

Youth First

A new mutual model for services for young people

Introduction

Services which support the informal learning and development of young people have a long history in England. The fiscal crisis and subsequent spending cuts implemented by the Coalition Government will have a profound impact on the public money available to fund these services. Services face very substantial spending reductions and few will be able to continue in their current form.

At the same time interest is growing in finding new ways for citizens, service users, communities, voluntary and private organisations to work together with the state to provide a wide range of services.

The Coalition Government has signalled its expectation that public services should be delivered by providers outside local government (rather than by staff employed in local authorities) with an emphasis on the development of mutual organisations¹.

This paper introduces a new mutual model to provide services for young people. There is an opportunity to develop new ways of working which will support young people most in need as well as supporting all young people and their communities to provide more for themselves. All this must be achieved on half the current budgets for services for young people, or even less.

We would welcome feedback on these ideas.

The legal requirements to provide services for young people

There are a number of legal duties and requirements for local authorities to provide services to young people. These are summarised in Appendix 1. Whilst they provide a general framework for provision, they are in many cases fairly imprecise.

Local councils are revisiting their legal duties and requirements in relation to services for young people. The perception that many of the requirements are either unclear or unlikely to be enforced, has led some councils to ask fundamental questions about the services they will provide in the future.

However, the majority of local authorities are committed to creating an environment in which young people can thrive and achieve the best possible outcomes. They are committed to continue targeting support where it is needed and to focussing on early intervention and prevention. The critical question is how scarce resources will be deployed to achieve this. Advocates for young people must be able to present a strongly reasoned and evidenced case to secure future spending on preventative and support services in the face of pressing demands from other services which have clearer duties set out in law.

Supporting fairer opportunities for all young people

State intervention and investment in services for young people has consistently been prompted by concerns about a minority that is perceived to be struggling to make the transition from childhood to independent adult life or is facing (or causing) acute problems.

Despite this the state has, since 1944, aspired to provide informal learning and support services to all young people. There has never been sufficient money to deliver this so resources have always been rationed. Local authority youth services have only ever worked substantially with a small

¹ Cabinet Office Draft Structural Reform Plan. June 2010, Paras 4.2 and 6.3

minority of young people. The data available suggests that on average 17% of young people participated in local authority youth provision in 2007/8².

The time has come to drop the aspiration of the state providing services for each young person and focus public money on meeting the needs of those young people who are struggling. This is not a new development but would mark a clearer way of thinking about the services.

The second and closely linked change is to emphasise the role of the state as nurturing an environment in which there are genuine opportunities for all young people's personal and social development. This does not mean that the state should be a provider of services, nor specifier nor regulator of them. It does mean that the state (through national and local government) should find ways to encourage collective action by individuals, community and voluntary organisations and the market to enable this to happen. It is vital that this vision of universal access to opportunities is actively connected to those services which focus on the minority of young people.

Voluntary, mutual and private organisations provide for all

A little over 80% of young people seem to make the transition from childhood to independent adulthood without engaging with any significant services from the state outside of school, careers advice and health services³. They are supported by their families, friends, communities, voluntary organisations and services they purchase from the market. This part of our society appears to work and does not need major overhaul. It does need occasional stimulus, encouragement to improve practice, and light touch regulation to ensure that young people are reasonably safe. The local authority has a role to play in creating such an environment.

In addition to the local authority practitioners will want to draw on training and support provided by various associations and professional groups. These help to encourage high standards of practice in interventions with young people, without smothering activity under burdensome regulations. The work of sports bodies, scouts and guides provide examples. There appears to be a need for the organisations which work with young people to come together more effectively than in the past, to ensure high standards of practice.

We need new models for delivery of services which support and encourage voluntarism and mutualism, but at the same time connect the many with the few who do need intensive interventions of one sort or another. Failure to make these connections could lead to worsening divisions in our society and a separation of the poorest and most needy from the majority.

