

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	TROUBLED FAMILIES INITIATIVE
<b>DATE OF DECISION:</b>	17 JULY 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR COMMUNITIES
<b>STATEMENT OF CONFIDENTIALITY:</b>	
None.	

**BRIEF SUMMARY:**

Troubled Families is a national initiative promoted by the Department for Communities and Local Government (DCLG) which aims to turnaround families with complex needs. Based on statistical analysis alone the DCLG has allocated funding for us to work with 685 families who are in receipt of benefits due to not working, and:

- Are involved in anti-social behaviour or their children are involved in crime; or
- The children do not attend school regularly or have poor behaviour resulting in exclusion.

In addition, partners have agreed to local priorities around domestic violence, parents in prison and families who have a history of involvement with Social Care.

The expectation is that 685 families in Southampton will receive intensive family support including preparation for returning to work.

**RECOMMENDATIONS:**

- (i) To accept, in accordance with Financial Procedure Rules, the £765,000 Department for Education Troubled Families grant and to note that a further £166,400 may be received on a payment by results basis if we meet the agreed targets.
- (ii) To approve, in accordance with Financial Procedure Rules, revenue expenditure of £765,000 in 2012/13.
- (iii) To delegate to the Director- Environment and Economy, following consultation with Cabinet Member for Communities and the Cabinet Member for Children’s Services and Learning, the decision regarding the final delivery model.

**REASONS FOR REPORT RECOMMENDATIONS:**

1. The first year funding will be made as an individual “Section 31” grant nominated for Troubled Families and is not ring fenced. It will significantly enhance the broad range of preventative work currently undertaken by the City Council, other agencies and the voluntary sector. The commitment to participate has been confirmed by the Chief Executive on 30 April 2012 to the DCLG and supported by partners through the Steering Group.
2. The initial model of delivery is being developed in accordance with the national evaluation of Family Intervention Projects (FIP) and has been discussed in detail with the Troubled Families Steering Group and worked up through intensive consultation with key service delivery partners.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

3. To refuse to engage with this programme.
4. The City would lose the opportunity to improve the likely outcomes for at least 685 local families.
5. This funding is provided with no risk to Local Authority current funding.

**DETAIL (including consultation carried out):**

6. The Troubled Families initiative in Southampton is a three year programme (2012-15) of work to transform the lives of families with complex problems to:
  - Reduce youth crime and family anti-social behaviour.
  - Improve attendance and behaviour in schools.
  - Support adults back to work or to be ready for work.
7. Southampton has been identified by government as having 685 'Troubled Families'. Funding will be provided for 571 as 1/6 of the budget has been used by DCLG Troubled Families Unit to invest in a local ESF Working Families programme that will form part of the range of interventions available.
8. Whilst the DCLG provided a notional number, further work has been undertaken to actually identify the families in accordance with the criteria agreed. Data has already been matched from Children's Services, Safer Communities, Housing, Police and others. Information on those in receipt of benefits for worklessness will be provided through the Department for Work and Pension (DWP). However the list will never be static as families change circumstances.
9. Additional funding is available on a payment by results basis based on improvements in the following criteria:
  - Reduction in anti social behaviour in the household by 60% over six months
  - Achievement of less than 15% unauthorised absences for all children in the household, or fewer than three fixed term exclusions in the last three terms
  - All children in household on school roll
  - Reduction in offending of under 18s by at least 33% over six months
  - An adult in the family has progressed towards work (on European Social Fund or work programmes)
  - An adult in the household has moved off benefits into full time continuous work (as defined according to the type of benefit paid)
10. Payment by results may be made in full or in part depending on the agreement made for each individual family. If criteria six is achieved then full payment will be made regardless.

