

Children's Trusts:

statutory guidance on
co-operation arrangements,
including the Children's Trust
Board and the Children and
Young People's Plan

CONSULTATION DRAFT



Note on the status of this consultation document

This document provides draft new statutory guidance on Children's Trusts and draft new Children and Young People's Plan regulations (provided at annex D). The consultation is on both the statutory guidance and the regulations.

The statutory guidance is largely and the regulations wholly underpinned by changes introduced by the Apprenticeships, Skills, Children and Learning Act 2009.

Dates of the consultation

The consultation on the draft new statutory guidance and regulations will run from Friday 13 November 2009 to Friday 29 January 2010. This provides a consultation period of 11 weeks. The shortened consultation period has been due to a delayed start in order not to launch the consultation before the Apprenticeships, Skills, Children and Learning Bill had received Royal Assent and become an Act of Parliament. The end date of the consultation has not been delayed, because it is important that the Department has sufficient time to take all responses on board before publishing the final statutory guidance and regulations prior to the commencement of the requirement for local authorities to establish a Children's Trust Board coming into effect. We expect section 12A of the Children Act 2004 (which requires the establishment of the Children's Trust Board) to come into force on 1 April 2010.

We intend to publish final versions in early spring 2010.

Consultation questions

There are a total of 13 consultation questions. These have been provided in appropriate places throughout this document, with a full list of questions provided after the contents page. We invite readers to respond either through the DCSF e-consultation website or by post. All details are available through the link below.

<http://www.dcsf.gov.uk/consultations/index.cfm>

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Consultation questions

Children's Trusts: statutory guidance on co-operation arrangements, including the Children's Trust Board and the Children and Young People's Plan

1. Overall, do you agree that the guidance will help to strengthen the engagement of Children's Trust partners (statutory or otherwise)? If not, what else is needed?
2. Does the guidance provide a clear explanation (in chapter one) of what the Children's Trust and the Children's Trust Board are and do, and how they are different? If not, how else should this be covered?
3. Does the guidance provide sufficient clarity (in chapters two and seven) on how partners should be represented on the Children's Trust Board? If not, how else should this be covered?
4. Does this guidance make clear (in chapter three) the integrated tools and processes to be used in Children's Trust co-operation arrangements? If not, how else should this be covered?
5. Does the guidance make clear (in chapter four) what the responsibilities of the Children's Trust partners and the Children's Trust Board are around commissioning? If not, how else should this be covered?
6. Does the guidance make clear (in chapter six) the role of the Children's Trust Board in developing the local workforce strategy? If not, how else should this be covered?
7. Does the guidance make clear (in chapter seven) how to set up the Children's Trust Board? If not, how else should this be covered?
8. Should the guidance provide (in chapter seven) additional information about the support and challenge role of the Government Office, and how they will work with the Children's Trust partners and the Board on areas where they may need improvement support?
9. Does the guidance make clear (in chapter eight) what the responsibilities of the Children's Trust Board are around representing children and young people's interests [and ensuring that the CYPP is properly reflected] in wider strategic planning overseen by the Local Strategic Partnership? If not, how else should this be covered?

10. Does the guidance make clear (in chapter eight) what steps the Board should take in preparing, publishing and reviewing the CYPP? If not, how else should this be covered?
11. Do you agree it would be helpful if the guidance were linked to “good practice” examples hosted on existing websites? Do you have any examples of web-sites to suggest? What would be the most helpful way of spreading good practice and through which websites?

Children and Young People’s Plan regulations

12. Do you agree that the matters to be dealt with in the Plan as set out in Section 4 of the Regulations are appropriate?
13. Are there additional requirements that you would like to see set out in the Regulations? If so, what are they?

Introduction

- 0.1 Children's Trust co-operation arrangements are the means by which key local services for children come together in partnership to improve children's well-being. By 2008 every local area had some co-operation arrangements in place, but there was considerable variation in the structure as well as the maturity of those arrangements. *The Children's Plan: building brighter futures* (2007) envisaged a new leadership role for Children's Trust Boards, and the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009 will strengthen Children's Trust co-operation arrangements more generally by standardising what has been shown to be effective practice.
- 0.2 In 2003 the Government published the seminal Green Paper *Every Child Matters* which established that protecting the most vulnerable children in society had to be central to improving the lives of all children. *The Children's Plan* built on progress made to raise the bar yet further, while the *National Service Framework for Children, Young People and Maternity Services* (2004) and the *Child Health Strategy, Healthy Lives, Brighter Futures* (2009) set out in detail the improvements in health services required to meet these ambitions. The intention was (and remains) to develop fully integrated services for children addressing the needs and the best interests of each and every child. This is underpinned by the General Principles of the United Nations Convention on the Rights of the Child (UNCRC) which the Government is committed to implementing¹.
- 0.3 Realising this vision, in which vulnerable children are protected within a framework of universal services to improve the well-being² of every child, requires excellent, integrated services focusing on the needs of each child, young person and/or their family. It also means universal services being proactive in identifying and addressing situations where children would benefit from extra support and having confidence that appropriate targeted and specialist support is available when needed.
- 0.4 Children's Trusts have developed in different ways and that local variation should continue because what works well in one place will not necessarily work so well in another. It is more important that every local area is able to meet the challenge set

1 The UNCRC is an international human rights treaty that grants all children and young people (aged 17 and under) a comprehensive set of rights. The UK ratified the convention in December 1991. Further details about the UNCRC can be found through the following link: <http://www.dcsf.gov.uk/everychildmatters/strategy/strategyandgovernance/uncrc/unitednationsconventionontherightsofthechild/>

2 Well-being means achieving five positive outcomes: be healthy; stay safe; enjoy and achieve; make a positive contribution; and achieve economic well-being. These were enshrined in section 10(2) of the Children Act 2004.

by the *Children's Plan*. This guidance sets out minimum standards which localities should aim to exceed – some are doing so already.

Explanation of key terms

0.5 Since it was originally coined in 2003 the term 'Children's Trust' has been used in various ways. The ASCL Act 2009, which uses the term in legislation for the first time, has provided some much needed clarity and this section provides definitive advice on this and related terms, some of which (for example Children and Young People's Plan) will have different meanings in the future.

- The **Children's Trust** is the sum total of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people. It is not of itself a separate legal entity; each partner retains its own functions and responsibilities within the partnership framework. It operates at every organisational level from governance to front line delivery and is underpinned by section 10 of the Children Act 2004. Section 10 requires the local authority to 'make arrangements to promote co-operation' between itself and its partners to improve children's well-being, defined by the five outcomes (see annex A).
- The **Children's Trust Board** will be a statutory body³ that every local authority will be required to have in place by April 2010. It is also a part of the wider co-operation arrangements under section 10 of the Children Act 2004. The Board will have responsibility for developing, publishing, reviewing, revising and monitoring the implementation of the Children and Young People's Plan. (Although having a good Board in place is necessary for a strongly functioning Children's Trust, partners should recognise that it alone will not be sufficient to deliver the required improvements in outcomes for children.)
- **Statutory 'relevant partners' and other important non-statutory partners.** Section 10 of the Children Act 2004 names statutory 'relevant partners' which are required to 'co-operate' (with a view to improving children's well-being) with the local authority in 'making' the co-operation arrangements that are the Children's Trust. A full list of these partners is provided in chapter 2. There are also many other partners which are not statutory but which are nonetheless essential to improving outcomes. In most cases they have not been included as statutory partners because they are independent or private bodies and it would not be appropriate to place a statutory duty on them, or they are simply too varied to capture efficiently in legislation. In practical terms, the difference between statutory and non-statutory partners may not be significant. What

3 The ASCL Act 2009 requires each local authority to establish a Children's Trust Board as part of its arrangements to promote co-operation to improve well-being for children under section 10 of the Children Act 2004.

matters is that the co-operation arrangements, including the Children's Trust Board, include the right set of people for the task, and in most cases this will include a significant proportion of non-statutory partners.

- **The Children and Young People's Plan (CYPP)** brought in by the ASCL Act 2009 from April 2010 will be the responsibility of the Children's Trust Board. It will be the agreed joint strategy of the partners in the Children's Trust on how they will co-operate to improve children's well-being (the five outcomes (see annex A)).

The status of this guidance

- 0.6 This guidance brings together statutory guidance on Children's Trust co-operation arrangements, and the procedures and functions of the Children's Trust Board (including the Board's role in preparing, reviewing and monitoring the CYPP). It replaces *Children's Trusts: statutory guidance on interagency cooperation to improve well-being of children, young people and their families* (2008) and *Children and Young People's Plan Guidance* (2009)⁴. It is issued under sections 10(8), 10(10) and 12B(4) of the Children Act 2004 as amended by the ASCL Act 2009.
- 0.7 The guidance should be read by anyone with an interest in services for children, but local authorities, their statutory 'relevant partners' and the Children's Trust Board must have regard to it⁵. This means they should follow the guidance unless they can demonstrate a good reason for departing from it. The statutory 'relevant partners' include district councils, Strategic Health Authorities, Primary Care Trusts, youth offending teams, the police, probation services, maintained schools, FE and sixth-form colleges, non-maintained special schools, Academies and Jobcentre Plus. For further advice on statutory 'relevant partners' and non-statutory but still highly 'relevant' partners, please see chapter 2.
- 0.8 As this is statutory guidance, we have not included detailed examples of good practice. However, annex C provides a list of sites which might provide helpful practical material. The choice of whether or not to adopt examples provided through them has to be for the local partners.
- 0.9 While this guidance is specific to England, many of the challenges are common across the four countries of the United Kingdom. The Devolved Administrations in Northern Ireland, Scotland and Wales will each consider the most appropriate arrangements, for those areas for which they have devolved responsibility, by which to address the issues in ways that meet their own circumstances and needs.

4 The CYPP guidance (2008) was non-statutory guidance but this guidance, on the exercise of the Children's Trust Board's functions and procedures (including its role in developing and monitoring the CYPP), is statutory under new section 12B(4)(b) of the Children Act 2004 as amended by the ASCL Act 2009.

5 Section 10(8) of the Children Act 2004 and new section 12B(4)

What has changed?

0.10 This guidance reflects the changes arising from the ASCL Act 2009

- The Children's Trust Board will be placed on a statutory footing from April 2010.
- Responsibility for developing, publishing and reviewing the CYPP passes from the local authority alone to the Children's Trust Board. The first new style CYPP must be published by April 2011.
- The CYPP becomes a joint strategy in which the Children's Trust partners set out how they will co-operate to improve the well-being of children and young people in the local area. It differs from the previous CYPP in that although the scope of the new CYPP includes all services that affect children and young people's well-being, once the Children's Trust Board has identified its main cross-cutting priorities, the Plan should focus on what the partners will do together to deliver them.
- Responsibility for implementing the CYPP remains with the individual partners, who are under a duty to have regard to the Plan. The Children's Trust Board is responsible for monitoring the extent to which the partners act in accordance with the Plan and to publish an annual report which sets this out.
- Schools (including Academies, non maintained special schools and Short Stay Schools/Pupil Referral Units), FE and sixth-form colleges and Jobcentre Plus will become new statutory 'relevant partners' in the Children's Trust co-operation arrangements from January 2010. This means that like other statutory 'relevant partners' they:
 - will be required to co-operate with the local authority and its other partners to improve children's well-being through the Children's Trust;
 - will (subject to any specific restrictions on partners' funding arrangements) be able to pool budgets and share other resources with the other partners; and
 - must be represented on the Children's Trust Board (see below).

0.11 The CYPP regulations, which are out for consultation, provide greater detail on what the CYPP must contain. See chapter 8 for details.

Overview

- 0.12 This document brings together guidance on Children's Trusts and CYPPs. It also includes further advice arising from the recent changes to the Children Act 2004 made by the ASCL Act 2009 and incorporates the Government's commitment to the United Nations Convention on the Rights of the Child (UNCRC).
- 0.13 Part One of the guidance looks at the implications of the new legislation and clarifies further what the Children's Trust co-operation arrangements are, the roles and responsibilities of the Children's Trust Board and how each of the partners should engage. Part Two covers some of the key tools and processes that should be developed as part of the Children's Trust co-operation arrangements to ensure that all children's services are effectively and appropriately commissioned, including those supporting early intervention, targeted support for vulnerable groups and workforce development. Part Three provides more detailed and technical advice on setting up the Children's Trust Board and producing the CYPP in line with the provisions in the ASCL Act 2009.

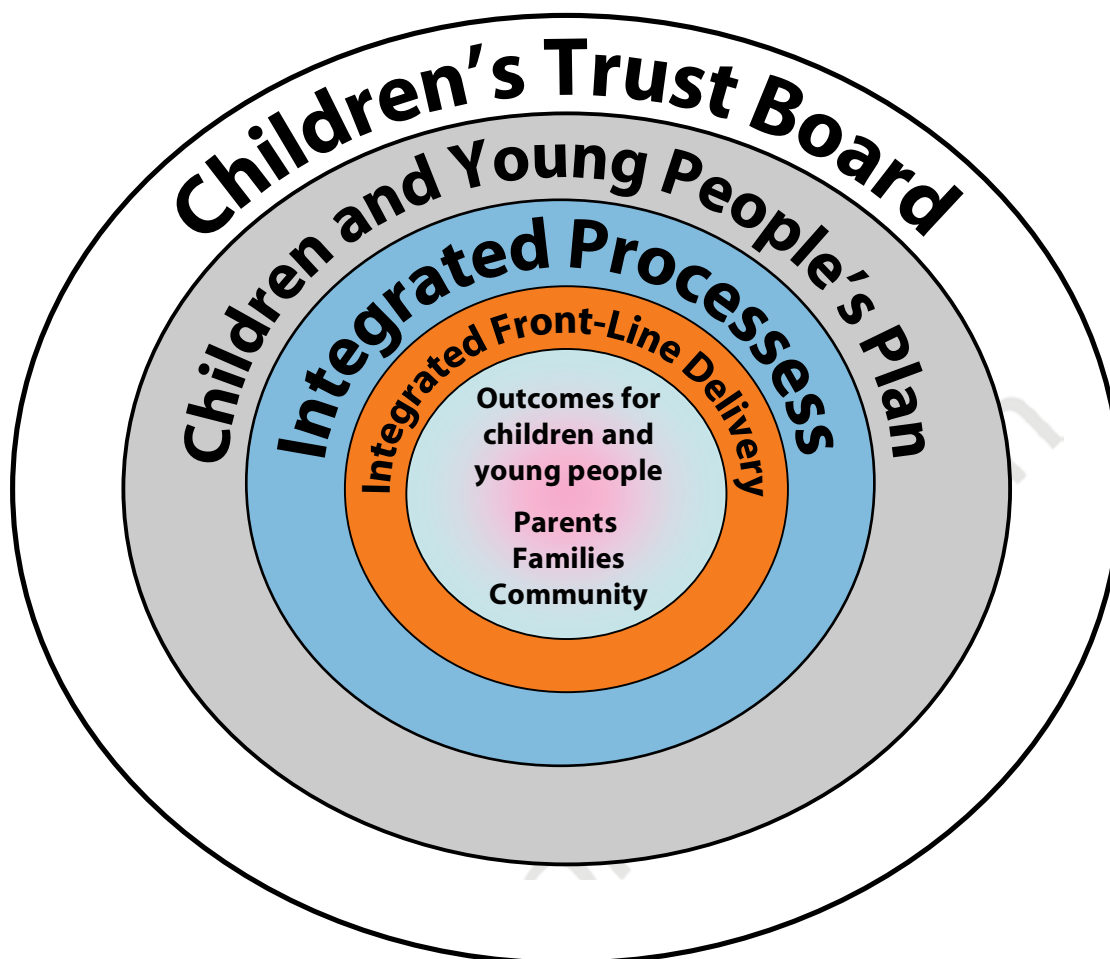
Part One: Strengthening Co-operation

1 The Children's Trust co-operation arrangements

- 1.1 The Children's Trust is the sum total of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people (see annex A). This includes the Children's Trust Board. The aim is to promote co-operation between partner organisations to improve children's well-being which should be underpinned by the General Principles of the UNCRC (see paragraph 0.2 above). **The Children's Trust is not a separate organisation. Each partner within the Children's Trust retains its own functions and responsibilities within the wider partnership framework.**
- 1.2 These co-operation arrangements can take any number of shapes, from formal agreements, with pooled funds and delegated functions (where permitted⁶), to softer or more ad hoc arrangements. They should also **operate at every organisational level**, from developing the overall strategy to delivering front line services. The Children's Trust Board is part of the co-operation arrangements (the part which provides the interagency governance of the arrangements), each Sure Start Children's Centre is another and processes, such as use of the Common Assessment Framework and joint staff training programmes, are also part of these same Children's Trust co-operation arrangements.

6 See for example regulations made under section 75 of the National Health Service Act 2006, which permit local authorities and prescribed NHS bodies to delegate certain health-related functions to each other.

Children's Trust co-operation arrangements



The new legislation

- 1.3 The Apprenticeships, Skills, Children and Learning (ASCL) Act 2009 will strengthen Children's Trusts by:
- requiring every local area to have a Children's Trust Board;
 - giving the Children's Trust Board (rather than the local authority as before) responsibility for producing, publishing, reviewing and revising the CYPP; while
 - leaving responsibility for implementing the CYPP to Board partners; and
 - extending the number of statutory 'relevant partners' to include maintained schools, Academies, non-maintained special schools, FE and sixth-form colleges, Short Stay Schools / Pupil Referral Units⁷ and Jobcentre Plus.

7 Short Stay Schools are included through regulations [to be made] under paragraph 3 of Schedule 1 to the Education Act 1996.

The Children's Trust Board

- 1.4 This is a statutory body⁸ which provides interagency governance of the co-operation arrangements as a whole (through the CYPP process). **The Children's Trust Board should have a clear and separate identity within the wider co-operation arrangements.** Chapter 7 sets out in greater detail many of its features.
- 1.5 Its statutory functions relate almost exclusively to the CYPP (see chapter 8). The purpose of the Children's Trust Board is to bring all partners with a role in improving outcomes for children together to agree a common strategy, on how they will co-operate to improve children's well-being and to ensure that the partners stick to that agreed strategy. **Delivering the strategy, however, remains the responsibility of the partners, both individually and together.** Similarly it provides a strategic framework within which partners may commission services together, with pooled or aligned budgets; but it is not itself a joint commissioning body.
- 1.6 This means each partner's existing lines of accountability are unchanged, i.e. each partner of the Children's Trust Board retains its existing formal lines of accountability for delivering its functions.

The Children and Young People's Plan (CYPP)

- 1.7 Preparing and reviewing the CYPP is the responsibility⁹ of the Children's Trust Board. The Plan is **the agreed joint strategy of the partners in the Children's Trust on how they will co-operate to improve children's well-being** (over the five outcomes). It differs in several important respects from the previous CYPP, which was the sole responsibility of the local authority. Although the scope of the new CYPP includes all services that affect children and young people's well-being, including services for adults and families that have an impact on children, it is not necessary or desirable for the Plan to include a list of everything each of the partners does for children. The needs assessment process must cover the full range of a child's experience and, once the Children's Trust Board has identified its main cross-cutting priorities, the Plan must set out what the partners intend to do **together** to deliver them. It should specify how the individual partners will co-operate with each other to help deliver the agreed priorities.

8 The ASCL Act 2009 requires each local authority to establish a Children's Trust Board as part of its arrangements to promote co-operation to improve well-being for children under section 10 of the Children Act 2004.

9 All Children's Trust Boards must be in place by April 2010 and the first joint CYPP published by April 2011.

- 1.8 Many actions are taken through different Children’s Trust partnership arrangements; some around specific themes, such as teenage pregnancy, or around a particular group, such as looked after children or children in contact with the youth justice system. Other actions are taken by organisations alone but in alignment with their partners to achieve a common goal, such as raising attainment. All of these are regarded as joint working and should be included in the Plan. **The overriding purpose of the new CYPP is to drive forward better integrated services to improve outcomes for children and young people**, not simply to map everything each partner does for children and young people in isolation.

What Children’s Trust partnerships (including the Children’s Trust Board) do collectively

- 1.9 Children’s Trust co-operation arrangements, which include the Children’s Trust Board, promote co-operation through partnership working at every organisational level to commission or deliver services which are child- and family-centred and improve outcomes for all children and young people in the local area.
- 1.10 The essential actions are to:
- develop and promote a local vision – set out in the CYPP – to drive improved outcomes for local children, young people and their families;
 - achieve this through better integrated services which narrow gaps in outcomes for disadvantaged groups against a background of improved outcomes for all;
 - put in place robust arrangements for interagency governance (i.e. the Children’s Trust Board);
 - develop better integrated strategies such as strategic commissioning with pooled or aligned budgets, shared data and other information, and workforce development (this is explained in greater detail in Part 2);
 - support those strategies via more integrated processes including effective joint working sustained by a shared understanding of professional language and common systems; and
 - develop and promote better integrated front line delivery, organised around the child, young person or their family in a setting that supports family life rather than professional or institutional barriers.
- 1.11 The Children’s Trust Board is additionally responsible for:
- developing and publishing the CYPP, keeping it under review and revising it; and

- monitoring progress and producing a report on the extent to which the Children's Trust partners deliver their commitments in the CYPP.

