



Department for
Digital, Culture,
Media & Sport

DCMS Information session for local authorities - Youth services statutory guidance

Tuesday 31st October - 2pm

Agenda

- a) Welcome and introduction
- b) Context - the legislation and previous reviews
- c) The updated guidance - summary of changes and step-by-step guide
- d) Peer Review Programme - feedback from pilot and current programme
- e) Questions

Context

The Statutory Duty

Under section 507B of the Education Act 1996:

Local authorities in England have a **legal duty**, so far as reasonably practicable, to secure for qualifying young persons (13 - 19 years old or up to 24 for those with special educational needs) 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.

This relates to out-of-school hours and settings.

The Statutory Duty

- Covers **13 - 19 year olds** (or up to 24 for those with special educational needs)
- Authorities **must** secure sufficient services for qualifying young people in their area.
- Authorities **may** directly provide services, assist others in the provision of services, make arrangements for facilitating access to services or anything else that may be appropriate. Authorities may also consider if actions should be taken by the Authority or another party, and they may charge for anything provided under this duty.
- Authorities **must** take steps to learn about young people's views in the area.
- Authorities **must** publicise information about available services and keep this up to date
- Authorities **must** have regard to any guidance

Updating the guidance

The last guidance was published in 2012 and was no longer fit-for purpose. DCMS committed to reviewing the guidance (not the duty).

We held a series of stakeholder consultation events with different groups:

Youth sector
stakeholders
with the NYA

Local gov
stakeholders
with the LGA

Safeguarding
leads

Young people

Other
government
departments

The updated guidance

Feedback and changes

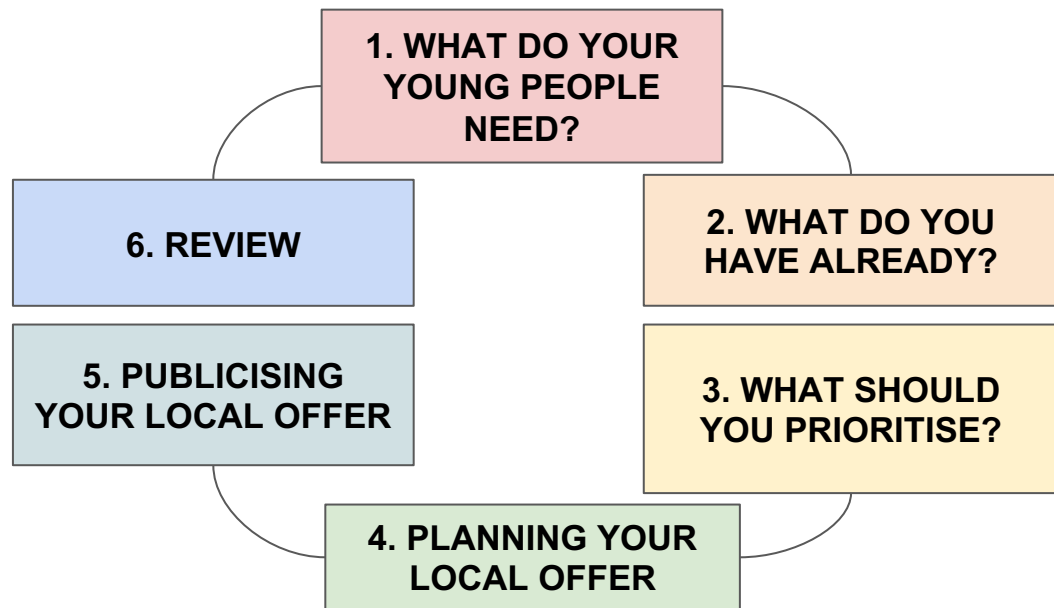
You said	We did
The guidance needs to balance the need to clarify what Authorities need to do and the flexibility needed to create the right offer for each local area	The guidance clarifies what is meant by “sufficient” and “reasonably practicable”. It encourages local authorities to assess the needs and the existing landscape to determine the right offer.
It can't go beyond what is in the legislation and need to recognise the current landscape and challenges.	It clarifies what local authorities must do under the legislation. It also clarifies that local authorities do not have to deliver or fund the services themselves, but simply to secure them.
It should be practical and helpful for Authorities and those who work with them	It sets out clear, detailed steps for local authorities to meet their duty. It promotes collaboration between local authorities, the voluntary, community and social enterprise sector, youth workers, school and colleges, businesses and employers and other agencies and bodies.

Feedback and changes

You said	We did
It should recognise the importance of youth workers and the specialized skills they have	It puts more emphasis on the benefits of youth work - particularly on activities to improve young people's personal and social development. It also highlights the need for the right balance between open access services and targeted services.
It should outline how local authorities should measure their performance	It encourages local authorities to benchmark their approach and provision with existing guidance and frameworks and relative to other similar areas. It emphasises the importance for Authorities to regularly review the offer and assess whether it has had a positive effect on young people.

Guidance overview

- Rationale, scope and aims
- Assessing young people's needs and current provision
- Determining a sufficient local offer
- Providing the offer
- Publicising the offer
- Reviewing the offer
- Step-by-step guide and checklist & useful links



Scope

The duty covers educational and recreational leisure time activities for the improvement of young people's wellbeing and facilities for these activities. They include, but are not limited to:

- sports and informal physical activities
- cultural activities
- outdoor residential, weekend or holiday-time activities
- special interest clubs
- volunteering activities

The educational leisure-time activities must also include sufficient activities which are for the improvement of young people's personal and social development - traditionally provided through youth work.