Public money focused on prevention and intensive intervention

Limited public resources will be best focused on working with young people who need support either

- to enable them to take control of their lives and avoid sliding into failure (**preventative**), or
- to provide emergency and remedial support or to take action in response to criminal activity (**intensive intervention**)

There is now a vast amount of research which evidences the catastrophic costs of failure to individuals, families, communities and the state⁴. Just focussing resources on intensive interventions can result in an ever growing bill as more young people slide into failure. Focussing on both prevention and intensive support provides an "invest to save" route through which public authorities can release monies from future costs of failure to fund the preventative work.

² NYA Audit of Local Authority Youth Services 2007/8

³ See PAT 12 Report (2000); Bridging the Gap (1999); Aiming High (2007) p12, para 1.35;

⁴ See for example - Custody for Children: The Impact. February 2010, Standing Committee for Youth Justice; NEF (2010) Punishing Costs: How locking up children is making Britain less safe; Coles et al (2010) Estimating the Lifetime Cost of NEET. Audit Commission

This activity needs to be fully connected to the looser range of opportunities available for all, with the potential for targeted intervention with particular communities to stimulate and support the development of voluntary and mutual activity. The risk is that targeted and intensive work becomes separated, stigmatised and unable to find effective routes for young people to get back into the mainstream.

Young people leading

The past ten years have seen significant advances in the involvement of young people in decisions about the services they receive and the activities that are available to them. It is time to take this further.

The new model offers the chance for young people to join and to jointly own the organisation that provides support and services. It gives young people a chance to take real responsibility from the age of 13. It provides a vehicle to build leadership skills, develop enterprise, volunteer, link with their communities and so on. It provides a way to connect many of the successful developments that already exist and to take them further.

Redesigned services for the future

Britain is faced with a crisis in public finances. Services which support young people are small and involve relatively few specified statutory functions. Historically they have been extensively and often disproportionately cut back in times of austerity.

The scale of the cuts likely to be made to services is becoming clear. In many cases this will be in excess of 50% of the existing budgets. Attempting to make savings of this scale by slicing and dicing existing services will not succeed. The consequences of cutting back ineffectively can be disastrous – expensive in both human and economic terms.

We need to redesign services with a clear new vision. The new services be effective on the limited resources that are now available, but must provide the platform from which they can grow and develop in the future.

At the very time when many will want to retreat into bunkers and fight to preserve the remnants of the old ways of providing services we need to be bold in starting to work together in new ways.

Putting youth first

We want to explore the development of a new mutual model for the delivery of services to young people.

There is a simple and clear purpose: to provide the conditions in which all young people can make a successful transition from childhood to independent and fulfilled adulthood.

The purpose is underpinned by the following principles:

- Young people (with support from their communities and organisations) leading and running services/activities for themselves
- Local authorities supporting civil society to provide the universal “youth offer” (not attempting to provide it themselves). Minimal interference and regulation where this is working, intervention to develop community organisations, self help and social enterprise where it is not.
- Young people leading processes to provide information about places to go, things to do and people to talk to
- Connecting informal support services with schools and colleges as universal services for young people
- Connecting the loose provision of universal services with the wide range of targeted and intensive interventions so that the vision of opportunity for all young people is real

- Supporting high quality practice with young people through appropriate training and development.
- Accepting that public money will be focussed on commissioning services for those young people most in need – the 10%, NEET, and those most at risk.
- Promoting the role of the local authority to hold a strategic overview of their area and to stimulate development to build or enhance the capacity of young people and communities to provide services for themselves.

To take this purpose forward we propose the development of a new mutual vehicle for services for young people. We will use Youth First Mutual as the working title.