What the Children's Trust partners do individually

- 1.12 **The partners in the Children's Trust (both statutory and those included by local agreement) are individually responsible for implementing the CYPP in the course of delivering their normal functions.** Partners will set out in the CYPP what their strategy will be to co-operate to improve children's well-being. This should include, wherever possible, the level of resource each partner intends to commit to it. They must 'have regard' to the Plan¹⁰ and the commitments they have made, which means if they depart from them, they must be able to show a good reason for doing so.
- 1.13 Section 10 of the Children Act 2004 says that the local authority is required to 'make' the co-operation arrangements, including the Children's Trust Board,¹¹ and each of the statutory 'relevant partners' is required to co-operate with it in doing so. In practice this means engaging with and contributing to the various arrangements for co-operation (partnerships, tools and processes) that are put in place. The local authority has a leading role insofar as it must make sure the arrangements are in place and fit for purpose, but in all other respects it is one partner among equals within the partnership and alone it does not have the power to direct any other Children's Trust partner on how to use its resources.

How the Children's Trust Board fits within the Local Strategic Partnership

- 1.14 Although it will be a statutory body in its own right, the Children's Trust Board fits within the wider Local Strategic Partnership (LSP) as a thematic partnership¹². The LSP informs and influences the strategic vision for the whole population in the local area (the Sustainable Community Strategy) and, in partnership with the local authority, agrees the priorities for improvement in the local area agreement (LAA)¹³. The Joint Strategic Needs Assessment (JSNA) process helps LSPs identify common needs, inequalities and priorities for health and other well-being¹⁴.
- 1.15 **It is vital that the Children's Trust Board is firmly positioned within the LSP so it can champion the interests of children and young people within this forum and ensure that the CYPP is fully consistent with the strategic vision in the**

10 New section 17A of the Children Act 2004 as amended by the ASCL Act 2009.

11 New section 12A of the Children Act 2004 as amended by the ASCL Act 2009.

12 Statutory guidance: "Creating Strong, Safe and Prosperous Communities", published July 2008.

13 <http://www.communities.gov.uk/localgovernment/performanceframeworkpartnerships/>

14 <http://www.dh.gov.uk/en/Managingyourorganisation/JointStrategicNeedsAssessment/index.htm>

Sustainable Community Strategy. The Children’s Trust Board also has an important role in agreeing and shaping the full range of LAA targets that relate to and impact upon children, young people and their families locally. And the Children’s Trust partners, again through the CYPP, should contribute to and help drive the delivery of those targets.

- 1.16 The Children’s Trust Board is also well placed to influence, through the LSP, infrastructure planning at local and regional levels to ensure that facilities for children, young people and their families are embedded in the local housing, regeneration and transport plans and action to reduce carbon emissions. Similarly, improved outcomes for children must be a corporate priority for the local authority as a whole and factored into the work of the LSP. Most of the statutory ‘relevant partners’ are members of the LSP in their own right but schools and FE and sixth-form colleges are not, so the Children’s Trust Board should ensure it represents the views of schools and FE and sixth-form colleges in the context of the wider community priorities.

How the Children’s Trust Board works with other partnerships

Local Safeguarding Children Board (LSCB)

- 1.17 Keeping children safe is a top priority for the Children’s Trust Board and each of the Children’s Trust partners, statutory and non-statutory alike. Children’s Trust Boards should, therefore, work closely with, and be clear how they relate to, the LSCB, which is responsible for co-ordinating work to safeguard and promote the welfare of children.
- 1.18 Lord Laming’s progress report, *The protection of children in England* (2009), stressed the importance of a ‘clear distinction between the roles and responsibilities between LSCBs and Children’s Trusts to ensure appropriate challenge, scrutiny and impartiality’. The Children’s Trust Board and the LSCB have important but distinctive roles in keeping children safe. This relationship is currently subject to consultation as part of the revision of *Working Together to Safeguard Children*.
- 1.19 The consultation document proposes that the Children’s Trust Board is responsible for ensuring that services work in co-operation to improve outcomes for children through the CYPP. Drawing on support and challenge from the LSCB, the Children’s Trust Board will ensure that the process for developing the CYPP identifies strengths and weaknesses in the area and that the Plan itself sets out what more needs to be done by each partner to improve outcomes in safeguarding.
- 1.20 It is crucial that the Children’s Trust Board and the LSCB form a strong relationship which reflects their important but distinctive roles in keeping children safe. The

Children's Trust Board is specifically accountable for overseeing the delivery of the CYPP. The LSCB is responsible in turn for challenging the Children's Trust Board on their success in ensuring that children and young people are kept safe.

- 1.21 The LSCB should not be subordinate to or subsumed within the Children's Trust in a way that might compromise its separate identity and independent voice. It should be consulted on issues which affect how children are safeguarded and their welfare promoted. The LSCB must be consulted during the development of the CYPP.
- 1.22 The LSCB and Children's Trust Board will need to establish and maintain an ongoing and direct relationship, communicating regularly. They need to ensure that action taken by one body does not duplicate that taken by the other and work together to ensure there are no unhelpful strategic or operational gaps in policies, protocols, services or practice.
- 1.23 The ASCL Act 2009 requires the LSCB to publish an annual report on the effectiveness of safeguarding arrangements locally. These reports should recognise the achievements made in the local area, highlight challenges to be overcome and, where needed, challenge the Children's Trust Board to take the strategic action needed across all services to help keep children safe in their area. The LSCB will present its annual report to the Children's Trust Board, and the Children's Trust Board in turn will respond through the CYPP.
- 1.24 Local Authority Chief Executives and Council Leaders also have crucial roles to play. Chief Executives are responsible for satisfying themselves that the Directors of Children's Services are fulfilling their responsibilities for safeguarding and promoting the welfare of children and young people. In particular they should ensure that:
 - the relationship between the Children's Trust Board and the LSCB is working effectively;
 - clear responsibility has been assigned within the local authority and among Children's Trust partners for improving services and outcomes; and
 - targets for improving safeguarding and progress against them are reported to the Local Strategic Partnership.

Crime and Disorder Reduction Partnerships

- 1.25 The Children's Trust Board should engage with other thematic partnerships in the LSP, especially the Crime and Disorder Reduction Partnership (CDRP). The CDRP has a duty on its members to work together to develop and implement strategies to tackle crime and disorder, anti-social behaviour and misuse of drugs and alcohol in

the area. Although the two partnerships play different roles, promoting positive outcomes for young people is an objective shared by both. The two partnerships have many of their partners in common including the police and probation and the Youth Offending Team (YOT) – itself a multi-agency team – which have an important role to play in delivering the local priorities of both. See paragraphs 2.20 to 2.24 below on YOTs.

Behaviour and Attendance Partnerships

- 1.26 Behaviour and Attendance Partnerships, made mandatory through the ASCL Act 2009, aim to ensure that secondary schools (including Academies and Short Stay Schools/Pupil Referral Units) co-operate with one another to promote good behaviour and discipline, and reduce persistent absence. This partnership is based on the principle that schools in a geographical area should take collective responsibility for all the children and young people in their community. By sharing resources and expertise, commissioning joint services and each taking an equitable share of pupils who are hard to place, greater progress can be made towards reducing the number of permanent exclusions, tackling low-level behaviour problems and reducing persistent absence.
- 1.27 Draft statutory guidance on Behaviour and Attendance Partnerships will be published in winter 2009/10. The ASCL Act 2009 requires these partnerships to provide Children’s Trust Boards with an annual report on the activities, priorities and outcomes of the partnership, and, as detailed in chapter 8, the Children’s Trust Board will need to take account of this in its preparation, monitoring and review of the CYPP.

Other school partnerships

- 1.28 The White Paper, *Your child, your schools, our future: building a 21st century schools system* (2009), includes an expectation that every school works in partnership. These partnerships may vary depending on local arrangements, but all should be part of and have their work embedded in the wider Children’s Trust co-operation arrangements. These school-based partnerships could include local area clusters, Behaviour and Attendance Partnerships, Federations and Trusts. School partnerships are well placed to identify each child’s wider needs and commission provision to address them. The Children’s Trust Board should help facilitate and support effective commissioning by schools, making clear through the CYPP the different levels at which commissioning for specific services will take place. For example, clusters of schools may wish to commission mental health services to deliver targeted mental health in their schools.

14-19 partnerships

1.29 The 14-19 partnership sits within the wider Children's Trust co-operation arrangements¹⁵. It is the strategic partnership which agrees and reviews the local long-term vision for delivering the 14-19 entitlement for young people. The partnership develops and evaluates area-wide strategies and plans to deliver the full range of 14-19 priorities (with 14-19 learning a central focus) and informs the commissioning of all services for 14-19 year olds¹⁶. These services include learning provision, Information Advice and Guidance, employer engagement, youth support services, facilities and transport. Each 14-19 partnership should produce a 14-19 plan, which will be an integral part of the CYPP¹⁷.

'Prevent' partnerships

1.30 Most local areas have a partnership specifically tasked to lead work on preventing violent extremism.¹⁸ The Children's Trust Board should take this work into account when developing the CYPP.

Child and Adolescent Mental Health (CAMHS) partnerships

1.31 Many local areas have a CAMHS partnership to make strategic decisions about the delivery of services to support the psychological well-being and mental health of children and young people. The Children's Trust Board should consider how they involve these partnerships, where they exist, in the preparation of the CYPP.

Scope

1.32 The co-operation arrangements, including the Children's Trust Board and the CYPP, are intended to improve outcomes for children and young people.¹⁹ To avoid creating barriers to effective partnership working and co-operation between different organisations, a wide definition of 'child' or 'young person' is used in section 10(9)²⁰. This flexibility allows organisations providing services for slightly different groups of children and young people to work together more easily.

15 Section 85 of the Education and Skills Act 2008.

16 14-19 includes learners up to the age of 25 if they have learning difficulties or disabilities.

17 14-19 Partnerships and planning guidance is available at <http://www.dcsf.gov.uk/14-19/index.cfm?go=site.home&sid=57&pid=496&lid=580&ctype=None&ptype=Contents>

18 <http://www.dcsf.gov.uk/violentextremism/>

19 Section 10(2) of the Children Act.

20 Section 10 refers to the well-being of "children", and 10(9) expands on this term. For the purposes of Children's Trust co-operation arrangements, the target audience of the arrangements include: young people aged 18 and 19; people over 19 receiving services as care leavers (under the Children Act 1989); and people over 19 but under 25 who have a learning difficulty (within the meaning of section 13 of the Learning and Skills Act 2000) and who are receiving services (under that Act).

- 1.33 Services provided primarily for adults, however, such as maternity, housing, transport, leisure, fire services etc. often directly affect children's and young people's well-being. The engagement of services with adults in a family may also affect the children, such as children of offenders. It is important when providing services primarily for adults that the needs of children and young people are also considered. It is also important to ensure there is a smooth transition for young people between children and adult services, in social care or health for example.
- 1.34 Furthermore, there are environmental services, including provision of green spaces and clean air, and strategies which seek to reduce carbon emissions, all of which have the potential to have a radical effect on children's well-being now and in the future.
- 1.35 There should be no sharp boundaries around services for children and young people: what matters is how best to improve outcomes for them in whatever way makes sense locally. To make this a reality clear and effective communication channels, especially with the Local Strategic Partnership (see paragraphs 1.14-1.16), and the Joint Strategic Needs Assessment (JSNA) should be developed.

Consultation question

Does this chapter provide a clear explanation of what the Children's Trust and the Children's Trust Board are and do, and how they are different? If not, how else should this be covered?

2 The Children's Trust partners

- 2.1 The partners in the Children's Trust co-operation arrangements, including the Children's Trust Board are:
- the top-tier local authority, required to set up and maintain the partnership;
 - the statutory 'relevant partners', (such as the PCT, police, schools, FE and sixth-form colleges and Jobcentre Plus), which are required to co-operate through the partnership; and
 - other partners, including those from the third sector, which have a key role to play in improving children's lives but are not under a duty to co-operate. These organisations are included in the partnership's 'co-operation arrangements' at the discretion of the local authority and may also become members of the Children's Trust Board following consultation with the other Board members.
- 2.2 The non-statutory partners are just as important as the statutory ones and, in the case of third sector organisations, for example, should be represented on the Children's Trust Board. The inclusion of non-statutory partners allows local partners the flexibility to shape their co-operation arrangements, including their Children's Trust Board, in a way that best suits local circumstances.
- 2.3 The Children's Trust Board is collectively responsible for developing, publishing, monitoring and reviewing the CYPP but responsibility for delivering it rests with each of the Board partners whose strategy for co-operation is set out in the Plan. The CYPP sets out the joint strategy for improving well-being for children and young people in the local area and the partners set out in the plan their strategy for co-operating with the other Children's Trust partners to improve outcomes. This may include joint ventures with one or more of the other partners, but should also include actions taken by that partner alone where it contributes to the overarching strategy.
- 2.4 Although each partner may have a particular interest in one of the five outcomes, all partners are to some extent responsible for all five outcomes. For instance schools have a major influence on 'be healthy' and 'making a positive contribution' as well as 'enjoy and achieve'; Primary Care Trusts have a key role in 'enjoy and achieve' as well as 'be healthy'; and the police are central to 'stay safe' as well as to 'make a positive contribution'.
- 2.5 The next section deals with each of the main partners in turn and considers how they may contribute to the joint strategy for improving the well-being of children, young people and families.

The top-tier local authority

- 2.6 Top-tier authorities include upper-tier authorities in two-tier areas and unitary authorities, both of which have responsibility for education and children’s social care. They have a lead role in setting up and maintaining the co-operation and partnership arrangements which comprise the Children’s Trust. They also have a specific responsibility for establishing the Children’s Trust Board. The aim, however, is to promote co-operation, so their leadership role must be exercised in a facilitative and consultative way which will enable partners to participate and contribute fully and develop a sense of ownership and commitment to the broad aim of improving children’s well-being.
- 2.7 It is important that local authority services which do not come under the direct management of the Director of Children’s Services, such as adult social care, housing, transport and leisure are included, as all of these areas are likely to affect children’s well-being. In unitary authorities, these services co-exist within the same organisation, so the Chief Executive has an important role in making the connections within the senior management team. The situation in two-tier areas is different because district councils, which have responsibility for a number of these important functions, are statutory ‘relevant partners’. Here the top-tier authority must engage with the districts through the Children’s Trust co-operation arrangements as it does with other ‘relevant partners’.

The statutory ‘relevant partners’ and how they should ‘co-operate’.

- 2.8 These partners are specifically listed in legislation and are placed under a duty to co-operate with the local authority in ‘making arrangements to promote co-operation to improve children’s well-being’. That is co-operation through the Children’s Trust between the organisations which commission or provide services for children (or which impact on children indirectly through their families) to improve the five outcomes summarised in annex A. Subject to any specific restrictions on their funding arrangements, relevant partners may pool funds or share other resources with the local authority, one another, or partners in another Children’s Trust as part of those arrangements. Relevant partners, together with the local authority, must also have regard to this guidance.
- 2.9 In addition, statutory ‘relevant partners’ must be represented on the Children’s Trust Board²¹ (see Chapter 7).

21 (excluding the Strategic Health Authority)

District Councils

- 2.10 In two-tier areas, district councils as 'relevant partners' have responsibility for a range of services which impact significantly on the well-being of children, young people and their families. For example, they lead on enabling all young people to have access to sufficient positive activities, and safe places to go to to meet friends and socialise. Other services, such as housing and transport, although aimed primarily at adults, directly affect children too.
- 2.11 In some large two-tier areas, the partnership is organised around a group of district-level children's trust boards co-ordinated at county level. This helps ensure that local differences are picked up and fed into the strategic planning of the Children's Trust Board and helps secure engagement of the district councils, including Elected Members, in the wider children's agenda.

Primary Care Trusts (PCTs)

- 2.12 PCTs, the local NHS organisations, have responsibility for improving health, reducing health inequalities, assessing the health needs of the local population and commissioning healthcare services from a range of providers to meet these needs through every stage of life.
- 2.13 Good physical and mental health is essential to securing improved outcomes for children and young people. **The partnership between the local authority and the PCT is the driving relationship of the Children's Trust.** Neither a PCT nor a local authority can deliver its priorities without the active co-operation of the other.
- 2.14 Since 1 April 2008, local authorities and PCTs have been under a statutory duty to produce a Joint Strategic Needs Assessment (JSNA). The JSNA informs Local Area Agreements and the Sustainable Community Strategy and feeds into the development of the Children and Young People's Plan.
- 2.15 *Healthy lives, brighter futures: the strategy for children and young people's health* (2009) sets out how the changes to Children's Trust co-operation arrangements can enable PCTs and local authorities to make a reality of their partnership to deliver improved health outcomes for children and young people. These key points include:
- using the Joint Strategic Needs Assessment for establishing a shared vision of local service needs;
 - clear, transparent local plans for children's health as part of the CYPP, including plans for delivering safe and sustainable health and well-being services in locations of choice frequented by children, such as schools and Sure Start

Children's Centres and delivering care close to home and in the home for children with acute or additional needs;

- an agreed approach to commissioning at local authority/PCT level, which includes a framework for practice-based commissioning and incorporates commissioning by schools;
- a joint focus leading to further action about progress on key children's health issues in the area, with joint scrutiny of feedback from children, young people and parents; and
- a joint approach to providing accessible and comprehensive information to children, young people and families about what health services, advice and support are available locally to meet their needs.

2.16 Local areas will agree their own specific priorities, but there are six commonly identified areas where joint working between PCTs and local authorities can improve outcomes. These are:

- safeguarding;
- early years (major benefits can be gained from PCT commissioning of universal services for families with pre-school children and local authorities' development of Sure Start Children's Centres and childcare);
- encouraging children and young people to be active and eat well in order to maintain a healthy weight;
- promoting emotional resilience and addressing mental health difficulties;
- supporting children and young people with additional, complex or acute health needs and their families through the provision of services in the home, school or community; and
- influencing risky behaviour among young people.

Key to all of these is prevention and early intervention, backed up by effective and accessible specialist services

2.17 The Director of Children's Services should consult the PCT to secure a lead GP on the Children's Trust Board to provide their professional expertise and offer advice on how to involve the wider community of GPs in developing and delivering the CYPP.

The Strategic Health Authority (SHA)

2.18 It is important that the SHA is a statutory 'relevant partner' in the Children's Trust co-operation arrangements because it provides strategic leadership to local health

systems. It develops NHS organisations, is responsible for workforce development (including education, training and workforce planning) and ensures that local health systems operate effectively and deliver improved performance. SHAs operate at a regional level and hold all local NHS organisations (with the exception of Foundation Trusts) to account for performance. They are not required to be represented on the Children's Trust Board²², but this does not preclude their involvement voluntarily, and they must be consulted on each CYPP, including the development of local workforce development plans.

- 2.19 The Regional Director of Public Health has the overall leadership and accountability for the Public Health function within the Strategic Health Authority and for Department of Health staff co-located in the Government Office for the region known as the Regional Public Health Group.

Youth Offending Teams, Police and Probation

- 2.20 Children's Trust partners and partnerships have a key role in commissioning services to help prevent offending and re-offending, and to help children and young people in the youth justice system gain access to the full range of support services they need. They are central to a local strategy for early identification, assessment and intervention in preventing offending behaviour becoming entrenched. That is why youth offending teams (YOTs), the police and the probation service, all agencies within the criminal justice system, are statutory 'relevant partners' in the Children's Trust. The police and probation also have a key role in identifying children and young people at risk of harm or other poor outcomes as a result of actions taken with adults in the child's family, for example with parents who offend.
- 2.21 The Youth Crime Action Plan (YCAP) and YCAP One Year On²³ set out the cross-Government approach to tackling and reducing youth crime, and the Children's Trust partners have a major part to play in their delivery. The police, probation and YOTs should make sure that their local Children's Trust Board is fully aware of its role in preventing youth crime and re-offending, and ensure that it is embedded within the CYPP together with related parenting and family support strategies.
- 2.22 The YOT, itself a multi-agency team, has an important role in making links between the criminal justice and social welfare systems. It is an important delivery partner for the Crime and Disorder Reduction Partnership as well as being a 'relevant partner' in the Children's Trust. It is also involved in work with children and young people identified locally as being at a high risk of offending. The YOT helps to establish the needs of each young person who has offended, and identifies suitable interventions and programmes to address them. This means that the YOT is well placed to advise

22 (by regulations under sub-section 12A(4) of the ASCL Act 2009)

23 <http://www.homeoffice.gov.uk/documents/youth-crime-action-plan/>

the Children's Trust Board on services needed by young people at risk of offending or re-offending and to ensure that it provides coherent planning to meet the needs of young people before, during and after their involvement in the youth justice system.

