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LETTER FROM THE SECRETARY OF STATE TO LOCAL AUTHORITIES AND OTHER STAKEHOLDERS

Delivering The Children's Plan: Children's Trusts and 21st Century Schools

In the Children's Plan we set out our shared ambition to make this country the best place in the world for young people to grow up. As part of this we committed to world class standards in education; a new role for schools as the centre of their communities; and more effective links between schools, health and other children's services, brought together by Children's Trusts in every area, so that together they can tackle all the barriers to the learning, health and happiness of every child.

Today we are taking the next steps to make a reality of these ambitions, and I enclose three documents on which I would welcome your comments and advice. They each draw heavily on the experience, best practice and views of local authorities, schools and other key partners, for which I am most grateful.

Schools have traditionally taken a broad view of education as the development of the whole child, in order to tackle all the barriers to learning inside and outside the school, so that every child can fulfil their potential and



department for
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get the good qualifications they need. The government has supported this by placing on schools a duty to promote the well-being of their pupils. This means they have a duty to support the development of all their pupils across all five Every Child Matters outcomes, so that they are healthy, safe, able to enjoy and achieve their potential, secure economic wellbeing, and can make a positive contribution.

The first of the three documents I am sending you is therefore draft guidance to schools which explains in more detail what is meant by “promoting well-being” and what support schools should expect from their local authority and other partners in their Children’s Trust. At the heart of the Children’s Plan is the vision of a “21st century school”: a school which achieves high standards and embraces its role in the wider development of young people, in support of its core mission of ensuring through excellent teaching and learning that all children achieve their potential, and in partnership with parents, other schools and other local agencies. Schools can’t do it on their own. They need to be well supported by, and able to work effectively with, a range of other partners including statutory services and the voluntary and community sector, and Children’s Trust arrangements are intended to bring together all these services locally.

The second document therefore consults on how we should strengthen Children’s Trusts in order to deliver for all children and young people; to ensure schools consistently get the timely support they need; to narrow gaps in outcomes between disadvantaged young people and their peers; and to take action early where children have additional needs. A great deal is being achieved by leading local areas within the existing framework, and the challenge now is to ensure that good practice is widely implemented and deeply embedded. There is now a strong case for strengthening the statutory basis of Children’s Trusts on the model of existing good practice.

Schools are key partners for Children’s Trusts at the local and neighbourhood level, and are well placed to give early warning when things are going wrong for young people. To achieve the objectives of the Children’s Plan, schools must be effectively supported by wider children’s services and involved in

determining the strategic direction and commissioning arrangements for those services at Board level. Strong collaborative working of this kind is generally welcomed in principle, but in practice we know it can be difficult to achieve. This was a key message from our recent consultation on our draft supplementary guidance to local authorities and others on the “duty to cooperate” (Children’s Trust guidance).

The second document proposes a number of changes to the current framework for Children’s Trusts. These include extending responsibility for Children and Young People’s Plans and being clearer about what they should cover, extending the “duty to cooperate” to schools, and requiring through statute the creation of Children’s Trust Boards with a defined set of functions and responsibilities. Our proposals include:

- Requiring all areas to have a Children and Young People’s Plan, and extending ownership of the plan to all statutory partners. Children and Young People’s Plans are currently local authority plans, although they must consult with other partners and the plans must cover the full range of outcomes for children. Extending responsibility for the Plan to all partners covered by the duty to cooperate would mean that the Plan becomes the shared responsibility of the Children’s Trust Board;
- Strengthening the statutory framework for Children and Young People’s Plans through secondary legislation. This could include clarifying that Plans must be agreed by all partners, set out the arrangements for early intervention, including for the children’s workforce and specify the spend of each partner on areas such as child health and youth offending, in particular those covered by local joint commissioning arrangements. This would establish a higher baseline for the quality of Plans in line with the best practice already established in many areas;
- Extending the “duty to cooperate” to schools, to Schools Forums and to Sixth Form and Further Education colleges, with future Academies brought within scope through their Funding Agreements. This duty currently applies to local authorities, Primary Care Trusts and other

strategic partners. Extending the duty to front line providers of education would give them corresponding rights within Trusts to a stronger voice, more influence over their strategic arrangements, and better support from other statutory partners;

- Establishing a stronger statutory basis for Children's Trust Boards, on the model of existing good practice and with significant local flexibility. Leading local areas have already put in place Children's Trust Boards which have the representation and functions that primary or secondary legislation could prescribe for all. Setting out core membership and functions in legislation could help secure more consistent performance and more robust operation of Children's Trusts. An alternative would be to create reserve powers for Ministers to direct areas when local arrangements are not operating successfully;

I would welcome comments as soon as possible on these changes and how they could support your work, and also what other changes to primary or secondary legislation we should consider in this area, for example to ensure the voluntary and third sectors can play a full role in local children's services.

The third document relates specifically to the local authority's strategic leadership role in promoting high standards in education, as established by the Education and Inspections Act 2006. This is a key part of their wider role in promoting the wellbeing of all children and young people in their local area. The 2006 Act provides the current legal framework for schools causing concern, and makes a crucial contribution to school improvement by enabling early action by local authorities to improve school performance.

Local authorities may already consider a formal warning notice which allows them to employ a range of intervention powers, even where Ofsted has not graded the school as "inadequate". It is important that these powers are used when it is appropriate, because they are designed to address issues where schools are under-performing before they become more serious. As has been announced, the Government therefore proposes to take a new legislative power in the forthcoming Education and Skills Bill to require authorities to

consider formal warning notices when these are clearly justified by the school's performance, and also proposes to extend the current power to require authorities to take additional advisory services where this is necessary.

The Children's Plan set out a vision in which local authorities, schools and other local providers work together and support each other, both in setting the direction and in driving delivery. I believe the three documents published today, taken together, gives us a framework that will help make this vision a reality. It will be helpful to have responses as soon as possible, and in the case of the Children's Trust legislation by the end of July. However, the consultations will not formally close until 25 September.

I hope you will be able to give us your views on our proposals. All of us have a role in helping ensure this translates into higher standards and real improvements in the lives of young people and children, and we will only move forward by working in partnership together. I very much look forward to working with you on that basis for all of our children and young people.

Handwritten signature of Ed Balls, consisting of a stylized 'E' followed by 'Balls'.

Ed Balls