


<b>Commissioner Decision Report</b> 9 <sup>th</sup> September 2015	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Debbie Jones Director of Children's Services (Interim) <b>Author:</b> Terry Parkin Service Head, Learning and Achievement	<b>Classification:</b> [Unrestricted ]
<b>Resolution of Grant Payments: Children's Services</b>	

<b>Originating Officer(s)</b>	Terry Parkin
<b>Wards affected</b>	All
<b>Key Decision?</b>	Yes
<b>Community Plan Theme</b>	

## REASON FOR URGENCY

At a previous meeting of the Commissioners, of 27<sup>th</sup> May 2015, two grants for post-16 (*the Mayor's Educational Maintenance Allowance*) and post-18 study (*the Mayor's Higher Education Fund*) were considered. It was agreed at that meeting that those within the schemes should continue to receive their awards but that no more awards should be made until the purpose and impact measures were clarified.

Officers were required at that meeting to resolve the issues relating to those two awards and return to the Commissioners with that resolution. This paper proposes a way forward for the 16-19 bursary and is urgent as it will allow those who have applied for support to be informed at the start of term of their inclusion in the scheme, if successful.

**It is not intended to consider the Higher Education Grant at this time.**

## Executive Summary

This paper proposes to continue an existing bursary scheme to promote attendance for young people aged 16-19 using monies already set aside for that purpose, but includes detailed reporting mechanisms so that Commissioners may be assured of the impact of this spend.

## Recommendations:

The Commissioners are recommended to:

- Support the continuation of the Educational Maintenance Grant but rename the grant the Tower Hamlets Educational Maintenance Allowance; and,

- note the terms and conditions under which the impact of the revised grant is to be measured.

## **1. REASONS FOR THE DECISIONS**

- 1.1 Grant determinations are reserved to the Commissioners. It was agreed in May that the so-called Mayor's Awards should be reviewed and their impact considered. This paper presents the recommendations relating to the Educational Maintenance Allowance element of those grants.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The monies for the so-called Mayor's awards have been set aside with some already promised to recipients. It is generally felt that these awards do impact positively on the behaviour of students and so are worthwhile. However, it would be possible to cease this grant and simply support those already within the scheme.

## **3. DETAILS OF REPORT**

### **3.1 Mayor's Education Allowance 16-18 year olds**

This was the local replacement for the Educational Maintenance Allowances. To qualify for an award a student must attend for at least 95% of their sessions. The Commissioners wished that this should be linked to outcome measures, it is clear that it promotes attendance and so is only paid by those meeting that measure. It is also paid termly in arrears and against an audit. It is reported that this award is undersubscribed as students believing they will be unable to reach the 95% target tend not to apply. The following impact measures should be reported annually to Members through a route to be agreed:

- Numbers accepting award.
- Numbers remaining within award parameters after one, two and three terms (annually).
- Numbers on award progressing to education or employment compared to those not in receipt of awards.

## **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 The Mayor's Education Award and the Mayor's Higher Education Award have budgets available of £370k and £630k respectively in 2015/16.

## **5. LEGAL COMMENTS**

- 5.1. The power of the Commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31 March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 5.2. The wording used by the directions is that the Commissioners will exercise the power "relating to the making of grants under any statutory power or duty". There is no definition of grant given under the directions and therefore, the assumption must be that a grant is that which would be deemed to be a grant under the law.
- 5.3. There is no strict legal definition of grant. However, a grant is in the nature of a gift and is based in trust law. It is also clear that for a grant to be properly made it needs to be given to another person or organisation, and outside a contract for services. The nature of the Tower Hamlets Educational Maintenance Allowance falls within the definition of a grant as the allowances are paid to individuals who are not employed by the Council and there is no legally enforceable duty to make the payments to those specific individuals.
- 5.4. The recommendations in this report are consistent with section 13A of the Education Act 1996, which places a duty on the Council to ensure that its education functions are exercised with a view to promoting high standards, ensuring fair access to opportunity for education and learning, and promote the fulfilment of learning potential for young people under the age of 20 years in secondary and higher education.
- 5.5. In carrying out its functions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). A proportionate level of equality analysis is required to discharge the duty and this is relevantly dealt with in the One Tower Hamlets section of the report.

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1. The grants discussed in this paper support young people in completing their education. The Education Maintenance Award promotes good attendance, encouraging young people to remain in education when pressures outside of learning may prove sufficiently high to force them to give-up study. The higher education awards are marginal in impact and not well targeted and so only

pay a general role in supporting learning. These will form the basis of a further paper.

## **7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 Students in receipt of these awards will gain qualifications which will help them build independence and financial security through high quality employment. The social impact of the return on investment for these awards is difficult to quantify but are likely to bring a return and historically, many of our graduates have returned to live and work in the borough.

## **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 Not applicable

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 Not applicable.

## **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

These grants encourage young people to remain in education for longer and to become better qualified. There is good evidence that these characteristics, in turn, reduce the amount of crime in the community.

## **11. SAFEGUARDING IMPLICATIONS**

- 11.1 Not applicable.

---

## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- Record of the decisions of the Commissioners' Decision Making Meeting held at 6.30 p.m. on Wednesday, 27 May 2015  
<http://modgov.towerhamlets.gov.uk/documents/g5882/Decisions%2027th-May-2015%2018.30%20Commissioners%20Decision%20Making%20Meeting.pdf?T=2>

### **Background information**

- Grants <http://www.gatewayhousing.org.uk/grants-and-internships>

### **Appendices**

- None

### **Officer contact details for documents:**

N/A