Assessing young people's needs and current provision

In order to determine what a sufficient offer is, local authorities should assess the needs of young people in their area as well as the current provision in their area to identify the gaps.

Needs assessments can take many forms but:

- They should be collaborative and use available data and information sources
- Local authorities **must** consult, and take into account the views of young people in their area on current provision, the need for additional activities and facilities, and access to those activities and facilities.

Determining a sufficient local offer

Sufficient

Sufficient in relation to quantity.

Local authorities must determine what services should be available to young people in their area based on their needs, existing provision and gaps.

Local authorities should take into account barriers to participation.

Reasonably practicable

No set standards but local authorities must take steps towards meeting their duty.

Local authorities should determine what is reasonably practicable based on resources, capabilities and priorities.

They should be able to demonstrate their rationale and that it was not reasonably practicable to do more than was done to satisfy the duty.

Providing the offer

Local authorities **must** secure access to sufficient services; however, this can take the form of different models that suit the local area.

Local authorities should:

- Identify and work with appropriate partners and providers
- Explore collaborative approaches to improve provision and reach
- Consider the right facilities
- Ensure that services are run by adults with the appropriate skills and qualifications (in particular individuals with youth work skills)

Publicising and reviewing the offer

Local authorities **must** publicise information about the available youth services in their area and keep the publicised information up to date.

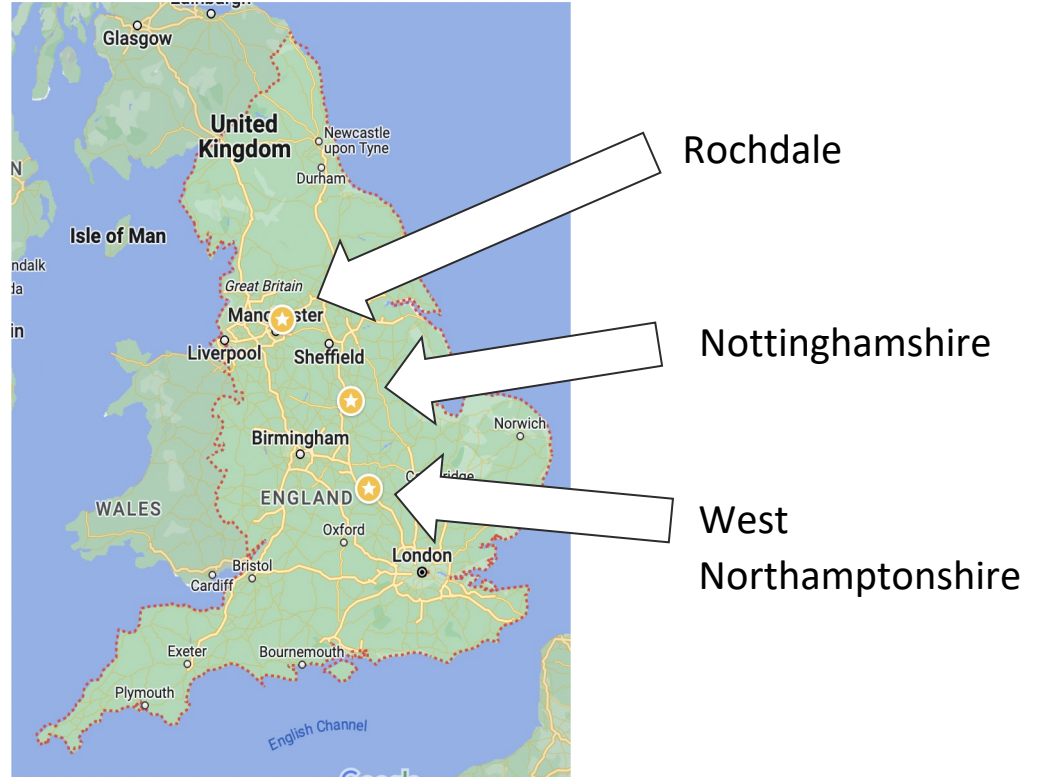
Local authorities should review and update their assessment of young people's needs regularly. Where possible, this should include impact evaluation.

Peer Review Programme

Peer review programme (with the NYA)

We are funding a Peer Review Programme to support local authorities to review their youth offer and learn from each other.

Peer reviewers, including young people, assess the services and provide recommendations to improve them.



Feedback on the pilot

“We needed to understand what the current opportunities were and they were able to tell us some of the stuff that was going on, some of the national thinking so as we were coming out of the peer review we were able to think about things like the Youth Endowment Fund and whether to bid and things like that...”

“The feedback gave us the clues to continue our journey. We went into it knowing what some of the problems are but some of it was cloudy and vague. After this we got a lot of clarity on these and It gave us enough to begin to put some plans in place pending the formal report.

“Some improvement would have happened but it would have been slower and lower”

Next steps - Peer review programme

Building on learnings from the pilot:

- Up to 12 councils will be supported
- Reviews are entirely supportive and tailored to each councils need and aspiration
- Reviews can be from 1-3 days in duration and will involve young people as peer assessors

NYA are also creating new national networks to support the sharing and dissemination of good practice:

- A national lead member network to bring together youth executive members
- A lead youth officer/commissioner network

For more information on the Peer Review programme: <https://www.nya.org.uk/peer-review-autumn-2023/>

Contact support@nya.org.uk to express your interest in taking part

NYA Toolkit - How to Guide

How to fulfil your Statutory Duty

under Section 507B of the Education Act

A toolkit for local authorities



<https://www.nya.org.uk/stat-duty/>

Questions