- 2.23 The YOT should provide a bridge between the Children's Trust partnership and the delivery of the Crime and Disorder Reduction Partnership priorities, and co-ordinate the effective provision of services for young people at risk of offending or re-offending. (See paragraph 1.25.) This includes a particular focus on the needs of young people entering or leaving custody and how these needs can best be met. In most cases, the YOT will be responsible for planning and supervising a young person serving a court sentence, but that young person may need access to mainstream and specialist services during their sentence and, crucially, when the sentence ends. The Children's Trust has an important role in ensuring partners take responsibility for making the right support available during the important transition from custody to the community or when the YOT's statutory supervision ends. Support is critical particularly in the provision of accommodation, health, education and social care.
- 2.24 Sentencers, for example youth court magistrates and district judges who work in Youth Courts, may also have an interest in the work of the Children's Trust. The YOT should ensure that sentencers are able both to contribute to the work of the partnership and also to gain a clearer picture of the existing services for young people. This involvement could be through an invitation to participate in the Children's Trust at a local level or through regular updates on Children's Trust work especially where it will impact on the youth justice system.

Schools

- 2.25 The ASCL Act 2009 adds, among others, maintained schools, Academies, City Technology Colleges, and City College for the Technology of the Arts to the list of 'relevant partners'. This is consistent with the role for schools set out in the White Paper *Your child, your schools, our future: building a 21st century schools system* (2009), where schools work in partnership to enable every child to succeed. It also strengthens the voice of front line providers at the strategic level by formalising schools' representation on the Children's Trust Board (see Chapter 7).
- 2.26 As well as being the main universal providers of services for children, schools can also be commissioning bodies. Where schools commission services individually or in partnership they will use their own budgets and expertise to identify what their pupils need most. But they must also 'have regard' to the CYPP and ensure that their commissioning fits into the wider strategic commissioning strategy of the Children's Trust Board. Individual schools can use their self evaluation form to demonstrate

how they are working in partnership with others in the local community to support their own pupils and others. During inspection, schools will be assessed by Ofsted on the effectiveness of partnerships in promoting learning and well-being. Within this, inspectors will take account of the effectiveness of the school's work with service providers, commissioned or brokered by the local authority to promote the safety and health of all learners.

*Maintained schools*²⁴

- 2.27 Children who are struggling at school often face a range of other difficulties. By engaging these children in learning, schools strengthen resilience and give the child the best chance of success in later life. Schools already have a duty to promote the well-being of their own pupils and should expect support from other Children's Trust partners to meet it. But as a statutory 'relevant partner' in the Children's Trust co-operation arrangements, each school can set that duty within a wider community context and, operating as part of a local system of service providers within the Children's Trust, will be enabled to promote the wider well-being of all children and young people in the area. Any new structures and processes should, where possible, build on existing arrangements where they are working well.
- 2.28 As providers of universal services for school age children, schools play an essential role in identifying children who need extra support, and, with appropriate advice and help from other agencies, can ensure that it is provided early enough to avoid more serious problems later on. Examples of children who might need extra help include children displaying behavioural problems or failing to attend school; at risk of committing or becoming victims of crime; in families with a parent suffering a mental illness; children who are bullying or who are being bullied; and children or young people with a special educational need or disability. Where the cause of the problem lies with the parent, the child's needs should be considered in the wider context of parent and family needs shaping the experience of the child²⁵. Schools are well placed to be the first line of support for children in all these circumstances.
- 2.29 Most schools routinely work in some form of partnership with other schools and service providers, and these partnerships should be integrated into the wider set of partnership arrangements that comprise the Children's Trust. For instance, some schools may work together with external partners as members of their charitable foundation or Trust. From September 2010, it will be mandatory for maintained schools, Academies²⁶ and Short Stay Schools to be members of School Behaviour and Attendance Partnerships. (See paragraphs 1.26 – 27.) The partnership must

24 This covers both mainstream and special schools.

25 Through the national rollout of *Think Family* all local authorities are being supported to implement services and systems that encourage looking at wider family needs.

26 Also City Technology Colleges and the City College for the Technology of the Arts in England.

prepare an annual report for the Children's Trust Board. The Children's Trust Board should consider those reports in its preparation, monitoring and review of the CYPP.

- 2.30 Schools, as 'relevant partners' within the Children's Trust and commissioners in their own right, must be represented on the Children's Trust Board. This will give them a stronger voice in local strategic decision-making about the services that are commissioned locally, which should mean they get better tailored services to help them meet the needs of all their pupils. It would be impractical for every school to attend the Children's Trust Board so a robust and fair system of representation should be set up to enable all schools to receive information and feed back comments to their representatives on the Children's Trust Board (see chapter 7). Schools should contribute to the process of developing this system of representation and actively engage through it with the Children's Trust Board once it is established.

Academies

- 2.31 Paragraphs 2.27-30 above on maintained schools apply equally to Academies. They are covered by the same statutory duty to co-operate and must have the same access to the Children's Trust Board through a local system of representation (see chapter 7). Engagement through the Children's Trust and access to the full range of partners for support is especially important as Academies are the main universal provider for some of the most vulnerable children in the country.

Special schools

- 2.32 It is important that the particular interests of children with special educational needs or disabilities in both mainstream and special schools are considered within the Children's Trust co-operation arrangements and by the Children's Trust Board. Maintained special schools are included as statutory 'relevant partners' on the same basis as other maintained schools. Non-maintained special schools are also 'relevant partners' in the Children's Trust and must be represented on the Children's Trust Board, although this may be through the same system of representation that covers maintained schools and Academies.
- 2.33 Like other independent schools, independent special schools supporting children with statements of special educational needs are not statutory partners but should be consulted in the preparation of the CYPP.

Short Stay Schools / Pupil Referral Units

- 2.34 The management committees of Short Stay Schools/Pupil Referral Units (SSSs) are statutory 'relevant partners' in the Children's Trust through regulations [to be made]

under paragraph 3 of Schedule 1 to the Education Act 1996. SSSs provide services to some of the most vulnerable children and young people in the local area, including children unable to attend mainstream schools, owing to illness, exclusion, or other causes. Strengthening the links between SSSs, other schools, (for example through the mandatory SSS membership of Behaviour and Attendance Partnerships) and other services for children and young people through the Children's Trust co-operation arrangements should improve the quality and effectiveness of alternative provision. Governance of SSSs differs from that of other maintained schools particularly in terms of financial independence from the local authority. For that reason they will not, for example, pool budgets like other statutory 'relevant partners'.

Further Education Colleges and Sixth-Form Colleges

- 2.35 Institutions within the further education sector²⁷ (referred to in the following paragraphs as "FE institutions") are also statutory 'relevant partners' in the Children's Trust co-operation arrangements covering the area in which their main site is located. This will help enable them to have a strong voice in local decisions about the use of resources and service commissioning. FE institutions also have a role to play in identifying young people who need extra support and, with appropriate advice and help from other agencies, ensure that it is provided early enough to avoid more serious problems later on.
- 2.36 Local authorities will have responsibilities for planning and funding 16-19 learning, which includes commissioning a range of provision from schools, FE institutions and other training providers to meet the learning needs of every young person in the local area up to the age of 19. This will be informed by the strategic commissioning priorities identified by the local strategic 14-19 partnership, which is a subset of the Children's Trust.
- 2.37 Most FE institutions draw learners from a wider geographical area than that of a single Children's Trust and may have sites in several different local areas. The college is only required to be the statutory 'relevant partner' in the co-operation arrangements of the Children's Trust which cover the geographical area in which its main site is located; that is, where the main administrative offices are housed. When at least a quarter of the college's students under the age of 19²⁸ come from an area

27 Further education colleges and sixth-form colleges, as defined in the Further and Higher Education Act 1992. The Apprenticeships, Skills, Children and Learning Act 2009 extends this definition to create two categories of institutions within the further education sector from 1 April 2010: further education college corporations and sixth form college corporations. The definition does not include independent specialist colleges.

28 Young people aged 18-19 in full time education or training are covered by the scope of the Children's Trust co-operation arrangements set out in Section 10(9) of the Children Act 2004.

where the main site is not located, that college should also work closely with the partners of that area's Children's Trust, becoming a non-statutory partner in its co-operation arrangements and joining the Children's Trust Board. This can be done at the discretion of the local authority with the agreement of its 'relevant partners'. One representative may cover the interests of more than one college on the Children's Trust Board to reduce burdens and keep the Board at a manageable size. The flexibility exists to organise these matters locally.

Jobcentre Plus

- 2.38 Jobcentre Plus is a statutory 'relevant partner' in the Children's Trust co-operation arrangements because it has a key role in eradicating child poverty. Its work in tackling worklessness, the affordability and availability of formal childcare, addressing low pay and reducing the number of young people not in employment, education or training (NEET) are all central to eradicating child poverty and improving outcomes for children and young people. Being a statutory 'relevant partner' will help Jobcentre Plus deliver a coherent package of support for young people through improved joint planning and delivery of local employment services, by ensuring it is effectively linked with wider children's services. Jobcentre Plus already plays an important role in Sure Start Children's Centres, where services are provided as part of the core offer to parents.
- 2.39 Through the Children's Trust co-operation arrangements and the Children's Trust Board, Jobcentre Plus will be able to work with partners to plan and deliver various strategies and services, such as training and providing financial, benefit and employment advice, in the most effective way. This may include delivering these services in family-friendly locations by local agreement.
- 2.40 Jobcentre Plus must be represented on the Children's Trust Board, but its districts are not coterminous with (Children's Trust) local authority areas, so Jobcentre Plus will work with its local partners to agree who is best placed to represent its interests on which Board. The representative should be able to cover the full range of Jobcentre Plus services²⁹ and have sufficient authority to speak for Jobcentre Plus locally and commit it, where appropriate, to the strategic and operational aims of the Children's Trust Board, including committing resources.

The non-statutory partners and how they can engage

- 2.41 This section covers those organisations which are not required to be statutory partners in the Children's Trust co-operation arrangements but which may add considerable value to the local partnerships and can be brought formally into the

29 This should include services to help lift parents out of poverty as well as the provision of childcare services.

Children's Trust partnerships at the discretion of the local authority and/or onto the Children's Trust Board after consulting its other partners. The statutory 'relevant partners' should be regarded as the minimum core membership, but each Children's Trust Board should always include some non-statutory members, including at least one representative of the third sector and one from a Sure Start Children's Centre. These non-statutory partners are no less important than the statutory partners.

Third sector³⁰

- 2.42 As the third sector has an essential contribution to make, every Children's Trust Board should include third sector representation. Third sector organisations often work with marginalised and vulnerable groups who do not engage positively with statutory organisations. This means the sector can be acutely aware of their needs and challenges, such as children with Autistic Spectrum Disorder. Third sector organisations can provide a route for the most marginalised to be heard by supporting and empowering individuals to speak for themselves or by advocating and campaigning on their behalf. They can also deliver services that vulnerable people trust.
- 2.43 The local flexibility to include non-statutory partners in the Children's Trust co-operation arrangements and on the Children's Trust Board allows the diversity and complexity of the sector to be accurately represented. Where smaller third sector organisations do not have the capacity to engage, the local authority should take steps to engage them in the Children's Trust Board, through local third sector infrastructure organisations, for example voluntary sector forums. All engagement with the third sector should follow the Compact principles which provide a framework for good partnership work for mutual benefit³¹.

Private sector

- 2.44 Along with the third sector, private sector organisations may provide a significant proportion of all early learning and childcare, including the Government's free entitlement for three and four year olds. Where this is the case, it is important they are represented on the Children's Trust Board.

30 The third sector is defined as non-governmental organisations that are value-driven and which principally reinvest their surpluses to further social, environmental or cultural objectives.

31 The 'Compact on Relations between Government and the Voluntary and Community Sector in England' (Compact), is the framework agreement for how the government and the sector should work together. Further information on Compact can be found at the following address – <http://www.thecomcompact.org.uk/>.

Sure Start Children's Centres

- 2.45 Sure Start Children's Centres are becoming a universal service – by 2010 there will be a children's centre for every community. Children's centres provide easy access to a range of services for all parents with young children under five, including: community and maternal health services; parenting and family support services; integrated early education and childcare; and links to training and employment opportunities. A key evidence-based preventive programme will be the Family Nurse Partnership programme³². Children's centres are places where integrated early childhood services are provided through arrangements made under the Childcare Act 2006 by the local authority working with the PCT and Jobcentre Plus.
- 2.46 We expect Children's Trust partners to take into account the provision of services through local children's centres as part of their development and implementation of the Children and Young People's Plan. Regulations³³ require that the Children's Trust Board must consult all Children's Centre Advisory Boards in the local authority's area when drawing up their Children and Young People's Plan. Staff at children's centres have a valuable understanding of the needs of very young children and families in the area, so there should be a children's centre representative on the Children's Trust Board. Robust and fair arrangements should be developed for the selection of a representative following principles similar to those for selecting a schools representative (set out in paragraph 7.19 of this guidance).
- 2.47 The Apprenticeships, Skills, Children and Learning Act 2009 inserted section 5E into the Childcare Act 2006, so that local authorities, Primary Care Trusts and Jobcentres Plus now have a duty to consider providing early childhood services through children's centres. This new duty is explained in more detail in our statutory guidance on children's centres.³⁴

General Practitioners

- 2.48 General Practitioners and GP practices play an important role within local services for children – as individual clinicians who are often a family's first point of contact and may help point them in the direction of other services; as practices working together with other local services; and increasingly as practice-based commissioners.

32 The FNP is an intensive evidence-based preventive programme that is known to benefit vulnerable children and young parents and which is currently being tested in many areas of England.

33 [Children's Trust Board (Children and Young People's Plan) (England) Regulations 2010]

34 Reference to Sure Start Children's Centre statutory guidance to be added on publication.

- 2.49 The work of Children's Trusts will be improved by greater input from GPs, with their extensive experience of dealing with the health needs of children and families. It is also vital that the children's services provided in every area support the work of GP practices.
- 2.50 The Director of Children's Services should consult the PCT to secure a lead GP on the Children's Trust Board to provide their professional expertise and offer advice on how to involve the wider community of GPs in developing and delivering the CYPP.

Providers of health care

- 2.51 Acute, Foundation and Specialist NHS Trusts and Community NHS services have a major role in improving outcomes for children and young people, and should be fully involved in the development of the Children and Young People's Plan. The Children's Trust partners should actively engage clinicians and health care providers in the development and operation of local arrangements for multi-agency working, information sharing and joint training.

Housing sector

- 2.52 Access to decent housing is a major factor in helping to improve outcomes for children and young people. This is a local authority function, so technically the appropriate strategic bodies (the local authorities) are among the statutory members. However in practice, housing (or adult social care) services may not be routinely included, as they might be considered 'adult services' outside the scope of the Children's Trust. This should not be the case³⁵. Within the local authority, the Chief Executive has an important role in forging those links and ensuring that the housing functions are exercised in a manner consistent with the strategies set out in the CYPP. For example, it is particularly important that there are effective working arrangements for promoting and planning accommodation for young people leaving care or custody and for homeless 16 and 17 year olds and to address the housing needs of children and young people who have complex health conditions or disabilities.

Registered Social Landlords

- 2.53 Registered Social Landlords are the main delivery agents of social housing and, as such, have a crucial influence on children's well-being. That is why the Children's Trust Board must consult social housing providers when preparing the local Children and Young People's Plan.

35 See for example joint guidance on supporting young homeless people and their families <http://www.communities.gov.uk/publications/housing/goodpracticeguide>

Adult services

- 2.54 As with housing, adult social care is a local authority function so should be taken into account by the local authority in setting up its Children's Trust co-operation arrangements and Board, but in practice is often regarded as outside the scope of the Children's Trust. It is, however, crucial that young people, especially those from vulnerable groups, make a smooth transition from children's to adult services. The Director of Adult Social Services (DASS) should work closely with the Director of Children's Services (DCS) to ensure young people leaving children's services have an easy transition. The local authority Chief Executive has an important role to make sure these links are made within the authority and that all local authority functions are exercised having regard to the strategies set out in the CYPP.
- 2.55 A key finding of the Child and Adolescent Mental Health Services (CAMHS) review was that young people with mental health needs are often overlooked in the planning and delivery of services when they make the transition to adulthood. As a vulnerable group, they need a particular focus to prevent them falling through the gaps between services. Children's Trust Boards are well placed to ensure that young people have a seamless transition in a planned and predictable manner.
- 2.56 Links with other adult services are important too, as services provided to adult members of a child's family could affect that child's well-being. Services involved with vulnerable adults have an important role to play in identifying children in need of additional support. Similarly, where a child is identified as having some additional needs, families may also require support. Children's Trust partners should work together to develop services that provide holistic support for child and family needs, with clear information for parents on what local support is available. Through the national roll out of *Think Family*³⁶, all local authorities and their partners should be working to implement services and systems which enable them to consider wider family needs.

School sector

Schools forums

- 2.57 Every local authority must have a Schools Forum for its area to represent maintained schools in the authority and other stakeholders with an interest in the distribution of the Dedicated Schools Grant through the Schools' Budget. Generally this representation will be by head teachers and governors of schools in partnership with other key stakeholders in the local authority. Schools forums have an important role to play in advising on the allocation of funding for education in a

36 <http://www.dcsf.gov.uk/everychildmatters/news-and-communications/local-authority-circulars-2008-2011/3112080003/>

local authority's area. The Children's Trust Board will therefore need to consult the Schools Forum when preparing the CYPP so that they have strategic input into agreeing local priorities, given their impact on matters relating to the authority's schools' budget. But the Schools Forum is not a statutory partner in the Children's Trust. Nor is it by itself an appropriate system of representation for schools on the Children's Trust Board, because its funding focus means it may not represent the full range of school interests. See also Chapter 7 on schools representation.

Diocesan boards of education

2.58 As substantial commissioners of education services with a major role in strategic planning, the Anglican and Catholic diocesan boards of education should be included in the co-operation arrangements and be represented on the Children's Trust Board. They play an important leadership and management role in the voluntary aided schools for which they are responsible. Schools with a religious character differ from other types of maintained schools in having a greater degree of independence with specific rights and responsibilities. Whilst the schools themselves will be statutory 'relevant partners' in the Children's Trust with representation on the Children's Trust Board, that alone may not be sufficient. The diocesan boards of education should, therefore, be represented on the Children's Trust Board and included in the cooperation arrangements. Every effort should be made to ensure that other faith communities with voluntary aided schools are also included in these arrangements as appropriate.

Independent schools

2.59 Independent schools are not statutory partners in the Children's Trust co-operation arrangements. It is important, however, that the same level of support is available for children in education outside the state-maintained system, so these schools should engage and be engaged by the Children's Trust partners as appropriate. There is local flexibility to allow any independent school to become a partner in the Children's Trust at the discretion of the local authority, and for them to join the Children's Trust Board at the invitation of the local authority after consulting its other partners', but there is no statutory duty on them to do so. The Children's Trust Board must, however, consult independent schools when preparing the CYPP.

FE and work-based learning sectors

Specialist colleges

2.60 Independent specialist colleges, unlike general FE institutions, are not statutory 'relevant partners' in the Children's Trust co-operation arrangements. They provide further education or training for young people with learning difficulties and/or

disabilities, so they represent the interests of a highly vulnerable group of young people. To ensure the need for this type of specialist provision is taken into account in strategic planning and commissioning, the Children’s Trust Board must consult specialist colleges during the preparation of the CYPP. As with other non-statutory partners, the flexibility exists for them to join the Children’s Trust partnership and Board by local agreement.

Work-based learning providers

- 2.61 Work-based learning providers should have a strong voice and be able to influence the strategic planning and commissioning of children’s services so that they can agree the part that they will play in delivering the CYPP and ensure they receive the support they need to deliver it. They should also be consulted on the CYPP.

Young People’s Learning Agency (YPLA)

- 2.62 The YPLA has not been included as a statutory ‘relevant partner’ because, unlike its predecessor body (the Learning and Skills Council); it will not routinely have a commissioning role in the local area. But should the YPLA take on such a role, it should be brought into the Children’s Trust co-operation arrangements as an additional partner and join the Children’s Trust Board³⁷.

Youth custodial establishments³⁸

- 2.63 A range of rehabilitative services are provided for children and young people in custody to help address their personal needs and reduce the risk of them re-offending. Whilst some services are commissioned by custodial operators, some are commissioned by Children’s Trust partners. These include: education services, (which, following the ASCL Act 2009, will be commissioned by local authorities); information, advice and guidance; health and mental health services; and social work provision. These establishments are important partners with knowledge of the needs of some of the most vulnerable children and young people. They play a crucial role, alongside other Children’s Trust partners, in resettling children and young people leaving custody.

37 The main role of the YPLA will be to support and enable local authorities to carry out their new functions in respect of securing sufficient provision for the education and training of 16-19 year olds. The YPLA will be able to intervene in a local authority if it is failing or likely to fail in these duties (ASCL Act 2009).

38 Youth Custodial establishments include Young Offender Institutions, Secure Training Centres and Secure Children’s Homes and hold young people aged 10-17 who have been sentenced or remanded to custody. They may also hold some 18 year olds near the end of their sentence. Some Secure Children’s Homes also hold young people detained for welfare reasons.