The Youth First Mutual

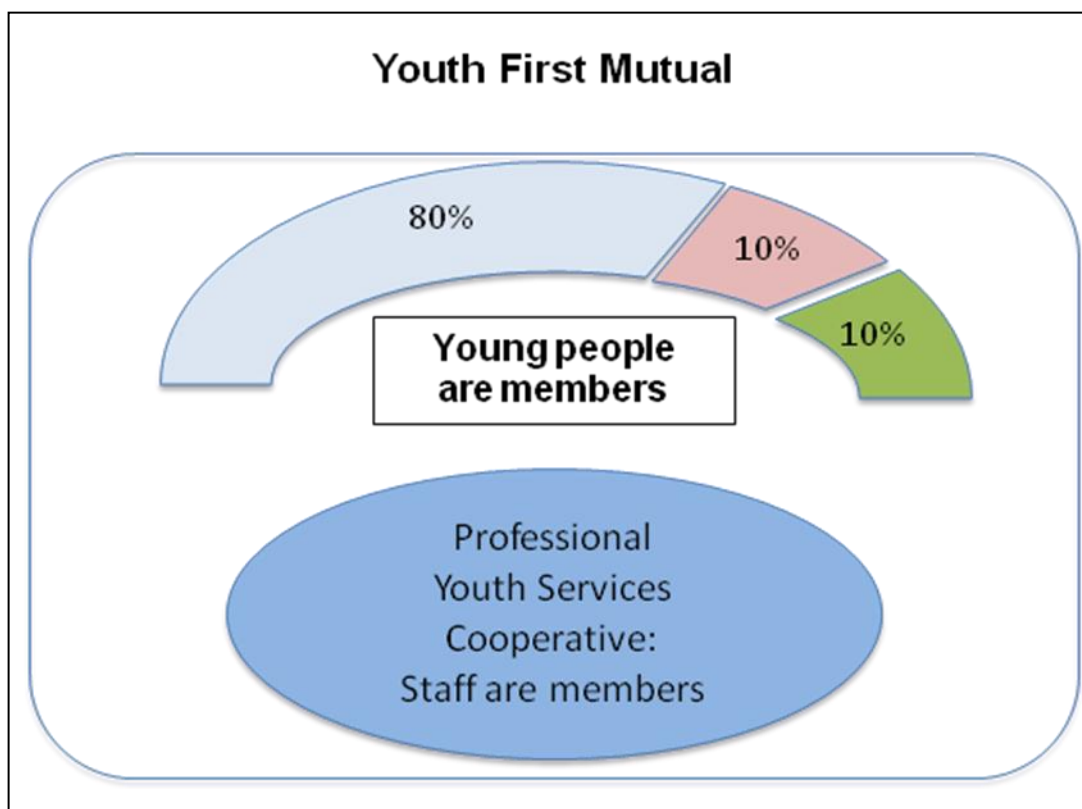
Why choose a mutual organisation to achieve this purpose? The answer is that the mutual provides a way to develop a new relationship between young people, professionals and the state. It enables young people to join and become part owners of their own services. It asks and requires them to play responsible active roles. It creates a vehicle through which their own initiatives, enterprises and ideas can be supported and developed.

The mutual also provides a vehicle through which professionals who work with young people can be free to develop more responsive, flexible and relevant services at a lower cost than is usually the case if they are employed by local government.

The starting point is therefore a new mutual organisation which comprises:

- Youth professional staff
- Young people as members.

This can be shown in diagram form as below.



The diagram shows young people in three broad groupings.

The vast majority (80%) are not in need of services but want to have places to go to, things to do and a trusted adult to talk to from time to time. The mutual provides a way to stimulate and support activity by young people themselves (through youth banks, volunteering, voluntary organisations etc). The role of the professional staff here is to provide light touch support, strategic interventions and encouragement of safe and effective working practices. It is not for the professionals to take over or to professionalise this area of activity. Members could be charged fees, could set up enterprises which generate funds for the mutual and do anything that helps young people to achieve positive outcomes. Most of the activity here would be self funded, with judicious use of small amounts of public money to provide stimulus and support.

The 10% of young people on the right of the diagram are largely known to a variety of services and includes those who are NEET, those not achieving at school, those at risk of offending, drug and alcohol abuse. It is essential that this group of young people is able to be members of the mutual. Involvement in the mutual can provide a route into the wider community. Most of the activity here is already funded through the state. It is expected that this pattern would continue with the local authority commissioning services from a range of providers. Again the mutual structure provides a simple vehicle for alignment and collaboration. The cooperative might be commissioned to provide some services.

