholder consultation, as well as a final recommendation from officers in April 2014.

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20 December 2013

Appendices (links to PDFs on Wiltshire Council website)

1. [Equalities Impact Assessment](#)
2. [Risk Register](#)
3. [Statutory Guidance](#)
4. [Buildings](#)
5. [Community led approach visual](#)
6. [Provisional Implementation Plan](#)
7. [Indicative Budget if Community Led Option chosen](#)