Cafcass, HMCS and other partners within the family justice system

- 2.64 Children in the family justice system, whether as a result of care proceedings or family disputes about a child's future, are vulnerable so it is important that their needs are recognised. Partners within the family justice system, including Cafcass, HMCS and other organisations engaged in local family justice councils, should work with the Children's Trust to ensure cases are progressed as quickly and effectively as possible and in the best interests of the children involved.

Engaging with children, young people, their parents and families

- 2.65 Listening to children and young people and taking account of their views is central to the success of policies to improve their well-being and life chances. Article 12 of the UNCRC³⁹ says that children have the right to say what they think should happen when adults are making decisions that affect them, and to have their opinions taken into account. Children and young people should be given opportunities to express their opinions on matters that affect their lives and these views should be taken into account by the Children's Trust Board when developing and reviewing the CYPP. In addition partners may be under specific duties to inform, consult and promote participation among citizens and service users⁴⁰.
- 2.66 The Children's Trust Board should, as part of its development and monitoring of the CYPP, undertake full consultation with parents⁴¹ and consider innovative ways of identifying and speaking to parents who are less likely to come forward to express their views, involving neighbourhood groups and community events to support outreach work, or existing arrangements such as parent forums under the *Aiming High for Disabled Children*⁴² programme. This work should involve and empower children, young people and their families as part of other local community engagement and empowerment work.
- 2.67 Specifically, children, parents and carers must be consulted during the preparation of the CYPP. This should not be a 'one off' event but regular ongoing engagement to help evaluate progress and seek advice on what services are needed as well as the quality of those already offered. The Children's Trust Board needs to understand what the experience of being a service user feels like. The local authority and its

39 <http://www.dcsf.gov.uk/everychildmatters/strategy/strategyandgovernance/uncrc/unitednationsconventionontherightsofthechild/>

40 Including section 138 of the Local Government and Public Involvement in Health Act 2007.

41 This is underpinned by section 10(3) of the Children Act 2004, which requires local authorities to 'have regard' to the importance of parents and other carers when making co-operation (Children's Trust) arrangements.

42 More details on the *Aiming High for Disabled Children* programme are available at www.dcsf.gov.uk/everychildmatters/healthandwellbeing/

partners should consider including child and parent/carer representation on the Board.

- 2.68 Children's Trust Board members should co-ordinate their consultation and engagement activity to create a clear framework for helping families know where to find the support and information they need and to ensure they are treated as partners whenever they engage with professionals. This means the Children's Trust co-operation arrangements should include systems which provide accessible and comprehensive information about what services are available to young people and parents in the area. This should include information about child health services, advice and support and include services to promote mental health and psychological well-being and other appropriate specialist services. For families with disabled children, the principles of the 'core offer' set out a national statement of expectations on how those families and young people will be informed and involved.
- 2.69 Local authorities acting as a corporate parent are responsible for improving all (including health) outcomes for each child looked after by them. They also have specific duties to safeguard and promote the welfare of these children, and to promote the child's educational achievement. However, all partners in the Children's Trust have shared responsibility for improving outcomes for all children and narrowing the outcomes gap for children from disadvantaged groups, including looked after children. Partners should ensure that their strategy and practice takes particular account of how they work with the local authority to improve the prospects of these vulnerable children. Children's Trust Boards should regularly review services for looked after children to ensure that they are effectively safeguarded and are provided with the opportunities they need.

Consultation question

Does this chapter (with chapter seven) provide sufficient clarity on how partners should be represented on the Children's Trust Board? If not, how else should this be covered?

3 Integrated processes and delivery

Integrated processes and tools

- 3.1 To ensure that children, young people and their families get good quality services which meet the needs of every child, different organisations and specialists need to be able to work effectively together. This requires systems in which people are clear about their roles and responsibilities, how they link to one another and how they should use shared tools and align the processes which underpin their work.
- 3.2 It is important to have processes in place which are sufficiently integrated to enable staff in the different agencies to work together as a team around the child or family. As part of developing the CYPP, the Children's Trust Board should take the lead in planning and supporting activities that empower and build the confidence of practitioners to use their professional judgement in decisions related to children's well-being, and in fostering trust and professional understanding between the services. Having this in place is particularly important for effective safeguarding.
- 3.3 The Children's Trust Board should understand what processes and tools are available to support integrated working and how they can support improved outcomes for children, young people and their families through the CYPP. The Board should promote consistent adoption and use of these integrated processes and tools across the partnership. The Children's Trust partners should take individual responsibility for implementing and embedding them into their regular and routine working practice.
- 3.4 Good practice in information sharing and processes such as the Common Assessment Framework (CAF) and the lead professional role should be fully embedded. Access to a range of integrated working tools is necessary to support children's diverse needs. These include:
 - ContactPoint;
 - National eCAF, the electronic enablement of the Common Assessment Framework;
 - the Integrated Children's System (ICS); and
 - the Client Caseload Information System (CCIS).

All have specific purposes and may be relevant to different groups of people. However, all support practitioners from different agencies and/or areas to work together more effectively to deliver the right package of support for each child needing multi-agency support.

Information sharing

- 3.5 Effective information sharing underpins integrated working and is a vital element of both early intervention and safeguarding. In the *Protection of children in England: a progress report*, Lord Laming recommended, “Every Children’s Trust should assure themselves that partners consistently apply the Information Sharing Guidance ... to protect children”.
- 3.6 The cross-Government guidance *Information sharing: guidance for practitioners and managers*⁴³ provides advice on when and how practitioners can share information legally and professionally. The guidance has been produced for practitioners who have to make decisions about sharing personal information on a case by case basis⁴⁴ in all services and sectors, whether they are working with children, young people, adults or families. It should be read in conjunction with any specific organisational or professional guidance. The cross-Government guidance also sets out how governance frameworks can help improve practitioners’ confidence in sharing information, especially to safeguard children and promote their welfare. As part of building practitioner confidence and ensuring that partners consistently apply the guidance, the Children’s Trust partners should develop an information governance framework across the partnership that sets out common principles for, and commitment to, effective information sharing.

ContactPoint

- 3.7 **ContactPoint**⁴⁵ provides a quick way for people working with children to find out who else is working with the same child. It includes basic information⁴⁶ about every child in England from birth to their 18th birthday (over 18 in certain circumstances) and contact details for parents or carers and practitioners or other services working with that child. ContactPoint is subject to stringent security controls with access limited only to people with the appropriate training who have undergone security checks and who need to use it professionally.

43 The guidance and associated materials are available at www.dcsf.gov.uk/ecm/informationsharing

44 The guidance does not deal with arrangements for bulk or pre-agreed sharing of personal information between IT systems or organisations (often called data sharing) other than to explain their role in effective information guidance.

45 Information on ContactPoint is available at www.dcsf.gov.uk/ecm/Contactpoint

46 The Children Act 2004 Information Database (England) Regulations 2007 available at http://www.opsi.gov.uk/si/si2007/uksi_20072182_en_1

The Common Assessment Framework (CAF)

- 3.8 CAF is a standardised consent-based approach to assessing a child's additional needs. It can be used by trained practitioners in all agencies that work with children in England. **National eCAF**⁴⁷, still being developed, will be a secure IT system for storing and accessing information captured through the CAF. Practitioners will only be given access to information on national eCAF for a child or young person with whom they are working and then only with the specific consent of the child or young person (or parent/carer as appropriate).

Integrated Children's System (ICS)

- 3.9 **ICS** is a framework for working with children in need and their families. Practice and case record-keeping is supported by information technology designed to handle a large amount of information on individual children.
- 3.10 **Asset** is the standard assessment framework used by Youth Offending Teams. It is the structured baseline assessment for all young people in the youth justice system of the factors contributing to a young person's offending, but will trigger further specialist assessment as necessary.
- 3.11 The Client Caseload Information System (**CCIS**) is well established as a system that is delivered locally by different provider systems to a standard specification. It is used to monitor progress against targets for young people not in education, employment or training (NEET). It has been developed to help personal advisers and lead professionals support effective intervention with young people by tracking their activity and their needs to enable targeted support.
- 3.12 Some local areas have a specific system in place for referring concerns around violent extremism known as **Channel** and the Children's Trust Board should work with the Prevent partnership to agree how it fits with these other tools.⁴⁸

Integrated front line delivery

- 3.13 For every child to have access to the right services when they need them, specialist services have to be better integrated⁴⁹ within universal settings. This enables a more comprehensive approach to early intervention, better co-operation between

47 Information on National eCAF is available at <http://www.dcsf.gov.uk/everychildmatters/strategy/deliveringservices1/caf/ecaf/ecaf/>

48 <http://www.communities.gov.uk/publications/communities/deliveringpreventguideupdate>

49 Integration here is not confined multi-agency teams, but includes better integration between professionals and administrators working independently with the same clients.

organisations, and practitioners working effectively with families to improve outcomes.

3.14 In practice, this means that the co-operation arrangements of every Children’s Trust should include effective structures, tools and systems which can support, sustain and embed a culture of integrated working with a child-centred focus. It takes a well trained and well led, committed workforce to improve outcomes for children and young people, where any practitioner coming into contact with a child or young person needing extra support will be empowered to initiate further action. Practitioners from different professional backgrounds should all be committed to:

- working together;
- delivering services quickly and appropriately to deal with problems at an early stage; and
- ensuring a smooth transition from children’s to adults’ services.

3.15 Staff providing universal services should be:

- trained in the Common Core of Skills and Knowledge⁵⁰;
- supported to provide effective prevention and early intervention; and
- given the skills and knowledge to promote mental health and psychological well-being.

This training should equip them to be able to involve specialist services swiftly when necessary, and to work effectively with those services.

3.16 When children’s needs are more complex staff in specialist services need to have the appropriate range of skills and competences to deliver support that is easy to access, readily available and based on the best evidence of what works.

Better information on services, support and advice

3.17 Information on services, support and advice should be available to all parents, children and young people in the local area. As part of their work on the CYPP, the Children’s Trust Board should take the lead in ensuring that partners are providing this information. The Board’s engagement with families as part of the needs assessment should help them come to a judgement on whether the information provided is sufficiently comprehensive and accessible and identify any improvements needed. Special attention should be given to services for disabled

children and young people, and those with long-term conditions. Where further action is required, this should be set out in the Children and Young People's Plan (see Chapter 8).

- 3.18 Local authorities are already under a duty to provide parents with accessible information about the services, support and advice available to help them support their children up to their 20th birthday (25th birthday for disabled young people). It is usually delivered through their Families Information Service, which should act as a central information point with links to local NHS provision, Sure Start Children's Centres, Jobcentre Plus, schools, youth clubs, libraries etc.
- 3.19 Some other partners may also be under a duty to provide information on services to their local communities. For example, the NHS Constitution includes a wider pledge that the NHS will commit to inform the public about the healthcare services that are available locally and nationally. In addition, the NHS Choices website sets out information and advice on the services available and how to access them. The website also has an A to Z directory of advice on children's health issues, with signposts to other trusted sources of advice.⁵¹

Consultation question

Does this chapter make clear the integrated tools and processes to be used in Children's Trust co-operation arrangements? If not, how else should this be covered?

Part two: Meeting the Challenge

There are two major principles that underpin the Children's Trust approach. The first is that by focusing services on improving outcomes for children, young people and their families, partners will be enabled to work together more effectively, in the process overcoming their institutional and professional barriers. The second principle is that resources should be focussed on addressing problems as soon as they are detected rather than waiting for minimum thresholds to be reached. It is based on the premise that early intervention prevents manageable problems from becoming intractable ones later. This section looks at various ways in which these priorities can be delivered at the different levels within the Children's Trust co-operation arrangements from strategic governance to front line delivery.

4 Commissioning

- 4.1 Effective commissioning is about ensuring that the right services and the right people are in the right place at the right time for all children, young people and their families. The term 'commissioning' has many definitions. **In this guidance commissioning means the overall process by which all relevant services should be planned, investment decisions agreed, delivery ensured and effectiveness reviewed.**
- 4.2 The commissioning process is used to develop and deliver the CYPP although in practice the commissioning needed to implement the CYPP will be done by the partners individually or in partnership.
- 4.3 Effective commissioning involves:
- Process (what?) – a cyclical set of steps / phases /stages that Children's Trust partners go through, beginning with identifying needs, and moving through mapping services, then investing, monitoring and finally reviewing.
 - Behaviours (how?) – the way in which the partners move through these steps / phases / stages of commissioning. The health sector has defined these as the World Class Commissioning Competencies while local authorities have a number of articulations of behaviours.
- 4.4 There are various different models of commissioning that bring together process and the behaviours. These include the model set out in the DCSF/DH Joint Commissioning Framework for children and young people's health outcomes published as an annex to *Healthy Lives, Brighter Future*⁵². Ultimately each Children's Trust Board should agree a common process that all partners can recognise and in which they can participate.⁵³
- 4.5 The local health system is characterised by a purchaser-provider separation. Therefore the Children's Trust partners should ensure that it has a clear process for ensuring conflicts of interest are avoided and provider organisations excluded from specific investment and procurement decision making. But provider organisations should be fully engaged as partners in the Children's Trust Board in all other respects.

52 *Securing better health for children and young people through world class commissioning – A guide to support delivery of 'Healthy lives, brighter futures'* can be found at http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_094401

53 Other models include the DCSF framework for local authority commissioning for schools.

4.6 The basic stages in any commissioning process are as follows.

- **Understand** – the local needs, resources and priorities and agree what the desired end product is. Commissioners should harness the views of service users (children, young people and their families) so that services can be configured most appropriately to address those needs within available resources. (This applies to the needs assessment and consultation stages in the CYPP development, monitoring and review).
- **Plan** – map out and consider different ways in which the desired outcomes can be achieved effectively, efficiently, equitably and in a sustainable way. This ensures that the most appropriate provision can be commissioned regardless of who delivers it. Providers should be involved at this stage to add their expertise to the discussion. (This corresponds to the agreement by the Board partners of a joint strategy for the CYPP.)
- **Do** – make investment based on the appropriate action identified in the ‘plan’ stage to secure delivery of the desired service(s). This may be in full partnership or informal co-operation with individual partners undertaking activities which are aligned within the agreed plan. (The Children’s Trust partners will implement the CYPP.)
- **Review** – monitor service delivery against expected outcomes and report how well partners are performing against the plan. (This corresponds with the role of the Children’s Trust Board to monitor and review the CYPP.)

4.7 Commissioners should seek actively to involve service users at all commissioning stages to the extent that they become co-designers and producers of the positive outcomes the commissioning process is intended to realise⁵⁴. Providers are a key source of information and insight. Their views of the needs of children, young people and families should be considered, as well as their insight into what types of services and service configuration may be most appropriate in response. This should take into account all needs assessment processes including the Joint Strategic Needs Assessment.

4.8 Commissioning can operate at different levels within the system, so partners commission at a number of different levels simultaneously, but it will involve the same basic series of actions as those outlined above. Though the nature and extent of commissioning at different levels will vary from service to service, strategic commissioning, driven by the CYPP, will cut across different operational services and organisational boundaries to secure key outcomes. The different levels of commissioning in which the Children’s Trust partners will be involved are as follows:

54 This is consistent with local authorities’ duty to involve and duty of best value, see *Creating Strong, Safe and Prosperous Communities – Statutory Guidance*, HM Government, July 2008.

- operational – whole service commissioning by the Children's Trust partners informed by the CYPP for a local area;
- regional or sub regional collaboration for specialist services and 16-19 education and training; and
- locality – a single unit operating as a commissioner, such as multi-agency teams operating in a locality, or commissioning by a school.

Some health services, such as the in-patient Child and Adolescent Mental Health Services, are commissioned at regional or sub regional level, but should still be reflected in the CYPP.⁵⁵

- 4.9 Children's Trust partners have a number of options available to them for flexible resourcing and for pooling budgets to facilitate planning and delivering services more effectively⁵⁶. Section 10 of the Children Act 2004 gives a power for the local authority and its statutory 'relevant partners' to pool budgets and share other resources both between themselves and with statutory partners in other Children's Trusts. Section 75 of the NHS Act 2006 allows the local authority and health bodies to pool budgets, share resources and delegate functions to each other.
- 4.10 Pooling budgets and sharing other resources not only concentrates funding on shaping local services to deliver the agreed outcomes but also has the potential to deliver efficiencies. It provides a common pot from which to commission services at a strategic (whole service) or local level. It enables locality based multi-agency teams or school clusters, for example, to deliver highly targeted or personalised services. Improvements can also be secured through aligned resources. Pooled budgets and shared resources are tools to provide flexibility for Children's Trust partners in how they invest to improve outcomes for children. Further advice and good practice on pooling and aligning is available.⁵⁷
- 4.11 The Commissioning Support Programme⁵⁸ has been set up to work with Children's Trust partners to improve their commissioning capacity and capability. The programme will run until April 2011; it complements and reinforces the aims of World Class Commissioning in health services. The programme will work with Children's Trust Boards and other partnerships within the wider co-operation

55 Commissioning also occurs at national, regional and sub regional levels and the Children's Trust Board should be aware of this as it relates to children, young people and families in the local area.

56 This does not apply to Short Stay School (Pupil Referral Units) because of the way they are financially managed. Pooling on their behalf can be done by the local authority.

57 The Audit Commission's October 2009 publication "Children's Trusts: a briefing paper on improving financial management", for example, which provides advice to help Children's Trust partners strengthen their financial management arrangements in the light of the legislative changes.

58 Jointly sponsored by the Department for Children, Schools and Families and the Department of Health.

arrangements, as well as regional and national stakeholders, to ensure that the support offered takes full account of, and links with, related programmes such as those provided by the Centre for Excellence and Outcomes or Regional Improvement and Efficiency Partnerships. For more information see <http://www.commissioningsupport.org.uk/resource-bank.aspx>

Consultation question

Does this chapter make clear what the responsibilities of the Children's Trust partners and the Children's Trust Board are around commissioning? If not, how else should this be covered?

5 Early intervention

- 5.1 A clear focus for the Children's Trust Board is to promote prevention and early intervention to help support vulnerable children.
- 5.2 *The Children's Plan: building brighter futures (2007)*: said "We will expect Children's Trusts to have in place by 2010 consistent high quality arrangements to identify and provide early intervention for all children and young people who need additional help in relation to their health, education, care and behaviour, including help for their parents as appropriate". In the White Paper, *Your Child, your schools, our future: building a 21st century schools system (2009)*, we committed to consult on a framework which looks at the systems, roles and responsibilities for delivering effective early interventions and how Children's Trust Boards can lead this.
- 5.3 A consultation with proposals for ensuring that high quality early intervention is provided consistently and systematically in every local area for those children and families who need it will run from December 2009. Three main elements are considered:
- the evidence on the benefits of early intervention and why it is important;
 - the structures and processes that need to be put in place – typically providing specialist advice and support to universal services when they first identify a child who needs extra help; and
 - being clear about practice at the level of the individual child and family, so families know what to expect.
- 5.4 The Children's Trust Board must ensure clear arrangements are in place for early intervention through the Children and Young Peoples' Plan. These should include:
- *Governance and strategic organisation* – who should take responsibility and be accountable for early intervention.
 - How the workforce will be developed and equipped with the knowledge, skills and understanding to deliver early intervention.
 - How staff will know what is expected of them.
 - How services will be monitored and held to account.
 - *Operational organisation* – the structures for delivering early intervention.
 - How vulnerable children, young people and families will be identified.

- A clear framework of roles and responsibilities of universal services, multi-agency teams, and specialist services.
- How services will work together, through which forums and when.
- *The public face of early intervention* – how all this will look to the child, young person or family navigating the system.
 - How children, young people and families will gain an understanding of what they can expect.
 - What the Children’s Trust will provide (their ‘offer’) to children, young people and families.

6 Children and Young People's workforce development

- 6.1 Success in achieving our aspirations for children will depend on the quality and commitment of the children's workforce; that is everyone who works with children and young people. The 2020 Children and Young People's Workforce Strategy⁵⁹ sets a long-term vision that everyone in this workforce should meet the highest professional standards, be respected and supported and have the confidence, pride and capacity to make a positive difference for all children and young people, but especially the most disadvantaged and vulnerable.
- 6.2 The strategy aims to:
- ensure there are enough suitably trained people to staff front line services to meet the needs of children, young people and their families;
 - ensure that people receive high quality training and development, based on rigorous standards and qualifications, both before they are qualified and as their careers develop. Everyone should be trained in the Common Core of Skills and Knowledge, which will be embedded in the Integrated Qualifications Framework from 2010;
 - establish and, where necessary, regulate professional standards to ensure that children, young people and families receive high quality services;
 - support the development of effective and innovative professional practice; and
 - support the development of effective management and leadership.
- 6.3 In line with these objectives the strategy puts forward a number of proposals across the whole workforce and for individual sectors, including developing the families workforce (which is made up of a number of different sectors). The Children's Trust Board should take a leading role in driving this forward and include in the CYPP its local strategy for co-operating to lead the development of the children and young people's workforce in their area.

Consultation question

Does chapter six make clear the role of the Children's Trust Board in developing the local workforce strategy? If not, how else should this be covered?