The middle ten per cent is the group most at risk of losing support. This group of young people needs access to help in a variety of ways if the young people are not to slide into high levels of risk and need. This is the focus for preventative work and in our view should be the priority for the cooperative. Funding is likely to be from commissioned work and potentially from money saved by enabling young people not to draw on expensive emergency and remedial services. This prevention uses an “invest to save” philosophy. It would be ideal for investment through social impact bonds and the like, as these become more common.

The mutual structure provides an ideal method to connect local young people to the **National Citizenship Scheme**. If young people join the mutual at 13, they will already be part of a local vehicle for voluntary action and community service. NCS will link well with this and when people return from their weeks on NCS they will have an organisation thorough which they can continue their development and voluntary activities. In this way the mutual can amplify the investment made in young people through NCS.

The **benefits of the mutual approach**:

- Ownership and leadership from young people. It offers a chance to engage all young people and a vehicle to focus existing successful involvement such as youth councils, volunteering and participation initiatives.
- Locally accountable; highly responsive to local wants and needs through membership.
- Cheaper than in-house provision as it has lower overheads and is free from restrictive terms and conditions.
- Easy to commission. The mutual is embedded in the local community. The professionals are closely linked to young people. The professional service cooperative will be outcome focussed, enterprising and businesslike. It offers a real alternative to external service providers who are driven by the need to serve shareholders or wider organisational goals.
- There is a new relationship between professional service providers and young people.
- Professional practitioners are responsible for their own practice but accountable to young people and other stakeholders.
- The Youth First Mutual offers a genuinely universal approach.
- It provides space to innovate and is free of unnecessary bureaucratic constraints.
- Profit stays local - does not drain away outside.
- The mutual can borrow and or attract investment – it can be a social enterprise which responds quickly to change. It can develop new ways to attract funding.

- The model is both flexible and scalable.

Questions to answer

The mutual idea is not a magic answer to the huge challenges facing providers of services which support young people. It does in our view provide a means of focussing thinking and developing a hopeful vision for the future. It also provides a way for young people themselves to play a key leadership role in creating and providing services.

A host of critical questions need to be answered before a new mutual might progress. A starter list of twenty questions is provided below.

1. Why would staff want to join the mutual (and leave their current employment)?
2. Who would fund the mutual and for how long?
3. Will funding be secure for long enough to give the new mutual a chance to get going?
4. Are there examples of this sort of cooperative service provision actually working?
5. Can young people legally be members of a mutual?
6. How will it be governed? Who will make decisions?
7. How will the professional service cooperative actually work?
8. Where will leadership come from in the cooperative?
9. How will the mutual link with existing organisations and structures which young people are already members of?
10. What area should the mutual cover – whole authority? neighbourhood? several authorities?
11. How will standards of professional practice be maintained?
12. To whom will staff turn for support, training, development and challenge?
13. What role will commissioners play?
14. How much is it likely to cost to set up?
15. How much will this new arrangement save?
16. How will the local authority/funders ensure value for money?
17. What age range should the mutual cover – 11-19? 13-19? 13-25? 11-25?
18. How will the mutual relate to other key stakeholders?
19. What will happen to assets owned by the local authority – such as buildings and equipment?
20. How long would it take to establish?

What next?

We will be developing the ideas set out in this document and offering a professional support service to any authority that is interested in taking them forward. We are developing this offer in conjunction with the Confederation of Heads of Young People's Services and the law firm Cobbetts, which specialises in mutual and cooperative structures.

Through the autumn of 2010 we will be seeking to engage with Government and relevant organisations to create an environment in which the mutual approach can flourish.

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Appendix 1: Legal duties to provide services to young people

Section 53 of the 1944 Education Act gave local authorities the duty to “secure that there are adequate facilities for recreation and social and physical training and for that purpose a local education authority may establish, maintain and manage camps, holiday classes, playing fields, play centres, playgrounds, gymnasiums, and swimming baths.” This act has underpinned local authority provision of youth services ever since.

