

## **CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE**

**4 MARCH 2021**

### **MEMBER'S ITEM: MANAGEMENT OF YOUTH CENTRES**

Report from: Ian Sutherland, Director of People – Children and Adults Services

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#### Summary

This report is in response to a request from Councillor Johnson and provides information on the management of youth centres.

1. Budget and policy framework
  - 1.1. Under Medway Constitution Overview and Scrutiny rules (Chapter 4, Part 5, Paragraph 9.1) Councillor Johnson has requested that an item on this matter is included on the agenda for this meeting.
2. Background
  - 2.1. Councillor Johnson has requested that an item be placed on the agenda relating to the proposal to change the management model of Medway's youth centres.
3. Director's comments
  - 3.1. This report outlines the intention to support the merger of four charities associated with four council youth centres to form one organisation that support Medway Youth Service. Currently there is no written agreement between the council and the four charities; they have been operating on a customs and practice basis since the 1980 and 90s. There have been previous attempts to produce service level agreements with the charities, however each attempt has failed to be concluded satisfactorily. Most of this dealt with the centres relationships with the physical council owned or leased buildings which was not relevant post the 2017/18 restructure, as responsibility for maintaining the buildings returned to the council.

3.2. Work has been undertaken with representatives from the four Management Committees since 2017/18 in regard to merging to form one CIO (Charitably Incorporated Organisation) that supports the work of the Youth Service. This has included consultative exercises around the restructure of the youth service and more specific meetings about the setup and detail about how a CIO could work and what needs to happen to merge the organisations. The committees held differing views about the idea, but in March 2020, all four committee chairs agreed to move forward with exploring the CIO merger. There was delay during 2020/21 due to the impact of COVID however, a meeting held on 28 January 2021, where members agreed to further discuss with their committees in order to reach a decision. To date Woodies, Woodlands and Strood Management Committees have all agreed to merge to form a CIO and a response is awaited from Parkwood.

#### 4. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Four independent charities unable to function fully without support from the youth service. This could lead to financial irregularities	Due to reduced youth services administration support from 2017 the service is not able to provide the same level of administrative support. Although one committee has been able to maintain this function, the other 3 were unable to do so.	Merging the four charities to form a CIO which could be supported adequately by Youth Service Admin and Management.	B2
Charities struggling to maintain the required level of trustee support and therefore failing their constitutions and governance	Since the 2017 restructure, 3 of the charities have struggled to maintain the required level of trustee support. This is in part due to them no longer having the same relationship to the youth service buildings once Children's Services needed to use them more, making raising funds to maintain them impossible through external hiring.	The merger would reduce the need for as many trustees, making it easier to recruit suitable people. The charities would also shift their focus from raising funds to maintain buildings to raising funds to deliver youth work programs. It is felt this would be more attractive and sustainable in the longer term.	B2

## 5. Financial implications

- 5.1. There are no direct financial implications for the council. The charities are external bodies who work with the council. The Council provides administration support for three of the four committees rather than making a cash financial contribution.
- 5.2. The committees hold funds in trust for the Youth Service, which have been raised in a variety of ways. The current situation risks loss of access to funds associated with the youth service if a committee were to mismanage funds or through failing its governance duties make funds inaccessible to the Youth Service. Jointly the three committees supported by the council currently hold just under £86,664 in trust. Further funds are held by Woodlands Committee, but these are no longer administrated by the Council.

## 6. Legal implications

- 6.1. Section 507A of the Education Act 1996 imposes a duty on local authorities to ensure that the facilities for primary and secondary education provided for their area includes adequate facilities for recreation and social and physical training for children under the age of 13. In making arrangements for such provision a local authority must have regard to the expediency of co-operating with any voluntary societies or bodies whose objects include the provision of facilities or the organisation of activities of a similar character.
- 6.2. Furthermore, s507B of the Education Act 1996 imposes a duty on local authorities to promote the well-being of persons aged 13 – 19 (and of persons aged up to 25 with learning difficulties) by securing access for them to sufficient educational and recreational leisure-time activities and facilities, so far as is reasonably practicable.
- 6.3. In performing its duty under section 507B of the Education Act 1996 the local authority is required to ascertain from young people in the authority's area their views on existing provision and the need for any additional provision, and to take those views into account.
- 6.4. The Youth Service is recommending that the new CIO adopts the Charity Commission's model constitution for a CIO, with appropriate amendments, ensuring that the new CIO has the appropriate governance in place. Once this is agreed the council will be in a better position to form a written agreement with the new CIO which would outline the governance relationship between the CIO and the Youth Service.

## 7. Recommendations

- 7.1. The Committee is asked to note the report.

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## Appendices

None

## Background papers

None