59 <http://www.dcsf.gov.uk/everychildmatters/strategy/childrenandyoungpeoplesworkforce/workforcestrategy/>

Part three: Making the Changes

7 Children's Trust Board

Background and role

- 7.1 Since 2005 the Government has recommended, through guidance, that the co-operation arrangements for each Children's Trust include an interagency governance board as its cornerstone. There are numerous examples of successful Children's Trust Boards, but progress overall has been uneven. The ASCL Act 2009 places the Children's Trust Board on a statutory basis in order to ensure that good practice becomes common practice in every local area. (The Audit Commission Report *Are we there yet? Improving governance and resource management in children's trusts* (October 2008) contains a self diagnostic tool for Boards to gauge their own effectiveness)⁶⁰.
- 7.2 The Children's Trust Board has a governance role of the totality of the Children's Trust co-operation arrangements, but does not manage them. It has a specific function to develop, publish, review and revise the CYPP but it is not a joint commissioning body. It provides a strategic framework within which the partners may commission services in a coordinated way using either joint or aligned budgets.

Legislative requirements

- 7.3 The ASCL Act 2009 requires the local authority to establish a Children's Trust Board as part of its arrangements to promote co-operation under section 10 of the Children Act 2004. Each Board must include a representative of the local authority and each of its statutory 'relevant partners', excluding the Strategic Health Authority.⁶¹ It should also include other partners, including those from the third sector, as appropriate to reflect local circumstances.
- 7.4 The Act removes responsibility for CYPP from the local authority alone and places that responsibility with the Children's Trust Board. The Board must prepare, publish review and revise the CYPP, monitor its implementation and publish an annual report on the extent to which the partners have acted in accordance with it. The Plan must set out the local strategy for co-operation between the partners to improve children's well-being. Responsibility for implementing the plan, however, rests with each of the partners, not the Board.

60 www.audit-commission.gov.uk

61 Regulations to be made under section 12A(4) of the Children Act 2004 as amended by the ASCL Act 2009 will specify that the Strategic Health Authority need not be included in Children's Trust Boards.

- 7.5 The Children's Trust Board does not create any new lines of accountability. Each partner remains accountable for delivering its part of the CYPP through their existing lines of accountability, and the local authority is additionally responsible for establishing the Children's Trust Board. See also paragraphs 7.30 to 7.31 on inspection and intervention⁶².
- 7.6 The Secretary of State for Children, Schools and Families will be able to confer additional functions on the Children's Trust Board through regulations.⁶³ As a statutory body, the Children's Trust Board can only exercise functions conferred upon it by primary legislation or regulations.

Chair

- 7.7 As part of the duty to establish a Children's Trust Board, it is the responsibility of the local authority to appoint the Chair in consultation with the Board members. It is more important that the best person available is selected than that a particular role is prescribed. The Chair could, for example, be the Director of Children's Services, Lead Member for Children's Services, Chief Executive of the PCT, or an independent person. It is crucial that the Chair is able to speak with authority on behalf of the Children's Trust Board as a whole and ensure each of the members contributes fully to its work. Where the Chair is not appointed from within the local authority, the local authority should ensure and monitor the effectiveness of the Chair's work.
- 7.8 The Chair has a vital role in making sure that the Children's Trust Board operates effectively. The Chair should be of sufficient standing and expertise to command the respect and support of all partners. The Chair should act objectively and distinguish their role as chair from any other day-to-day job.

62 A local authority overview and scrutiny committee may review or scrutinise decisions made or actions taken with or in connection to the discharge of functions which are the responsibility of the executive or the authority, which include the delivery of children's services. In doing so, the Scrutiny Committee can request information from the children's Lead Member and LAA (Local Area Agreement) partners and make reports or recommendations to the authority or executive on matters relating to children and young people in the area, covering the full range of services for children and not just those commissioned or provided by the local authority itself. The individual partners of the Children's Trust Board remain responsible for delivery of their areas and are subject to scrutiny in terms of their delivery of services (eg. education, health, housing, police, etc.). This provides a means of ensuring strong local scrutiny for the delivery of local public services, including children's services. Guidance on overview and scrutiny committees can be found through the link below. **Please note that this guidance is currently being updated.**

<http://www.communities.gov.uk/documents/localgovernment/doc/154833.doc>
63 under section 12B(1)(b) of the Children Act 2004 as amended by the ASCL Act 2009.

- 7.9 In line with Lord Laming's recommendation⁶⁴, the Children's Trust Board and the Local Safeguarding Children Board should be chaired by different people.

Sub-groups

- 7.10 In order to keep the Board a workable size and its meetings suitably focused, the local authority should set up sub-groups. These might be thematic (for example focusing on consultation), focused on a particular group of children (such as those with special educational needs and disabilities), or set up to enable effective representation on the Children's Trust Board (sub-groups of schools or third sector bodies, for example).
- 7.11 In practice, most of the day-to-day work will be done by these subgroups, so it is important to have clear mechanisms in place to ensure the Board can access the information it needs. The likelihood is that the structure of the Board will be determined by the functions of the subgroups. See also the Audit Commission report *Are we there yet? Improving governance and resources management in children's trusts* (October 2008) which provides some examples.

Membership

Lead Member for and Director of Children's Services (DCS)⁶⁵

- 7.12 Both the DCS and the Lead Member should be members of the Children's Trust Board. The Lead Member should attend as a member of the political executive with a pivotal role in championing children and defining political priorities for them on the Board and to represent the local community. Lead Members should be proactive in developing the local vision in the CYPP and drive improvements for children within the broader context of the Council. DCSs should attend as the senior local authority officer with responsibility for coordinating children's services within the authority and establishing the co-operation arrangements in the wider Children's Trust partnership, including setting up the Children's Trust Board.
- 7.13 Both the DCS and Lead Member have important strategic leadership roles and should work together to drive forward the development of a strong and dynamic Children's Trust Board.

64 Recommendation 51 in *The protection of children in England: a progress report* by the Lord Laming (March 2009).

65 See also *Statutory Guidance on the roles and responsibilities of the Lead member for Children's Services and the Director of Children's Services* <http://publications.dcsf.gov.uk/>

Representation

- 7.14 The Children’s Trust Board must include a representative of the local authority and of each of its statutory ‘relevant partners’.⁶⁶ It should also include non-statutory partners to reflect local circumstances. More advice on which non-statutory partners should be included on the Board is provided in paragraphs 2.41 to 2.64. As far as possible, the authority and its partners should designate named people as their Board representative, so that there is consistency and continuity in the membership.
- 7.15 Representatives need to be people with a strategic role within their organisation. They should be able to:
- speak for their organisation with authority;
 - commit their organisation on policy and practice matters; and
 - hold their organisation to account.
- 7.16 Representatives should be senior members of their organisation able to comment on the full range of their organisation’s interests, report back to that organisation on debates within the Children’s Trust Board and make decisions committing the organisation to taking action and providing resources through the CYPP. They should also be able to answer for their organisation’s delivery of their commitments in the CYPP.
- 7.17 As with all public bodies, Children’s Trust Boards are bound by the three general duties to promote disability, ethnicity and gender equality. This applies across all policies and functions. They are also bound by specific duties showing how they demonstrate compliance with the general duties, are required to publish equality schemes and must do equality impact assessments. This applies to representation on the Board.⁶⁷

Shared representation between partners

- 7.18 To be effective, the Children’s Trust Board will have an optimum size: too big and meetings become unmanageable; too small and they will not cover the full range of

⁶⁶ The Strategic Health Authority will not need to be represented under regulations to be laid under new section 12(A)4 of the Children Act as amended by the ASCL Act 2009.

⁶⁷ More information on the duties can be accessed here: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/> The Equality Bill 2009 (subject to Parliamentary approval) will introduce a combined public sector duty which will require public bodies to have due regard to all protected characteristics - race, disability, gender, age, religion or belief, sexual orientation and gender reassignment. The exact details of the new single duty are still to be finalised but they will correspond to the existing duties for race, disability and gender as outlined in paragraph 7.17.

interests. In order to keep the Board at a workable size, partners should share representation: that is one person representing more than one partner. Where this happens the representative should have a clear mandate which allows them to speak and act for all the organisations they are representing with authority and to feed back information.

Schools (including Short Stay Schools/Pupil Referral Units)

7.19 The addition of schools to the list of statutory 'relevant partners' is a key step to help strengthen the partnership between schools and other children's services. But their numbers make shared representation on the Children's Trust Board essential. The local authority is responsible for developing – in agreement with schools – a system for representation. Each local authority should establish with its schools partners a system that takes account of local circumstances, in agreement with the principles below.

- Wherever possible the local authority should build on existing arrangements and avoid duplication.
 - Existing arrangements might include the local Schools Forum and area-based head teacher and governor bodies.
- Existing arrangements alone are unlikely to be sufficient.
 - The Schools Forum has a statutory role in finance matters so may be too limited to represent the full range of interests needed for the Board.
 - Similarly, head teachers and governors local bodies may not bring in the full range of schools such as Academies or special schools.
- There is no single simple model of representation.
 - Large counties may wish to develop a system based on geographical areas to reflect demographic and other locality-based differences.
 - Smaller areas may favour a system based on different types of schools.
- The diverse range of schools should be represented; the schools becoming statutory 'relevant partners' cover a wide spectrum and all types should be appropriately involved and clearly represented on the Board. The types of schools are likely to include:
 - community;
 - voluntary aided;
 - voluntary controlled;

- faith schools
- maintained special schools;
- Pupil Referral Units/Short Stay Schools.
- non-maintained special schools; and
- Academies, City Technology Colleges and the City College for Technology of the Arts.

The wider independent sector is not included among the local authority's relevant partners. However, the local authority should include independent schools in the Children's Trust Board as appropriate.

- The number of school representatives should reflect local circumstances.
 - Schools should be given an appropriate level of representation on the Board.
 - This could mean more than one representative.
- The selection process should be fair and transparent.
 - School representatives should be selected in a way that ensures that the best people are chosen for the job.
 - This may involve election, for which the local authority is responsible.
 - The selection process should be transparent and have credibility.
- The representation process should make mandate and communication systems clear.
 - Representatives need to have a mandate to speak for and make decisions on behalf of the body of the schools they represent.
 - This will require an efficient and effective means of communication with all schools, both to seek their views on issues and to feed information back.

7.20 Diocesan Boards of Education should also be invited to join the Children's Trust Board better to represent the particular interests of schools with a religious character and in their own right as major providers of education.

7.21 Arrangements will need to be made to ensure that FE institutions are appropriately represented on the Children's Trust Board. This is likely to require new ways of working and refreshing the 14-19 partnerships and should reflect the student population with representation that is proportionate to where young people chose to study.

Terms of reference

- 7.22 As part of its work to establish the Children's Trust Board, the local authority should develop terms of reference and agree these with its partners. The terms of reference should cover roles and responsibilities, governance, membership, objectives and frequency of meetings.
- 7.23 The Children's Trust Board should have no quorum, so it is essential that if a member of the Board cannot attend, a deputy or alternative representative who has decision-making powers attends in their absence. Alternative representation or deputies should be agreed with the Chair.

Funding

- 7.24 The Children's Trust Board needs to be supported by its member organisations with adequate and reliable resources. New section 12C of the Children Act 2004 sets out that the local authority and its Board partners may make payments towards expenditure incurred by, or for purposes connected with, the Board by:
- making payments directly; or
 - contributing to a fund out of which the payments may be made.
- 7.25 The local authority and its partners should agree who will take responsibility for administering the fund. The funding requirement of the Children's Trust Board will depend on its circumstances. The budget for each Board and the contribution made by each member organisation should be agreed locally. The member organisations' shared responsibility for the discharge of the Board's functions includes shared responsibility for determining how the necessary resources are to be provided to support it.
- 7.26 The core contributions should be provided by the local authority, the Primary Care Trust and the police. Other organisations' contributions will vary to reflect their resources and local circumstances. For some, taking part in Children's Trust Board work may be the full extent of their contribution. Other organisations may wish to commit resources in kind, such as accommodation or staff, rather than funds. Where a member organisation provides funding, this should be committed in advance.
- 7.27 The staffing of each Children's Trust Board should be agreed locally by the Board partners. Staff may be paid for from a common fund or seconded as part of a contribution in kind, but they should provide the Board with the capacity to:
- drive forward the Board's day-to-day business in delivering its functions; and

- provide administrative and organisational support for the Children’s Trust Board and any subcommittees that it might have.

Supplying Information to the Children’s Trust Board

7.28 New section 12D of the Children Act 2004 enables data-sharing for the purposes of the Children’s Trust Board’s functions, where the Board has first requested the information and it is for the purpose of enabling or assisting the Board to perform its functions.

Joint Children’s Trust Boards

7.29 Two or more local authorities may establish a joint Children’s Trust Board. Local authorities and their partners may consider whether a Children’s Trust Board covering more than one local authority’s area would suit local circumstances better, perhaps to get a closer fit with the areas covered by other bodies or because issues are common to different areas.

Inspection and intervention

7.30 The work of the Children’s Trust partners will normally be assessed as part of the Comprehensive Area Assessment (CAA) which will draw on regulation and inspection findings of many of the partners. Inspectorates will inspect partnership arrangements if outcomes are poor or not improving and not enough is being done to remedy it. Where CAA identifies significant concerns, an inspection of the work of the Children’s Trust Board may be triggered⁶⁸.

7.31 The Secretary of State for Children, Schools and Families is able to intervene⁶⁹ in a local authority in connection with the establishment of the Children’s Trust Board or where the authority is not fulfilling its responsibilities adequately regarding this. Moreover, if the authority is failing to make its contribution to the funding of the Board or to provide the information requested by the Board, then the Secretary of State may direct that the authority takes the necessary action to remedy this.⁷⁰

68 Under section 20 of the Children Act 2004 as amended by the ASCL Act 2009.

69 Section 497A of the Education Act 1996 as applied to children’s social care by section 50 of the Children Act 2004. The ASCL Act 2009 extends the list of relevant functions of a local authority to include establishing the Children’s Trust Board.

70 A sector-led approach to improvement would precede any intervention.

Children and Learner Strategic Advisers

- 7.32 Children's Trust partners will need to have a keen eye on continuous improvement. Strategic challenge and support will play an important role in helping them achieve this.
- 7.33 From April 2010, a new cadre of specialist advisers – Children and Learner Strategic Advisers (CLSAs) – will support Directors for Children and Learners in the regions in leading and coordinating high level strategic support and challenge to local authorities and their Children's Trust partners across all 5 ECM outcomes on behalf of the Department for Children, Schools and Families.
- 7.34 The exact nature and intensity of support and challenge provided to each local area will vary according to local need. However, CLSAs will work closely with Directors of Children's Services and Children's Trust partners in reviewing and driving forward progress against the CYPP, children's priorities in the LAA and the DCSF statutory targets. For those priorities and targets relating to the 'Be healthy' and 'Stay safe' outcomes, this will need to be done in agreement with the Strategic Health Authority.
- 7.35 The CLSAs will also provide professional expertise and advice to local authorities, and advise on, coordinate and broker tailored improvement support aligned to the Children and Young People's Plan.

Consultation question

Does chapter seven make clear how to set up the Children's Trust Board? If not, how else should this be covered?

Consultation question

Should chapter seven provide additional information about the support and challenge role of the Government Office, and how they will work with the Children's Trust partners and the Board on areas where they may need improvement support?

8 Children and Young People's Plan (CYPP)

Introduction

- 8.1 The CYPP is the joint strategy of the Children's Trust partners which sets out in detail how they will co-operate to improve well-being for local children and young people.⁷¹ It is important that the preparation and development of the Plan are consistent with the General Principles of the United Nations Convention on the Rights of the Child (UNCRC).⁷² The CYPP is also the main means through which the Children's Trust Board can demonstrate its compliance with the three general duties to promote disability, ethnicity and gender equality.
- 8.2 The CYPP represents the local vision and aspirations for children and young people in the area.⁷³ The Plan shows how partners on the Children's Trust Board will work together to commission services to address locally identified needs, integrate provision better and focus on early intervention, safeguarding and reducing and mitigating the effects of child poverty, to improve outcomes. The CYPP should set out what actions will be delivered by which partner or partnership and, as appropriate, what resources they will commit.

The CYPP in context

Aligning local strategies

- 8.3 The CYPP is embedded as a core element within the overall vision for the area contained in the Sustainable Community Strategy (SCS)⁷⁴ and should be integral to the wider strategic planning overseen by the Local Strategic Partnership (LSP) (see paragraphs 1.14 to 1.16). It should also reflect the fact that child well-being in part depends on environmental factors such as the extent of road traffic pollution and noise; provision of green and natural spaces; and healthy and safe walking and cycling routes.

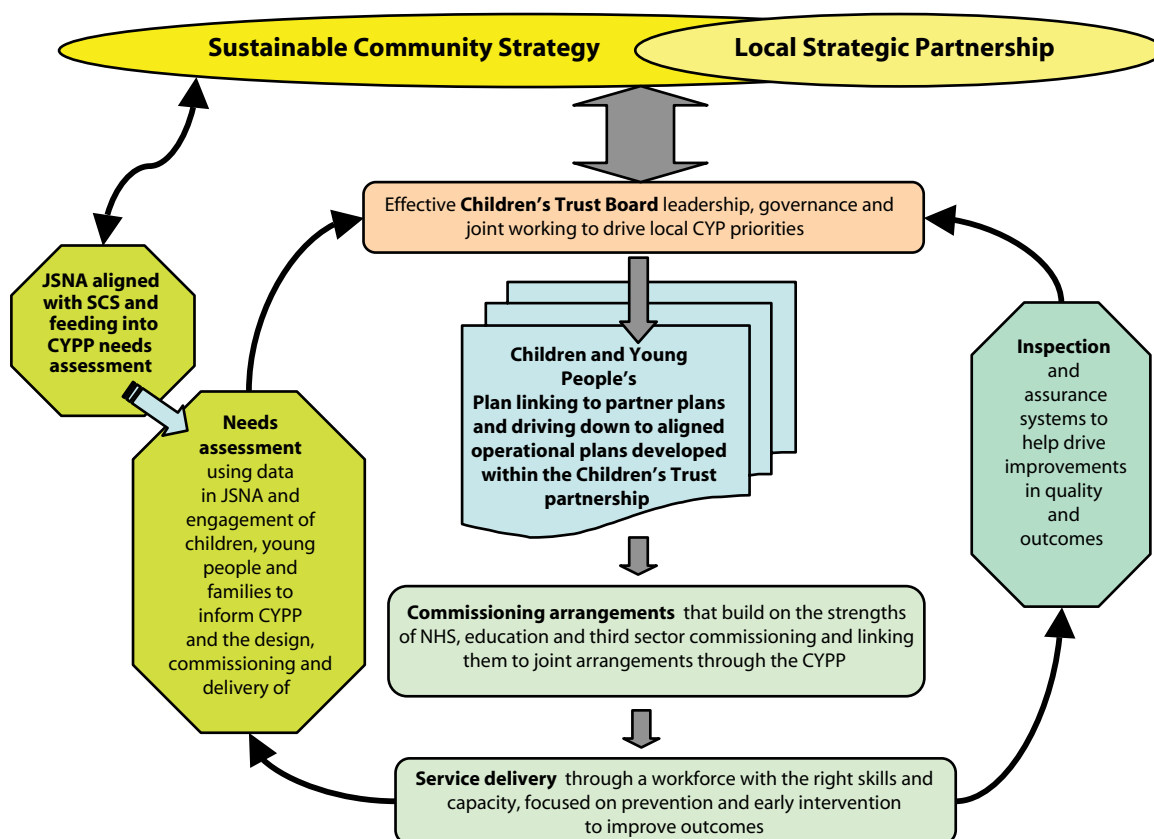
71 Section 17A of the Children Act 2004 as substituted by the ASCL Act 2009 and regulations to be made in 2010.

72 <http://www2.ohchr.org/english/law/crc.htm>

73 Including for example young people accommodated in youth custodial establishments and looked after children placed in the area by another local authority

74 The Sustainable Community Strategy sets the overall strategic direction and long-term vision for the economic, social and environmental well-being of a local area.

8.4 As the following diagram sets out, an effective Children's Trust Board will engage with the LSP to ensure that joined up local governance, commissioning and planning strategies all feed through to service delivery.



8.5 The priorities and objectives of the CYPP should inform and be informed by the SCS and the Joint Strategic Needs Assessment (JSNA), which itself feeds into the SCS. Both the CYPP and the SCS should share evidence-gathering activities, baseline information and data. A key task of the Children's Trust Board is to ensure that the interests of children, young people and families are understood throughout the LSP. This includes articulating the impact of wider cross-cutting issues which do not have a specific child focus, such as local housing, regeneration, transport plans and climate change, and embedding actions on these issues in the preparation of the Local Development Framework, the development of the local authority's Sustainable Modes of Travel Strategy and any local climate change plan or greenhouse gas reduction strategy held by the Children's Trust partners.