The 2006 Education and Inspections Act (Section 507B) gave local education authorities in England a **duty** to “so far as reasonably practicable, secure for qualifying young persons in the authority’s area access to:

- (a) sufficient educational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities; and
- (b) sufficient recreational leisure-time activities which are for the improvement of their well-being, and sufficient facilities for such activities.”

The precise meaning of this duty is unclear. The interpretation of “sufficient” and “reasonably practicable” would need to be tested in the courts.

The legislation is supported by Statutory Guidance on Section 507B issued in 2008. This includes a statutory duty to provide “a comprehensive, accurate and accessible information service for young people regarding existing local positive activity provision - including a directory of provision which should be updated regularly to maintain accuracy - at least annually - and publicised to all young people through a wide variety of media”.

In addition to the statutory duties above, local authorities continue to have the following duties which may be within the remit of integrated youth support services:

- To co-operate to improve the wellbeing of children and young people (Section 10, Children Act 2004).
- To safeguard and promote the welfare of children and young people (Section 11, Children Act 2004).
- To ensure that careers services are provided for school and college students (Section 8, Employment and Training Act 1973, amended by the Trade Union Reform Employment Rights Act 1993).
- To secure the provision of services which encourage, enable or assist effective participation of young people in education or training (Section 114, Learning and Skills Act 2000).
- To assess young people with learning difficulties and disabilities (Section 140, Learning and Skills Act 2000).
- The Education and Skills Act 2008 (Part 1) places a duty on young people to learn or train until they are 18 or have achieved a level qualification, and requires councils to promote effective training/learning of such young people. It also sets out the circumstances in which a council may issue parenting contracts of young people if they are failing to learn, and issue attendance notices on young people not attending. The Act also formally transfers responsibilities for Connexions services provided via S114 of the learning and Skills Act 2000 to local councils.
- The Apprenticeships, Skills, Children and Learning Act 2009 has various provisions covering:
 - Establishing apprenticeships on a statutory footing.
 - The right for all employees to train.
 - Reforming delivery and provision of post 16 training/learning and making the local council responsible.
 - Aligning young offender learning with mainstream provision.

- Amending 16-18 transport provision for learning.
- Amending arrangements for Safeguarding.

Any youth service, connexions service or IYSS that provides foundation or alternative learning as part of their activities must be aware of these provisions.

- To prevent offending by children and young persons (Section 37 of the Crime and Disorder Act 1998).
- To formulate and implement for each year after consultation with the relevant persons and bodies a Youth Justice Plan setting out how youth justice services are to be provided and funded (Section 40 of the Crime and Disorder Act 1998).
- To support, implement and co-ordinate the local Teenage Pregnancy Strategy. (Teenage Pregnancy Implementation Grant).
- To deliver substance misuse universal and targeted interventions with vulnerable young people and specialist support young people's drug services. (Young people's Substance Misuse Partnership Grant).

Connexions services are covered by Statutory Guidance issued in 2008 which requires local councils to ensure:

- Reasonable face-to-face access to Personal Advisers for all 13-19 year olds, and 20-24 year olds with a learning difficulty.
- Minimum qualifications for each PA.
- A specified level of contact with NEETs.
- Effective working relationship with Connexions Direct.
- Client management system and tracking arrangements meet the Client Caseload Information System (CCIS) specification.
- Young people are provided with general information about all relevant benefits and allowances, how they can be claimed and the rights and responsibilities associated with them.
- Arrangements with partners, school/college/training providers, and the Young Person Learning Agency to meet the September Guarantee for 16 and 17 year olds each year.
- Inter-area co-operation agreements for assessing special needs via S139A assessments for those young people who are educated out-of-area (e.g. attending a special school or who are in a young offender's institution).

Youth Offending Services must adhere to National Standards for Youth Justice and comply with Youth Justice Board Case Management Guidance.