## RESOURCE IMPLICATIONS:

11. The funding available over the next three years is summarised in the table below:

	<b>Attachment fee and management cost</b>	<b>Payment by results</b>
2012/13	£765,600	£166,400
2013/14	£534,400	£289,600
2014/15	£389,600	£434,400

12. Funding has been provided to cover 40% (£4,000) of the estimated overall costs (£10,000 per intervention) spent by agencies to undertake the intensive family work that has been proven to deliver the required outcomes on previous Family Intervention Projects (FIPs). A percentage of the funding will be paid up front as an attachment fee, with the remainder available on a “payment by results” basis. Payment will be made as an un-ringfenced, “Section 31” grant. Payments for subsequent years will be subject to the agreement of the Troubled Families Team on an annual basis.
13. The remaining 60% is match funded from existing family work across the Council. This includes resources from the DfE’s Early Intervention Grant (EIG), Dedicated Schools Grant (DSG), external contracts and partner contributions.

### Capital/Revenue

14. None.

### Property/Other

15. No additional property needs.

## LEGAL IMPLICATIONS:

### Statutory power to undertake proposals in the report

16. The Council has the power to participate in the Troubled Families initiative by virtue of section 1 of the Localism Act 2011. The exercise of this power is subject to any relevant pre-commencement restrictions or prohibitions.
17. However there remain concerns surrounding the initiative’s compliance with the Data Protection Act 1998, given that it will be necessary to share personal and sensitive personal information with other agencies without appropriate consent. The DCLG have very recently released guidance on the practical operation of the initiative, which attempts to set out the legal basis for sharing.
18. The guidance advises that information relating to crime and anti-social behaviour can be shared under Section 115 of the Crime and Disorder Act 1998. This provision allows the Police, local authorities, health authorities, probation trusts to share information about any person for the purposes of preventing future crime and disorder. The guidance further cites implied powers to support/protect children under Section 17 of the Children Act 1989 to enable sharing of information relating to school attendance. Schools should be made aware that the Council intends to make use of this information to participate in the Troubled Families Initiative, and schools will also need to update their Data Protection Notifications to reflect the new use of data.

19. The Welfare Reform Act 2012 (the relevant provisions of which are yet to come into force) allows for the sharing of welfare benefit information by DWP to local authorities without informed consent. Regulations are necessary to specify Troubled Families as a 'prescribed purpose' for data sharing. The guidance states that these regulations will be in force in May 2012 however the regulations have not been approved and are still awaited. As an interim measure, the guidance specifies that Section 72 of the Welfare Reform and Pensions Act 1999 can be used to justify data sharing although this is also dependent on appropriate regulations being made (again, though, none of the regulations are yet approved or in force).
20. It appears that these legal powers would only justify outside organisations sharing personal data with the Council, not the other way around. In other words the Council can receive personal information and collate it or analyse it to determine which families are in need, but cannot release this personal information to outside bodies. Further regulations would be required to enable the Council to share data with partners and none are currently proposed. If appropriate powers are forthcoming in due course it will be necessary to ensure that the Council's Data Protection Notifications are up to date, and that all usual data security and handling measures are in place to protect transmission, storage and use of the personal data. There should be a robust data sharing agreement entered into in each instance with the relevant organisation prior to any data sharing taking place.
21. The Council may therefore receive data from others at present (subject to them being satisfied they have the legal powers in place to share data) but the Council may not further share that data unless and until new powers to do so are passed. Once such powers are in place and if the Council wanted to share information with any other body, that sharing would have to be fair and lawful and comply with the Schedule 2/3 conditions of the Data Protection Act 1998. Further legal advice in that respect should be sought prior to entering into any agreement to share data.

#### **Other legal implications**

22. It will be necessary for the Council to be mindful of its obligations under the Human Rights Act 1998, and specifically an individual's Article 8 rights to respect for private and family life when participating in this initiative.

#### **POLICY FRAMEWORK IMPLICATIONS**

23. Crime and Disorder Reduction Strategy  
Community Strategy  
Safe City Plan  
Youth Justice Plan  
Children and Young People's Plan  
Housing Strategy

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**KEY DECISION** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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**SUPPORTING DOCUMENTATION**

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

**Appendices:**

1.	None
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**Documents In Members' Rooms:**

1.	None
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**Integrated Impact Assessment**

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out?	No
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**Other Background Documents**

**Integrated Impact Assessment and Other Background documents available for inspection at: Children's Services, Southbrook Rise.**

Title of Background Paper(s)      Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	Financial Framework	
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