Aligning plans

8.6 The plans of partners will form a complex array of inter-related strategic, commissioning, and operational plans at different levels and covering different target groups, but all should be aligned through the CYPP. The CYPP will inform

operational planning to deliver front line services. It should in all cases tie in with the development and use of the Common Assessment Framework (CAF) and Targeted Youth Support. Local authorities, working with their partners and stakeholders, will need to link the CYPP with planning documents across the full spectrum of activity affecting children and young people, including local authority asset management plans and the business cases for large-scale procurements such as Building Schools for the Future.

- 8.7 It is essential that the CYPP, the Local Area Agreement and PCT operational plans are fully aligned. The NHS Operating Framework for 2009/10 renews the existing commitment on PCTs to set operational plans for areas of concern in agreement with partners, as well as through consultation with patients, public and staff and through the JSNA. PCT operational planning and the CYPP should be consistent, with a strong read across on the shared priorities for children, young people and families. For example, the CYPP should be developed in line with the local Child and Adolescent Mental Health Services (CAMHS) strategy.
- 8.8 The Children's Trust Board should ensure that the CYPP is aligned with the Youth Crime Action Plan⁷⁵ and reflects the need for the increasing integration of the youth justice system and other children's services. The CYPP can play a key role in achieving this by ensuring that the needs of young people who have offended or who are at risk of offending are properly incorporated within the local planning framework for all children. This should help ensure that children in contact with the youth justice system receive the support necessary to address their wider needs. The CYPP should be aligned with the Youth Offending Team (YOT) partnership's statutory annual Youth Justice Plan, local policing plans, the priorities of the local crime and disorder reduction plans and the local 'Prevent' action plan.
- 8.9 The CYPP should include the 14-19 Plan which sets the overall strategy for learning and support for young people and is an integral part of the work of the Children's Trust.
- 8.10 While the CYPP focuses on services for children and young people, its scope includes those services which focus on parents and families, which can impact on children's well-being. Local areas that have developed a stand-alone strategy for parents and families should ensure parenting priorities and operational linkages between different services provided for children and families feed into the CYPP to improve co-ordination and maximise impact of delivery.

75 See also YCAP One Year On

Consultation and participation

During the preparation of the plan the Children's Trust Board must consult with a range of people and bodies specified in regulations⁷⁶

- 8.11 CYPP regulations require the Children's Trust Board to consult widely in the preparation of the Plan. It is essential that in every area the Board puts children, young people and families at the centre of its consultation strategy and additionally consults with those bodies set out in the regulations. These include the Local Safeguarding Children Board, Sure Start Children's Centre advisory boards, the local schools' forum, the school admission forum, proprietors of local independent schools, including those which cater for children with special educational needs (SEN) and the diocesan education boards.
- 8.12 Consultation during the preparation of the CYPP should be a planned and systematic activity co-ordinated across the different partners on the Board and involving communities as well as other relevant organisations. This activity should be tailored to local circumstances. Where the Board has included partners under section 10(1)(c) of the Children Act 2004, particularly third sector organisations, they must be consulted. Other key partners with a significant role and local presence in improving children's well-being (such as children and young people's representative bodies or community and faith groups which may deliver services or offer facilities, support or advice that impacts on children's well-being) should be consulted. Where there is a higher education institution or a youth custodial establishment in the area they should be consulted, and in those areas with an Integrated Transport Authority, they should be consulted too.
- 8.13 A strong consultation strategy will allow the Children's Trust Board to:
- put children's, young people's and families' views at the heart of service improvements with a child-friendly approach that facilitates reaching a wide range of people;
 - identify and consult main groups;
 - identify issues that are important to all children, young people and families and those important to groups of children who are relatively hard to reach but may have some of the most complex needs;
 - develop an in-depth understanding of service users' views, including the comprehensiveness and accessibility of information available about services,

76 CYPP regulations currently out for consultation, provided at Annex D to this document.

support and advice available, their level of understanding of what is on offer and whether it makes sense to them; and

- monitor the consultation and identify gaps in terms of its coverage, e.g. which users are being overlooked.

8.14 It is important that the consultation strategy is effective in supporting the active participation of children with SEN and disabilities and their parents, since these children are at particular risk of poor outcomes. Additionally, every effort should be made to consult people who could be overlooked because they do not routinely receive services, such as home educating parents and their children.

Needs assessment

Each plan must include a needs assessment for children and young people against the five outcomes

- 8.15 A key element of the CYPP is the requirement for the Children’s Trust Board to carry out a thorough, wide ranging and up to date analysis of children and young people’s needs, mapped against existing services, to identify gaps in service provision and inform strategic commissioning priorities over the period of the Plan. The analysis should include service users’ views of the adequacy of existing services. For example, this might include an analysis of why parents or carers choose elective home education, what services they would like to be able to access and the extent to which they are available to home educating families. The Board should review the needs assessment on an ongoing basis as information becomes available.
- 8.16 Individual Children’s Trust partners will be pro-actively involved in collecting and analysing sector-relevant data, for example on children’s mental health, where PCTs and local authorities will be making similar collections on the delivery of the CAMHS services through the vital signs and national indicator collections . Where possible, data should be analysed on a number of different levels – regional, community, and neighbourhood – and at the level of a single organisation or service. The analysis should incorporate routinely collected data sets including published or unpublished research papers, major surveys such as epidemiological surveys, participation data and, as appropriate, draw on aggregated and anonymised data collected through one-to-one interviews, focus groups and individual assessments. Partners on the Board should agree how databases should be established to record and share this information.
- 8.17 The CYPP should be fully consistent with, inform and be informed by the statutory JSNA which identifies the current and future health and well-being needs of the local population, across all age groups, in the light of existing services. The Director

of Children's Services is one of three directors with statutory responsibility for the JSNA process and is well placed to make sure the Children's Trust Board both feeds into and uses the JSNA and that children and young people's health and well-being needs are identified and services commissioned to address them. For example, this might include support for schools managing children with medical conditions.

- 8.18 The CYPP and the JSNA both have a focus on outcomes, partnership working and consultation, so both processes should be complementary. To avoid duplication, the CYPP needs assessment should, where possible, be integrated with the JSNA and draw on the same datasets. For example, in commissioning services around psychological well-being and mental health, the Children's Trust Board will want to consider the PCT's needs assessment for mental health services.
- 8.19 The CYPP needs assessment should result in a profile of children and young people in the local area by age, geographical area and type, including vulnerable groups.
- 8.20 By identifying and drawing attention to the variation in outcomes between children and young people in different local geographical areas through baseline and trend data and by providing measurements against relevant national indicators and targets in the LAA, resources can be targeted at locations with areas of greatest need.
- 8.21 The needs assessment should also consider outcomes measures for specific groups of children and young people. In particular, the CYPP must contain an outline of key actions to achieve outcomes for three groups of children: children with special educational needs, disabilities and looked after children, so the needs assessment must include an analysis of available data on outcomes for these three groups.
- 8.22 It should be recognised that the existing data may not cover the most vulnerable children, and Children's Trust partners should work together to improve that data. Children and young people in vulnerable groups often have very complex needs which should be addressed through targeted action and may involve family support. Data should also be drawn on where the needs of families impact on children's well-being, for example through domestic violence, adult alcohol and drug dependency, adult offending, adult mental health difficulties and adult disabilities.
- 8.23 The Children's Trust Board should ensure that the CYPP needs assessment pays particular attention to safeguarding priorities.
- 8.24 The forthcoming⁷⁷ Child Poverty [Bill] 2009 proposes that local authorities and named partners carry out a child poverty needs assessment and prepare a joint

77 (Subject to Parliamentary approval)

child poverty local strategy. This should be fully integrated into the CYPP and its needs assessment, but it will, of necessity, have to go beyond the scope of the CTB and involve the LSP, the SCS and the JSNA.

Resourcing the Plan

- 8.25 Following the needs assessment, the CYPP should be clear on how priorities are costed, the resources identified and where responsibility lies for the provision of resources (pooled or aligned), including staff and buildings.
- 8.26 Formal pooled budgets or budget alignment arrangements are particularly effective in cementing partnerships and supporting joint planning and commissioning. The CYPP should show how partners on the Board intend to increase efficiency and effectiveness through better use of their combined assets, both financial and non-financial. These include staff, buildings, equipment, new technologies, information, specialist knowledge, skills and administrative support; for example, identifying opportunities for the shared use of property to deliver multi-agency, co-located community-based outreach services.
- 8.27 Detailed financial information is not required in the CYPP but the Plan should contain sufficient information to give confidence that the actions proposed in the CYPP are realistic, affordable and more than a set of aspirations.

Setting the strategic priorities for children and young people with special educational needs, disabilities, and looked after children in the local area

Each plan will be required to include an outline of the key actions as identified by the needs assessment planned to achieve the outcomes, for children and relevant young people who:

- (i) have special educational needs within the meaning of section 312 of the Education Act 1996;
- (ii) are disabled within the meaning of section 1 of the Disability Discrimination Act 1995; or
- (iii) are looked after by a local authority

- 8.28 Although the CYPP encompasses all children living in the area, regulations require that the Plan should in particular set out the key actions, as identified in the needs assessment, to demonstrate how local services will help to improve outcomes for

children with special educational needs, disabilities, and looked after children.⁷⁸ All CYPPs should provide satisfactory evidence that progress is being made across each of the five outcomes.

- 8.29 For example, in the case of children with autistic spectrum disorders (ASDs), including those with Asperger's syndrome, the Plan might set out how Children's Trust partners will work together to establish how many children in the area have been identified with an ASD, and what assessment has been carried out on their current and future needs where prevalence rates remain unidentified. The Plan could then set out the current provision for children with ASDs, what arrangements are in place to commission services to meet those needs and how the parents of children with autism are being involved in developing relevant local services.⁷⁹
- 8.30 Improving the lives of looked after children must involve all partners on the Board as well as carers, social workers, virtual school heads or equivalent, GPs and other health care practitioners and teachers. The Board should ensure that the Plan extends to all looked after children in the area of the Children's Trust Board, irrespective of the type of school they attend or their home local authority area. The arrangements for co-operation set out in the Plan do not extend beyond the Board's geographical area unless a joint Children's Trust Board has been set up⁸⁰. Nevertheless, the local authority retains its legal responsibilities for looked after children placed out of authority. For example, local authorities should monitor and identify additional support to promote the educational progress of their looked after children placed out of authority. Local authorities may also request help from one another and from health bodies in other local areas to fulfil their function in respect of the looked after children for whom they are responsible⁸¹.

Safeguarding

The plan must set out the arrangements made by Board partners to co-operate to safeguard and promote the welfare of children and relevant young people which must, in particular, take into account the report submitted to the Board by the Local Safeguarding Children Board under section 14A(2) of the Children Act 2004 as amended by the ASCL Act 2009.

78 All children who are subject to a care order (Children Act 1989, section 31), interim care order (Children Act 1989, section 38) or emergency protection order (Children Act 1989, section 44) where the local authority has acquired parental responsibility for that child. The Plan should extend to all looked after children receiving services in their area, irrespective of their home local authority area.

79 Support and services should be consistent with Quality Standards for SEN Support and Outreach Services – see <http://www.teachernet.gov.uk/wholeschool/sen/teacherlearningassistant/qualitystandards/>

80 New section 12A of the Children Act 2004 as amended by the ASCL Act 2009.

81 Section 27 of the Children Act 1989.

- 8.31 Safeguarding and promoting welfare of children and young people includes considering accidental and non-accidental injury, safe use of technology, gaps in service and sharing intelligence from information systems across the partnership. The annual report⁸² to be provided by the LSCB to the Children’s Trust Board will provide essential advice to help the Board understand the strengths and weaknesses of service provision and inform decisions about what more needs to be done to improve safeguarding in the area.

Early intervention (see chapter 5)

Each plan must set out the arrangements made by Board partners for co-operating on early intervention and preventative action.

- 8.32 To do this each Plan should:
- set out a clear framework of roles and responsibilities of universal services, multi-agency teams, and specialist services;
 - drawing on the needs assessment, identify priorities and design a range of prevention and early intervention programmes within universal services;
 - describe how the partnership will shift resources to prevention and early intervention (which may include decommissioning existing services and pooling budgets);
 - improve specialist interventions that clearly address the needs of children referred to the agencies and services that work with vulnerable children; and
 - show how services will work together at neighbourhood level, e.g. in clusters around partnerships of schools, to identify vulnerable children, young people and families and ensure that they get the support they need.

Families

Each plan must set out the arrangements made by Board partners for co-operating to co-ordinate services for children and relevant young people and adults within their family with a view to improving the well-being of those children and young people.

- 8.33 The principle underpinning this provision is that services provided for adults in a family should also take account of the effect an adult’s problems might have on any children within that family. The Plan must set out at the strategic level how the Board partners will ensure that they have the structures and processes in place to

82 (required by section 14A of the Children Act 2004 as amended by the ASCL Act 2009)

make this happen on a routine basis. So, for example, with this 'Think Family' approach to service delivery, where an adult is taken into custody or has mental health problems the services dealing with the adult should, as a matter of routine, check to see if the adult has responsibility for any children and whether the child's well-being could be affected. If necessary they should seek advice or make a referral to local children's or family services in line with local arrangements.⁸³

Reducing child poverty

Each plan must set out the arrangements made by Board partners for co-operating on reducing and mitigating the effects of child poverty in the area of the establishing authority.

- 8.34 Child poverty underlies many of the poor outcomes for children and young people so effective action to reduce it will have wider-ranging positive effects of significant benefit to local services. The forthcoming⁸⁴ Child Poverty [Bill] 2009 says that local authorities and named partners will be required to work together to produce a joint child poverty strategy for the area. This is reflected in the CYPP regulations which require Children's Trust Boards to include in their CYPP the arrangements they will make to reduce and mitigate the effects of child poverty.
- 8.35 The CYPP should set out how, working together the Children's Trust partners will:
- integrate support for parents, including employment advice, skills and training and financial advice and support, with services for children and young people;
 - identify families in need of greater support and ensure that they are accessing high quality services; and
 - identify low income families in need of greater support and ensure they are accessing services.

Behaviour of children and attendance at school

Each plan must set out the arrangements made by the Board partners to co-operate to improve the behaviour of children and relevant young people in the local area and attendance of pupils at school. This must take into account the partnership reports submitted to the Board under section 241(3) of the ASCL Act 2009.

83 Think Family toolkit – Improving Support for Families at Risk, available from DCSF publications.
84 (Subject to Parliamentary approval)

- 8.36 The CYPP must set out how the Children’s Trust partners will improve the behaviour of all children and young people in the wider community, both outside and in school, and their attendance at school or college. This should include how appropriate support will be made available across agencies, at an early stage, for those children at risk of exclusion, those who have been excluded permanently or for a fixed period (‘day 6’ provision) and those who are persistent absentees. This should give details of a co-operative approach to the support needs of young people in accessing suitable alternative provision.
- 8.37 The Children’s Trust Board should consider the impact of behaviour and attendance on all five outcomes and, for example, look at how schools work with police and other organisations and consider whether establishing or strengthening a Safer School Partnership⁸⁵ might be beneficial. The behaviour and attendance partnership must provide annual reports on progress which will feed into the CYPP needs assessment, monitoring and review processes.

Local workforce strategy (see Chapter 6)

Each plan must set out arrangements made by the Board partners for co-operating on the training and development of people working with children and relevant young people in the local area.

- 8.38 The Plan should include a strategy which sets out how the partners will work together to ensure that the local workforce is deployed and developed, and specify clear responsibilities for developing, delivering and reviewing local workforce reform. The Children’s Workforce Development Council (CWDC) is providing support for Children’s Trust Boards in developing a local workforce strategy that links to the CYPP and that helps create a workforce that genuinely delivers improved outcomes for children through integrated working and early intervention⁸⁶.

85 <http://www.teachernet.gov.uk/wholeschool/behaviour/sspg>

86 The CWDC is upgrading its One Child Workforce Self Assessment Tool: www.cwdcouncil.org.uk

Performance management and target setting

Each plan must include the arrangements made by Board partners to co-operate towards achieving:

- (a) any local targets made pursuant to regulations made under:
 - section 102 of the Education Act 2005 (LEA performance targets);
 - section 19 of the Education Act 1997 (school performance targets);
 - section 1(3) of the Childcare Act 2006 (local authority well-being of young children targets); and
 - section of the Act (safeguarding targets).
- (b) Each plan will be required to include Local Area Agreement targets insofar as they relate to children and young persons⁸⁷.

Local Area Agreement⁸⁸ (LAA) improvement targets

- 8.39 The CYPP should include all LAA targets (both designated and local) relevant to children and young people and set out the joint strategy for delivering them. It should also reflect, where appropriate, actions taken by Children's Trust Board partners which impact on targets adopted for the whole population but which affect children's well-being, such as reducing carbon emissions.
- 8.40 The strategy should identify, as appropriate, the contributions by Children's Trust partners to achieving those targets.⁸⁹ Where local partners have agreed to the target being specified in the LAA they are under a duty to have regard to those LAA targets which relate to them. The Government has committed to not agreeing targets for local areas other than through the LAA (with the exception of the DCSF education and early years and safeguarding statutory targets). Local areas can however include as many local (non-designated) targets in their LAA as they wish.

87 The arrangements made by Board partners to contribute towards achieving any local improvement targets (within the meaning of section 105 of the Local Government and Public Involvement in Health Act 2007) that relate to children and relevant young persons and are specified by the establishing authority in its local area agreement under section 106 of the Local Government and Public Involvement in Health Act 2007.

88 The LAA represents the key delivery contract between central and local government and its partners.

89 All local authority targets for children and young people will be negotiated by the Children and Learner Strategic Advisers in Government Offices from April 2010

DCSF statutory targets

8.41 The CYPP should also include and set out a joint strategy contributing to the delivery of the statutory DCSF targets. The current set of DCSF statutory targets covers early years and school attainment and, following the ASCL Act 2009 a number of statutory safeguarding targets will also be introduced. Notwithstanding the introduction of the statutory safeguarding targets, CYPPs are expected to include clear targets for keeping children safe.

Other targets

8.42 Although the LAA will inform the CYPP – which will set out a strategy for delivering the targets – the Plan will go wider than LAA targets to focus on a set of key priorities in line with identified local needs for children, young people and their families.

8.43 The CYPP should also include how Board partners will contribute to achieving any local priorities for improving outcomes for children and young people which do not appear in the LAA, for example, those from the *NHS Operating Framework Vital Signs*, and the priority outcomes the PCT has chosen to improve under World Class Commissioning. The annual review of the CYPP should consider progress towards all targets and priorities set out in the Plan, along with the implications for future action.

Publishing, monitoring and reviewing the CYPP

The Board must publish each plan by:

- a) placing it on the website of the relevant PCT and the establishing authority;
- b) placing it on the website of any other person or body represented on the Board as the Board considers appropriate;
- c) depositing sufficient copies of the plan to allow members of the public to take a copy in such public libraries and other places to which the public have access in the area of establishing authority as the Board considers appropriate.

The first plan shall be published on or before 1st April 2011. Each subsequent plan shall be published no later than 6 weeks after the end of the plan period for the previous plan.

- 8.44 The local authority and the PCT must publish the Plan on their websites. The Board should also agree which other partners on the Board should also publish the Plan on their websites and how to communicate the Plan to all those consulted in its preparation, as well as depositing sufficient copies in public libraries and other local outlets.
- 8.45 We expect the publication to include:
- a child-friendly version of the CYPP which shows how children and young people's views have been taken into account as well as what services are available; and
 - proactively disseminating the completed Plan and/or weblink to each stakeholder person/organisation engaged in the consultation.
- 8.46 There is no prescribed duration of the Plan, but the Board must decide on a 'plan period' which sets out the agreed duration, typically three years. Following publication each subsequent Plan must be published no later than six weeks after the end of the period for the previous Plan.

Monitoring and implementation

Implementing the CYPP

- 8.47 The Children's Trust Board does not deliver the CYPP; it is the individual partners which implement those parts of the Plan that relate to their functions; each must 'have regard' to the Plan. The implementation will involve a degree of co-operation among partners which could be through formal or informal partnership working or by aligning and coordinating activities and budgets. The Children's Trust Board is, however, responsible for monitoring and producing an annual report on the extent to which the partners act in accordance with the Plan.
- 8.48 Every year, as part of the Board's report, the Chief Executive and the Leader of the Council should make an assessment of the effectiveness of local governance and partnership arrangements for improving outcomes for children and supporting the best possible standards for safeguarding children.

Monitoring the CYPP (role of the Children's Trust Board and the individual partners)

- 8.49 The Children's Trust Board should be able to form a collective view of the extent to which the priorities and targets identified in the CYPP are being achieved, including how each partner is implementing the Plan and be able to challenge if necessary.

Individual representatives of partners on the Board have a duty to provide information to enable the Board to monitor objectively and to agree any steps necessary to resolve problems or disagreements.

- 8.50 Monitoring progress of the Plan should be informed by the views of front line practitioners as well as those of children, young people and their families. It may be appropriate for the Children’s Trust Board to set up a sub-group to carry out specific monitoring tasks, drawing in specialist expertise as appropriate and bringing in representatives of the sector and service users to discuss relevant issues.
- 8.51 The Children’s Trust Board should agree and define the principles, develop a protocol of roles and responsibilities and a clear work programme for the monitoring arrangements.
- 8.52 As part of monitoring process the Children’s Trust Board should:
- allocate adequate resources to the task – see also chapter 7 on funding for the Children’s Trust Board;
 - ask partners to provide relevant information on progress made in implementing the parts of the CYPP for which they are responsible;
 - review priorities and targets and progress towards them and identify risks and issues in the delivery of the CYPP;
 - interrogate performance indicator data, where appropriate;
 - agree any additional support to Board partners or redeployment of resources as appropriate;
 - agree strategic actions, co-ordinated across the partnership, where targets are not being met; and
 - challenge partners not engaging fully in the co-operation arrangements relevant to the CYPP.

Monitoring the CYPP and information gathering and analysis

- 8.53 For the Children’s Trust Board to scrutinise and monitor the implementation of the CYPP it will need to collect and analyse relevant information⁹⁰. It is vital that the Board has the right information at the right time and has in place effective systems of measurement, to focus on current issues and to identify and address challenges.

90 New section 12D of the Children Act 2004 as inserted by the ASCL Act 2009.

Monitoring the CYPP and progress reports

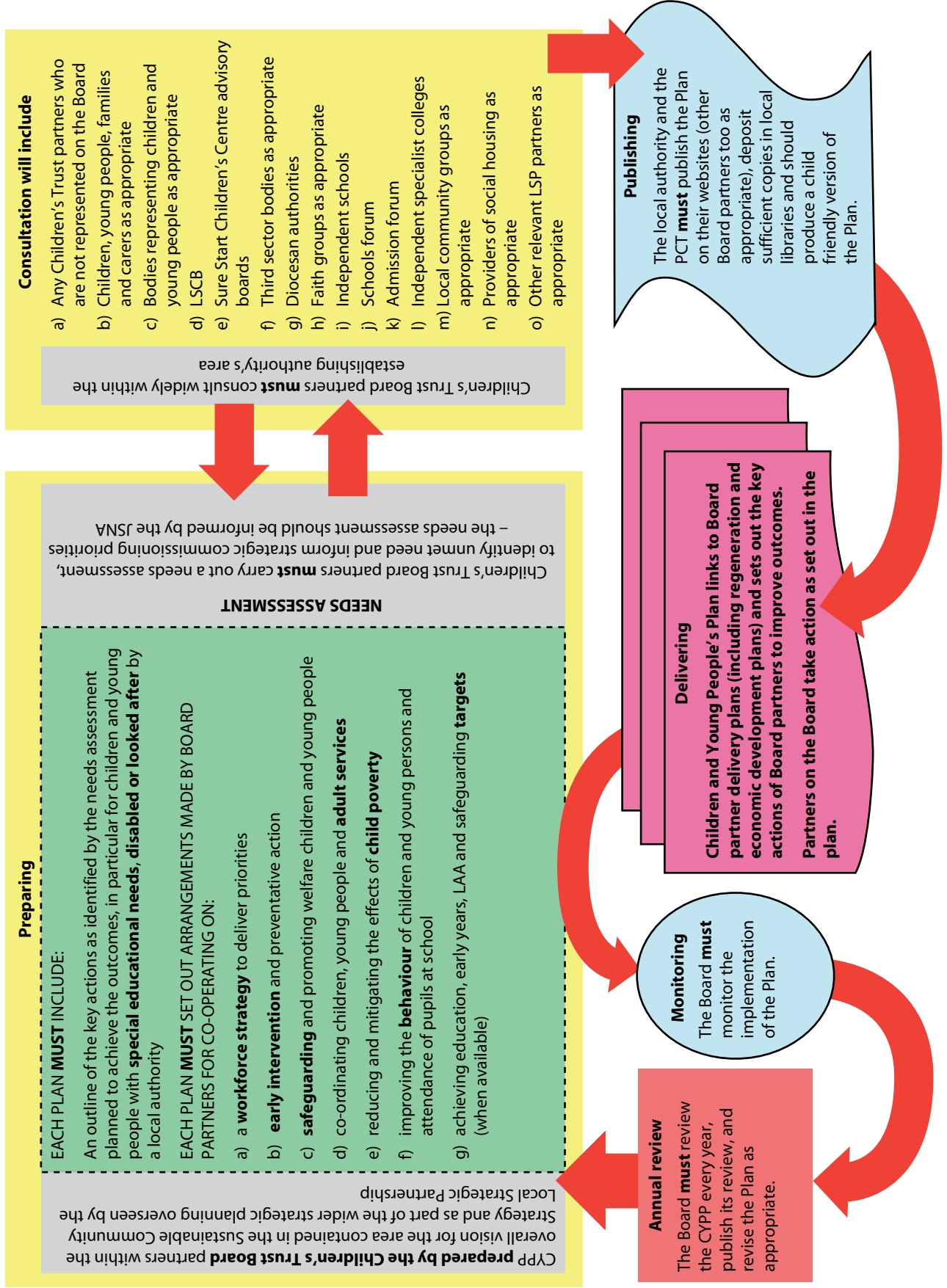
- 8.54 As part of its ongoing monitoring role the Children's Trust Board should receive regular CYPP implementation reports which should be shared with all partners on the Children's Trust Board and with elected members as requested.
- 8.55 CYPP progress reports should:
- be designed around each of the CYPP's strategic goals;
 - show trends in performance and include high level summaries of key performance indicators showing improvements or areas of concern;
 - show forecasts which will enable the Board to anticipate future performance issues; and
 - assess the effectiveness and efficiency of multi-agency arrangements where possible.
- 8.56 More detailed reports provided to senior managers addressing specific problems or operational matters should be made available to the Board if required.

Annual review and revising the CYPP

The Board will be required to review the plan each year in which a new plan is not published. In particular:

- a. during the conduct of such a review the Children's Trust Board shall consult such persons or bodies as it considers appropriate;
 - b. following the review of the plan the Board shall, if it considers it necessary, revise the plan and publish it;
 - c. any revision of the plan shall take account of any changes in the membership of the Board since the publication of the plan, or the last review of the plan as appropriate.
- 8.57 The Children's Trust Board must review the Plan each year in which a new Plan is not published with the appropriate involvement of all the partners. It will also be necessary to consult with service users and others as appropriate during the review, although there is no expectation of extensive consultation about service changes that were explored for the initial development of the CYPP.

Essential requirements for preparing, consulting, publishing, delivering, monitoring and reviewing CYPPs



- 8.58 The review should bring together and summarise in an accessible form data and inspection information and provide an assessment of progress against milestones. As part of the review the Children's Trust Board should ensure the CYPP is properly aligned with the LAA and is adjusted to reflect additional needs assessments, consider the latest data on outcomes, whether circumstances or needs have changed and how emerging needs will be addressed.
- 8.59 The CYPP review is an opportunity to refresh the Board's engagement with the community and the review should enable parents and young people to make informed judgements about how effective the Children's Trust Board partners have been in meeting their objectives to co-operate to improve outcomes.
- 8.60 We expect the CYPP review to be published as part of the annual Children's Trust Board's monitoring report.
- 8.61 In summary the CYPP review should:
- highlight the progress in delivering the Plan and identify any reasons for not delivering it;
 - present relevant performance data;
 - identify barriers to success;
 - outline what actions will be taken to achieve the improvements; and
 - set out future tasks for the Plan and how and when these tasks will be completed.
- 8.62 The Children's Trust Board should revise the Plan as it considers necessary following its review. Revising the Plan should take account of changes in the membership of the Board.

Consultation question

Does chapter eight make clear what the responsibilities of the Children's Trust Board are around representing children and young people's interests [and ensuring that the CYPP is properly reflected] in wider strategic planning overseen by the Local Strategic Partnership? If not, how else should this be covered?

Consultation question

Does chapter eight make clear what steps the Board should take in preparing, publishing and reviewing the CYPP? If not, how else should this be covered?

Consultation question

Overall, do you agree that the guidance will help to strengthen the engagement of Children's Trust partners (statutory or otherwise)? If not, what else is needed?

Annexes

- A Improving outcomes and reducing child poverty**
- B Legislative appendix**
- C Useful links**
- D New Children and Young People's Plan regulations**

Annex A: Improving Outcomes and Reducing Child Poverty

1. The Children's Trust is based on statutory duties to promote co-operation to improve children's well-being, which are underpinned by the General Principles of the UNCRC, with which partners should be familiar. The Children's Trust Board is responsible for setting the strategic framework within which the partners improve children's well-being, and the CYPP is the joint strategy which sets out how the partners will co-operate to improve children's well-being. Well-being here is defined in section 10 of the Children Act as five outcomes: be healthy; stay safe; enjoy and achieve; make a positive contribution; and achieve economic well-being. All partners need the active co-operation of at least one of the other partners to deliver their own priorities, so all partners are responsible for improving all five outcomes. It is important that, as well as improving outcomes for all children, partners work to narrow the gap in outcomes between the most vulnerable children and their peers. These vulnerable groups include looked after children, children with disabilities and children in the youth justice system. These children often require a wide range of services from most of the partners. Partners should create a local service culture within which prevention and early intervention are seen as important aspects of the overall continuum of services to make these aims a reality.

Be healthy

2. All partners in the Children's Trust – in particular the local authority, PCT and SHA – need to work together to promote good health for children and young people. Good physical, mental and emotional health is not only a central outcome in its own right, but it also has a crucial influence on each child's current and future success. Health impacts directly on performance at school, gaining qualifications and later career chances. For example, children and young people who are emotionally healthy achieve more and participate more fully – with their peers and in their community – and cope better with adversity. Partners working together on preventive action, through the Healthy Child Programme for example, may encourage children and young people to adopt healthier lifestyle habits which help minimise the risk of acute and chronic conditions in adulthood.
3. *Healthy lives, brighter futures: the strategy for children and young people's health* (2009) sets out the plans for universal, targeted and specialist support across three life stages – early years and pregnancy; school-age children; and young people – as well as the additional support for children and young people in need of acute or

ongoing healthcare. It also sets out how the delivery system can be supported in taking forward the recommendations – in particular, how the range of services in contact with children and young people can work better together, and with families, to achieve common aims. This includes more integrated provision of health and well-being services, such as through services being provided in schools and Sure Start Children's Centres, and the importance of care for children with acute or additional health needs being delivered in the home or as close to home as possible. Such integration is core work for the Children's Trust partners and the Children's Trust Board, which should promote more joint working between local authorities and Primary Care Trusts to commission services, share information and develop multi-agency front line services. For example, each Children's Trust Board should identify how it will ensure the delivery of the full range of mental health and psychological well-being services across the full spectrum of need.

Stay safe

4. All children and young people should feel safe, be protected and allowed to develop independence and confidence. This means that all Children's Trust partners should consider children's safety and safeguarding needs and how to promote children's welfare across the whole spectrum of services - and champion these within the wider Local Strategic Partnership. This outcome is about protecting children and also encompasses the much wider need to promote welfare. This might be done by, for example, ensuring safer recruitment practices; tackling bullying; preventing accidents through, say, traffic calming measures; and the installation of smoke alarms. Children's Trust partners should also consider the provision of access to safe spaces for children to engage in outdoor play and for teenagers to meet up socially, helping both to prevent offending and to prevent young people becoming victims of crime. See also the Youth Crime Action Plan [see paragraph 2.21]. In identifying local safety priorities, when developing the CYPP, the Children's Trust Board should work closely with the appropriate Fire and Rescue Authority and agree what contribution the Fire and Rescue Service will make.
5. *The protection of children in England: a progress report* by Lord Laming (2009) assessed progress being made in the delivery of arrangements to protect children. Children's Trusts were identified as having a key role in delivering the best possible arrangements for keeping children safe. The Children's Trust Board, drawing on support and challenge from the Local Safeguarding Children Board, should ensure that the CYPP recognises strengths and weaknesses in the area, and addresses what more needs to be done by each partner to improve outcomes in safeguarding. Lord Laming's report demands a clear distinction between the roles and responsibilities of

the LSCB and Children's Trust to ensure appropriate challenge, scrutiny and impartiality.⁹¹

6. Children's Trust partners should ensure⁹² that they are all prepared for and implement correctly the Vetting and Barring Scheme (VBS) that began operation in October 2009. Failure to comply with the scheme's requirements will be a criminal offence.⁹³

Enjoy and achieve

7. There are clear links between success at school, positive social behaviour and a lower chance of engagement with the youth justice system. Education is also about learning to adopt a healthy lifestyle and raising awareness of other cultures and faiths. To improve the lives and prospects of all children and young people, the attainment of underperforming groups must be raised against a background of improved attainment for all⁹⁴. To achieve this, schools, FE institutions and early years settings will need to continue to address barriers to learning, including health, behaviour or other personal and social problems. They can, through their engagement in the Children's Trust, expect to receive timely support from specialist services, including, for example, mental health and speech and language services. Similarly, services should be commissioned to ensure home-educated children get the support they need either through working collaboratively with schools or providing services at home.
8. The White Paper, *Your child, your schools, our future: building a 21st century schools system* (2009) recognised that no school alone can provide the full range of opportunities that children and young people will need to succeed. It set out an expectation that all schools work in partnership and that, as part of the wider Children's Trust, they do so with the full range of providers and commissioners of services for children. This should help them to identify children who need additional help early and ensure that appropriate support is provided in good time to prevent problems developing into more serious barriers to learning. The Children's Trust also provides a means for supporting better co-operation between schools and police by facilitating Safer School Partnerships.⁹⁵

91 [Reference to be added to the updated version of Working Together.]

92 The legal requirement is for employers to apply the scheme so the responsibility rests with the individual partners and not the Children's Trust Board. Its role is to remind and encourage partners to comply.

93 <http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/safeguardingchildren/vettingandbarringscheme/vettingvandbarring/>

94 For example, as part of the National Challenge, it is important that there are sustained improvements made in the schools supported by the programme.

95 <http://www.teachernet.gov.uk/wholeschool/behaviour/sspg>

9. In terms of the 'enjoy' element of this outcome, evidence suggests that good quality outdoor play opportunities can drive improvements for children and young people across all five outcomes. The *National Play Strategy for England (2008)*⁹⁶ requires not only a strategic approach to planning, creating and maintaining play provision across the local area (with children, local communities and the third sector⁹⁷ fully involved in the decision-making process), but also introduced a new national indicator⁹⁸ which measures children's satisfaction with their local play facilities. Delivering these excellent outdoor play opportunities for all children requires working closely with the Local Strategic Partnership on issues such as town and highways planning and the management and maintenance of public spaces, to promote child-friendly neighbourhoods. Similarly, participation in regular structured activities, in for example sport or music, can support young people to develop social and emotional skills⁹⁹.

Make a positive contribution

10. All young people should feel valued members of their communities and have their achievements recognised and celebrated. Children's Trust partners need to empower young people, increasing their influence over the design and delivery of services. This could be done by, for example, giving them a role on the Children's Trust Board, consulting them on the CYPP, actively engaging with local youth councils or forums, and offering them opportunities to contribute to their communities. This type of empowerment can be an important way of building young people's resilience, which will contribute to improving all their outcomes. It is important for decision makers to speak directly to groups at risk of becoming marginalised, such as looked after children¹⁰⁰, children with disabilities, or children in contact with the youth justice system. Children's Trust partners will also need to consider how they can collectively gain insight into the experience and needs of very young children including those with communication needs. Various good practice approaches are available.
11. The Youth Crime Action Plan (YCAP) and YCAP One Year On¹⁰¹, set out the cross-Government approach to tackling and reducing youth crime. It provides funding to support families with the most entrenched problems in all local areas and intensive action for areas facing the greatest youth crime challenges. It should enable youth

96 <http://www.dcsf.gov.uk/play/>

97 The third sector is defined as non-governmental organisations that are value-driven and which principally reinvest their surpluses to further social, environmental or cultural objectives.

98 (National Indicator 199)

99 See also *Aiming High: a ten year strategy for positive activities* and *Youth Matters and Youth Matters Next Steps*

100 This could be done through involvement in children in care councils.

101 <http://www.homeoffice.gov.uk/documents/youth-crime-action-plan/>

justice services, youth services and the police to work more effectively in partnership with commissioners and providers of other services for children and young people so that young people at risk of or already involved in crime and their families get the support they need. In particular, the Children's Trust Board, through the CYPP, should enable coherent planning to meet the needs of children and young people before, during and after their involvement in the youth justice system.

12. Schools have a statutory duty to promote community cohesion¹⁰² and FE institutions will also be actively engaging in this area. Their Children's Trust partners, especially the local authority, should support and work with them by, for example, helping schools understand live issues in their neighbourhoods, or facilitating links with community partners. Partners could promote interaction between children and families from different backgrounds, using play facilities or positive activities for young people, and schools could make their facilities available to local people.

Achieve economic well-being

13. The Children's Trust Board has an important role in ensuring that children and young people achieve economic well-being in the future. By 2015, all young people will be in education or training until they are 18, helping to ensure they acquire the skills and qualifications necessary for success in the world of work. *Delivering 14-19 reform: next steps* (2008)¹⁰³ sets out the qualifications and support offer that will be available to all young people. The ASCL Act 2009 places responsibilities on local authorities from April 2010 to secure education and training for learners aged 16-18, and for those aged 19-25 subject to a learning difficulty assessment. They should work closely through their local 14-19 partnership¹⁰⁴ and embed commissioning of 16-19 education and training in the wider strategic commissioning process.
14. Access to good quality, comprehensive and impartial advice and guidance (IAG) is key to helping young people, especially those in custody, stay in learning and make the right choices about qualifications and career paths. Local authorities have the responsibility for commissioning IAG services for young people.¹⁰⁵ IAG is an integral part of the local authority's strategic leadership in implementing the 14-19 reforms and raising the participation age, and many of the Children's Trust partners have

102 Under section 21(5) of the Education Act 2002.

103 <http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00805-2008>

104 Under section 85 of the Education and Skills Act 2008, 14-19 partnerships are part of section 10 of the Children Act 2004; that is they are part of the Children's Trust

105 *Quality Standards for Young People's Information Advice and Guidance* (2007) can be found at <http://www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00253/>. It sets the standards for IAG services. Forthcoming Directions and statutory guidance will clarify how local authorities should discharge their responsibilities.

important contributions to make. Agencies responsible for wider services to young people and with an interest in the local labour market already work through the Children's Trust co-operation arrangements. The ASCL Act 2009 makes all the strategic and operational voices with a direct interest in effective IAG formal partners in the Children's Trust as statutory 'relevant partners'.

15. Work-related learning, including work experience and learning about working practices and skills required in the workplace, has a strong positive impact on children's well-being and maximises their life chances. It is essential that a range of employers, which may be involved in running apprenticeships or providing other training, are engaged through the Children's Trust co-operation arrangements to advise on the implications for future employment and similar matters at both strategic and operational levels. Children's Trust Boards should, through the CYPP, ensure that excluded groups, including looked after children, children with disabilities and young people in contact with the youth justice system, have access to appropriate education, training and employment opportunities.

Reducing child poverty

16. As well as thinking about economic well-being in the future, Children's Trust partners should consider the experience of local children growing up in poverty. Poverty still blights many children's lives and has far-reaching effects on their experience of childhood and future well-being. Child poverty has a negative impact on all five outcomes, so preventing and tackling it should be a central part of the work of the Children's Trust partners.
17. Reducing child poverty requires a multi-faceted approach across all five outcomes by all Children's Trust partners, but the full range of factors determining child poverty cannot be addressed through the CYPP alone. Action to support parents and their children is needed across all local adult services too, including improving parents' employment prospects with training to improve their skills, helping them into work, and assisting them to access financial support and good quality childcare. The Children's Trust Board should also be actively engaged with the wider agenda of the Local Strategic Partnership to influence economic regeneration and housing developments, both of which potentially have an impact on child poverty but are beyond the normal scope of the Children's Trust Board.
18. Jobcentre Plus makes an important local contribution to tackling child poverty. It is important that its services are delivered in conjunction with other services which affect children. For this reason, Jobcentre Plus has been included as a statutory 'relevant partner' in the Children's Trust with representation on the Children's Trust Board.

19. Subject to the will of Parliament, the Child Poverty Bill 2009 will provide that local authorities and certain named partners will be required to work together to conduct a child poverty needs assessment and produce a joint child poverty strategy for the area. This is anticipated in the CYPP regulations which are expected to require Children's Trust Boards to include in their CYPP the arrangements they will make for reducing and mitigating the effects of child poverty locally – see chapter 8.

Annex B: Legislative Basis

Annex B(i)

Legislative basis

Part 2 of the Children Act 2004 (as amended by the Apprenticeships, Skills, Children and Learning Act 2009)

CHILDREN'S SERVICES IN ENGLAND

General

10 Co-operation to improve well-being

- (1) Each children's services authority in England must make arrangements to promote co-operation between-
 - (a) the authority;
 - (b) each of the authority's relevant partners; and
 - (c) such other persons or bodies as the authority consider appropriate, being persons or bodies of any nature who exercise functions or are engaged in activities in relation to children in the authority's area.
- (2) The arrangements are to be made with a view to improving the well-being of children in the authority's area so far as relating to-
 - (a) physical and mental health and emotional well-being;
 - (b) protection from harm and neglect;
 - (c) education, training and recreation;
 - (d) the contribution made by them to society;
 - (e) social and economic well-being.
- (3) In making arrangements under this section a children's services authority in England must have regard to the importance of parents and other persons caring for children in improving the well-being of children.
- (4) For the purposes of this section each of the following is a relevant partner of a children's services authority in England-
 - (a) where the authority is a county council for an area for which there is also a district council, the district council;
 - (b) the police authority and the chief officer of police for a police area any part of which falls within the area of the children's services authority;
 - (c) a local probation board for an area any part of which falls within the area of the authority;
 - (ca) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007,

- (cb) so far as they are exercisable in relation to England; any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a relevant partner of the authority;
 - (d) a youth offending team for an area any part of which falls within the area of the authority;
 - (e) a Strategic Health Authority and Primary Care Trust for an area any part of which falls within the area of the authority;
 - (f) a person providing services in pursuance of section 68 of the Education and Skills Act 2008 in any part of the area of the authority;
 - (fa) the governing body of a maintained school that is maintained by the authority in their capacity as a local education authority;
 - (fb) the proprietor of a school approved by the Secretary of State under section 342 of the Education Act 1996 and situated in the authority's area;
 - (fc) the proprietor of a city technology college, city college for the technology of the arts or Academy situated in the authority's area;
 - (fd) the governing body of an institution within the further education sector the main site of which is situated in the authority's area;
 - (fe) the Secretary of State, in relation to the Secretary of State's functions under section 2 of the Employment and Training Act 1973.
- (5) The relevant partners of a children's services authority in England must co-operate with the authority in the making of arrangements under this section.
- (5A) For the purposes of arrangements under this section a relevant person or body may-
- (a) provide staff, goods, services, accommodation or other resources to another relevant person or body;
 - (b) make contributions to a fund out of which relevant payments may be made.
- (8) A children's services authority in England and each of their relevant partners must in exercising their functions under this section have regard to any guidance given to them for the purpose by the Secretary of State.
- (9) Arrangements under this section may include arrangements relating to-

- (a) persons aged 18 and 19;
 - (b) persons over the age of 19 who are receiving services under sections 23C to 24D of the Children Act 1989 (c.41);
 - (c) persons over the age of 19 but under the age of 25 who have a learning difficulty, within the meaning of section 13 of the Learning and Skills Act 2000, and are receiving services under that Act.
- (10) In deciding for the purposes of subsection (4)(fd) whether the main site of an institution within the further education sector is situated within the area of a children's services authority, the authority and the governing body of the institution must have regard to any guidance given to them by the Secretary of State.
- (11) In this section-
- “governing body”, in relation to an institution within the further education sector, has the meaning given by section 90 of the Further and Higher Education Act 1992;
- “institution within the further education sector” has the meaning given by section 4(3) of the Education Act 1996;
- “maintained school” has the meaning given by section 39(1) of the Education Act 2002;
- “proprietor”, in relation to a city technology college, city college for the technology of the arts, Academy or other school, means the person or body of persons responsible for its management;
- “relevant payment”, in relation to a fund, means a payment in respect of expenditure incurred, by a relevant person or body contributing to the fund, in the exercise of its functions;
- “relevant person or body” means-
- (a) a children's services authority in England;
 - (b) a relevant partner of a children's services authority in England.

Legislative basis**Part 2 of the Children Act 2004 (as amended by the Apprenticeships, Skills, Children and Learning Act 2009)****17 Children and young people's plans**

- (1) The Secretary of State may by regulations require a Children's Trust Board established by virtue of arrangements under section 10 from time to time to prepare and publish a children and young people's plan.
- (2) A children and young people's plan is a plan setting out the strategy of the persons or bodies represented on the Board for co-operating with each other with a view to improving the well-being of children and relevant young persons in the area of the authority that established the Board.
- (3) In subsection (2) "well-being" means well-being so far as relating to the matters specified in section 10(2)(a) to (e).
- (4) Regulations under this section may in particular make provision as to—
- (a) the matters to be dealt with in a children and young people's plan;
 - (b) the period to which a children and young people's plan is to relate;
 - (c) when and how a children and young people's plan must be published;
 - (d) keeping a children and young people's plan under review;
 - (e) revising a children and young people's plan;
 - (f) consultation to be carried out during preparation or revision of a children and young people's plan;
 - (g) other steps required or permitted to be taken in connection with the preparation or revision of a children and young people's plan.
- (5) In this section "relevant young persons" means persons, other than children, in relation to whom arrangements under section 10 may be made.

17A Children and young people's plans: implementation

- (1) This section applies where a Children's Trust Board prepares a children and young people's plan in accordance with regulations under section 17.
- (2) The persons and bodies whose strategy for co-operation is set out in the plan must have regard to the plan in exercising their functions.
- (3) The Board must—
- (a) monitor the extent to which the persons and bodies whose strategy for co-operation is set out in the plan are acting in accordance with the plan;
 - (b) prepare and publish an annual report about the extent to which, during the year to which the report relates, those persons and bodies have acted in accordance with the plan.

Annex B(iii)

Legislative basis

Part 2 of the Children Act 2004 (as amended by the Apprenticeships, Skills, Children and Learning Act 2009)

Children's Trust Boards

12A Establishment of CTBs

(1) Arrangements made by a children's services authority in England under section 10 must include arrangements for the establishment of a Children's Trust Board for their area.

(2) A Children's Trust Board must include a representative of each of the following—

- (a) the establishing authority;
- (b) each of the establishing authority's relevant partners (subject to subsection (4)).

(3) A Children's Trust Board may also include any other persons or bodies that the establishing authority, after consulting each of their relevant partners, think appropriate.

(4) A Children's Trust Board need not include any of the establishing authority's relevant partners who are of a description prescribed by regulations made by the Secretary of State.

(5) Subsection (2) does not require a Children's Trust Board to include a separate representative for each of the persons or bodies mentioned in subsection (2)(a) and (b).

(6) Where two or more children's services authorities jointly make arrangements under section 10 for the establishment of a Children's Trust Board, references in sections 12B and 17 to the area of the authority that established the Board are to be read as references to an area consisting of the combined areas of those authorities.

(7) For the purposes of this section and sections 12B and 12C—

- (a) "the establishing authority", in relation to a Children's Trust Board, is the children's services authority that establishes the Board;
- (b) a person or body is a "relevant partner" of a children's services authority if it is a relevant partner of the authority for the purposes of section 10.

12B Functions and procedures of CTBs

(1) The functions of a Children's Trust Board are—

- (a) those conferred by or under section 17 or 17A (children and young people's plans);
- (b) any further functions conferred by regulations made by the Secretary of State.

(2) Regulations under subsection (1)(b) may confer a function on a Children's Trust Board only if the function relates to improving the well-being of children or relevant young persons in the area of the establishing authority.

(3) In subsection (2) "well-being" means well-being so far as relating to one or more of the matters specified in section 10(2)(a) to (e).

(4) A Children's Trust Board must have regard to any guidance given to it by the Secretary of State in connection with—

- (a) the procedures to be followed by it;
- (b) the exercise of its functions.

(5) In this section "relevant young persons" means persons, other than children, in relation to whom arrangements under section 10 may be made.

12C Funding of CTBs

(1) The establishing authority and any of their relevant partners represented on a Children's Trust Board may make payments towards expenditure incurred by, or for purposes connected with, the Board—

- (a) by making the payments directly; or
- (b) by contributing to a fund out of which the payments may be made.

(2) The establishing authority and any of their relevant partners represented on a Children's Trust Board may provide staff, goods, services, accommodation or other resources for purposes connected with the functions of the Board.

(3) Two or more Children's Trust Boards may establish and maintain a pooled fund for the purposes of any of their functions.

(4) A pooled fund is a fund—

- (a) which is made up of contributions by the Boards concerned, and
- (b) out of which payments may be made towards expenditure incurred in the discharge of functions of any of the Boards.

12D Supply of information to CTBs

(1) A person or body represented on a Children's Trust Board must supply to the Board any information requested by the Board for the purpose of enabling or assisting it to perform its functions.

(2) Information supplied to a Children's Trust Board under this section may be used by the Board only for the purpose of enabling or assisting it to perform its functions.

(3) Information requested under subsection (1) must be information that relates to—

- (a) the person or body to whom the request is made;
- (b) a function of that person or body, or
- (c) a person in respect of whom a function is exercisable by that person or body.

Legislative basis**Education and Skills Act 2008*****Co-operation as regards 14-19 education and training*****85 Co-operation as regards provision of 14-19 education and training**

(1) The arrangements made by a children's services authority in England (a "children's authority") under section 10 of the 2004 Act (co-operation to improve well-being of children) must include arrangements within subsection (2) or (3).

(2) The arrangements within this subsection are arrangements to promote co-operation between--

- (a) the children's authority,
- (b) the authority's relevant partners, and
- (c) the other persons and bodies (of any nature) who exercise functions, or are engaged in activities, relevant to the provision of 14-19 education or training in the authority's area.

(3) The arrangements within this subsection are arrangements made jointly by the children's authority and one or more other children's authorities to promote co-operation between--

- (a) the authorities,
- (b) the authorities' relevant partners, and
- (c) the other persons and bodies (of any nature) who exercise functions, or are engaged in activities, relevant to the provision of 14-19 education or training in each of the authorities' areas.

(4) Subsection (1) is not to be read as affecting the generality of the duty imposed by section 10(1) and (2) of the 2004 Act so far as relating to education and training.

(5) In this section--

"the 2004 Act" means the Children Act 2004 (c 31);

"children's services authority in England" has the meaning given by section 65(1) of that Act;

"14-19 education" and "14-19 training" mean, respectively, education and training suitable to the requirements of persons during the period beginning with the start of the academic year in which they attain the age of 15 and ending when they attain the age of 19;

"relevant partner", in relation to a children's services authority in England, has the meaning given by section 10(4) of the 2004 Act.

(6) For the purposes of subsection (5)--

(a) "education" means full-time or part-time education, but does not include higher education (namely, education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988 (c 40));

(b) "training" means full-time or part-time training, and includes vocational, social, physical and recreational training;

(c) "academic year" means any period beginning with 1 August and ending with the next 31 July.

Annex C: Useful Links

The links below provide access to a wide range of best practice guidance at both national and local level across various themes.

Commissioning Support Programme:

The Commissioning Support Programme (CSP) was launched in November 2008 to help develop the effectiveness of Children's Trusts through transforming strategic commissioning across the breadth of children's services. As part of their package of support the CSP have established a website which includes online special interest groups, collaborative tools to help commissioners share practice and explore approaches to problem solving and a resource bank, which contains a wide range of resources related to commissioning and children's services, including good practice case studies.

<http://www.commissioningsupport.org.uk/resource-bank.aspx>

C4EO

The Centre for Excellence and Outcomes (C4EO) in Children and Young People's Services, launched in July 2008, is a collaborative centre, which gathers and shares the best available knowledge of "what works" to contribute to improving outcomes for children, young people and their families.

<http://www.C4EO.org.uk>

Every Child Matters:

The Every Child Matters resource and practice database can be used to find topic specific and area specific examples of practise that will help you deliver the Every Child Matters agenda.

<http://www.dcsf.gov.uk/everychildmatters/resources%2Dand%2Dpractice/>

IDeA:

The Improvement and Development Agency for local government (IDeA) works for local government improvement so councils can serve people and places better.

<http://www.idea.gov.uk/idk/core/page.do?pagelid=1>

LGA:

The Local Government Association (LGA) works on behalf of local councils at a national level. The LGA is active in capturing publicising best practice which are captured in its extensive publications part of its website

<http://www.lga.gov.uk/lga/core/page.do?pagelid=13896>

The Improvement Network:

The Improvement Network builds capacity for public sector managers and practitioners. It promotes its sponsors' collective knowledge and expertise on key improvement issues. It provides practical examples of cross-sectioned improvement.

<http://www.improvementnetwork.gov.uk/imp/core/page.do?pagelid=1>

Consultation question

Do you agree it would be helpful if the guidance were linked to "good practice" examples hosted on existing websites? Do you have any examples of web-sites to suggest? What would be the most helpful way of spreading good practice and through which websites?

Annex D: New Children and Young People's Plan regulations

STATUTORY INSTRUMENTS

2010 No.

CHILDREN AND YOUNG PERSONS, ENGLAND

DRAFT FOR CONSULTATION: Children's Trust Board (Children and Young People's Plan) (England) Regulations 2010

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	***

The Secretary of State for Children, Schools and Families in exercise of the powers conferred by sections 17 and 66 of the Children Act 2004⁽¹⁰⁶⁾, makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Children's Trust Board (Children and Young People's Plan) (England) Regulations 2010 and shall come into force on [1 April 2010].

Interpretation

2. In these Regulations—

“appropriate diocesan authority”, “Church of England School” and “Roman Catholic Church School” have the same meanings as in section 142(1) of the School Standards and Framework Act 1998⁽¹⁰⁷⁾;

“authority” means a children's services authority in England;

“Board” means a Children's Trust Board established by virtue of arrangements under section 10 of the Act;

“Board partners” means the persons or bodies represented on the Board⁽¹⁰⁸⁾;

“establishing authority” means the authority that established the Board;

¹⁰⁶ c. 31. Section 17 was substituted by section 187(3) of the Apprenticeships, Skills, Children and Learning Act.

¹⁰⁷ 1998 c.31; section 142(1) was amended by S.I. 2003/2037.

¹⁰⁸ Which will include any persons or bodies included under section 12A(3) of the Act.

“plan” means a children and young people’s plan setting out the strategy of the Board partners for co-operating with each other with a view to improving the well-being of children and relevant young persons in the area of the establishing authority;

“plan period” in relation to any plan means the period (determined by the Board) to which any plan relates;

“relevant partners” has the same meaning as in section 10 of the Act;

“the Act” means the Children Act 2004.

Requirement to prepare and publish a plan

3. Each Board must, in accordance with these Regulations, prepare and publish a plan.

Matters to be dealt with in the plan

4.—a. Each plan must set out how the Board partners intend to co-operate with each other during the plan period so as to improve the well-being of children and relevant young persons in the area of the establishing authority so far as relating to the matters specified in section 10(2)(a) to (e) of the Act (referred to in this regulation as the “outcomes”).

(1) Each plan must include—

- (a) a needs assessment against the outcomes;
- (b) an outline of the key actions (as identified by the needs assessment) planned to achieve the outcomes, in particular with specific reference to children and relevant young persons who—
 - (i) have special educational needs within the meaning of section 312 of the Education Act 1996 [insert footnote re amdts];
 - (ii) are disabled within the meaning of section 1 of the Disability Discrimination Act 1995 [insert footnote re amendments]; or
 - (iii) are looked after by a local authority (within the meaning of section 22 of the Children Act 1989) [insert footnote re amendments].

(2) Each plan must set out the arrangements made by Board partners for co-operating with each other, in particular on—

- (a) the training and development of persons working with children and relevant young persons in the area of the establishing authority in order to deliver the key actions referred to in paragraph (2)(b), and any arrangements required by subparagraphs (3)(b) to (f) of this regulation [set out in the plan];
- (b) [early intervention and preventative action];
- (c) co-ordinating services for children and relevant young persons and adults within their family with a view to improving the well-being of [such] children and relevant young persons;
- (d) reducing, and mitigating the effects of, child poverty in the establishing authority’s area;
- (e) improving the behaviour of children and relevant young persons in the area of the establishing authority, and attendance of pupils (whether full-time or part-time) at school **DN define ‘school’ and ‘pupils’ here – with reference to sections 3 and 4 of the Education Act 1996** in particular which must (in the case of secondary schools) take into account the partnership reports submitted to the Board under section 241(3) of the Apprenticeships, Skills, Children and Learning Act 2009; and
- (f) safeguarding and promoting the welfare of children and relevant young persons which must, in particular, take into account the report submitted to the Board by the Local Safeguarding Children Board for the area of the establishing authority under section 14A(2) of the Act;

- (g) contributing towards achieving any targets **[DN will need to specify that the targets must relate to school/LEA/LA that is the Board partner]** set under regulations made under—
 - (i) section 102 of the Education Act 2005 **[footnote ref to Act]** (LEA performance targets);
 - (ii) section 19 of the Education Act 1997 **[footnote ref to Act]** (school performance targets);
 - (iii) section 1(3) of the Childcare Act 2006 **[footnote ref to Act]** (local authority well-being of young children targets) **[footnote ref to Act]**; and
 - (iv) section [9A] of the Act **[footnote amdt]** (safeguarding targets);
- (h) contributing towards achieving any local improvement targets (within the meaning of section 105 of the Local Government and Public Involvement in Health Act 2007) insofar as they relate to children and relevant young persons and are specified by the establishing authority in its local area agreement pursuant to section 106 of that Act.

Timing of publication of the plan

5.—b. The first plan must be published on or before 1st April 2011.

(1) Each subsequent plan must be published no later than 6 weeks after the end of the plan period for the previous plan.

Manner of publication of the plan

6. The Board must publish each plan by—

- (a) placing it on the website of the establishing authority and the relevant PCT;
- (b) placing it on the website of any other person or body represented on the Board as the Board considers appropriate; and
- (c) depositing sufficient copies of the plan to allow members of the public to take a copy in such public libraries and other places to which the public have access in the area of establishing authority as the Board considers appropriate.

Consultation during the preparation of the plan

7.—c. During the preparation of each plan the Board must consult—

- (a) such persons or bodies that the establishing authority has made arrangements with to promote co-operation under section 10(1)(c) of the Act and who are not also Board partners;
- (b) any relevant partners who are prescribed in regulations made under section 12A(4) of the Act and who are not Board partners;
- (c) such children, relevant young persons and families (including persons with parental responsibility for, or who have the care of children) in the area of the establishing authority as the Board considers appropriate;
- (d) such persons or bodies representing children, relevant young persons or families as the Board considers appropriate;
- (e) the Local Safeguarding Children's Board for the area of the establishing authority;
- (f) all Sure Start Children's Centre Advisory Boards **[define with ref to legislation?]** situated in the area of the establishing authority;
- (g) such persons or bodies in the establishing authority's area [in particular those from the private, voluntary or independent sector] providing or commissioning services relating to children, relevant young persons, families or carers as the Board considers appropriate;

- (h) the appropriate diocesan authority for any foundation or voluntary school situated in the area of the establishing authority which is a Church of England or Roman Catholic Church school;
- (i) such other faith groups as the Board considers appropriate;
- (j) the proprietors of independent schools within the meaning of section 463 of the Education Act 1996 [footnote] in the area of the establishing authority;
- (k) the schools forum for the establishing authority's area;
- (l) the admission forum for the establishing authority's area;
- (m) [the proprietors of] independent specialist colleges in the area of the establishing authority;
- (n) such groups of persons representing local communities in the establishing authority's area as the Board considers appropriate;
- (o) such registered providers of social housing in the establishing authority's area as the Board considers appropriate; and
- (p) such partner authorities [within the meaning of section 104(2) and (3) of the Local Government and Public Involvement in Health Act 2007] who [exercise functions or provide services within the establishing authority's area] as the Board considers appropriate.

(2) If before the day on which these Regulations come into force any consultation was undertaken which if it had been undertaken after that day would to any extent have satisfied the requirements of paragraph (1), those requirements will to that extent be taken to have been satisfied.

Review of the plan

8.—d. The Board must review its plan in each year in which the Board is not required to publish a plan.

(1) During the conduct of such a review the Board must consult such persons or bodies as it considers appropriate.

(2) Following any review of the plan conducted under paragraph (1), the Board must, if it considers it necessary, revise the plan and publish it in accordance with regulation 6.

(3) Any such revision must take account of any changes in the membership of the Board since the publication of the plan, or the last review of the plan as appropriate.

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations provide for Children's Trust Boards to prepare, consult upon, publish and review a children and young people's plan.

Regulation 4 sets out the matters which must be included in the plan.

Regulation 5 provides that the first plan is to be published on before 1st April 2011, and then each subsequent plan must be published no later than 6 weeks after the end of the last plan period (which period is determined by the Children's Trust Board).

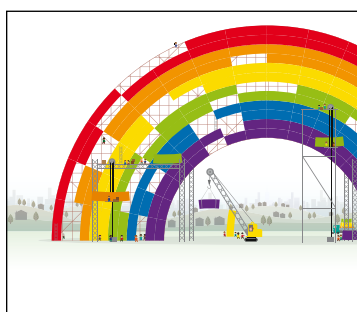
Regulation 6 provides for the way in which the plan must be published; regulation 7 sets out the consultation which must take place during the preparation of the plan. Regulation 8 requires the Children's Trust Board to review and if necessary revise the plan in each year that it is not required to publish a new plan, with provision for further limited consultation during the conduct of such a review.

Consultation question

Do you agree that the matters to be dealt with in the Plan as set out in Section 4 of the Regulations are appropriate?

Consultation question

Are there additional requirements that you would like to see set out in the Regulations? If so, what are they?



You can download this publication at
<http://www.dcsf.gov.uk/consultations/>

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