



Meeting	NOTTINGHAMSHIRE CHILDREN AND YOUNG PEOPLE'S PARTNERSHIP BOARD		
date	21 January 2009	agenda item number	5

REPORT OF THE CORPORATE DIRECTOR FOR CHILDREN AND YOUNG PEOPLE'S SERVICES

STATUTORY GUIDANCE ON CHILDREN'S TRUSTS

Purpose of report

1. This report provides information on:
 - a) updated statutory guidance on Children's Trusts, issued by the DCSF
 - b) draft revised statutory guidance – which has been issued by the DCSF for consultation – on the roles and responsibilities of the Lead Member for Children's Services and the Director of Children's Services.

Information and advice

Background

Updated statutory guidance on Children's Trusts

2. The DCSF published in November 2008 updated guidance on Children's Trusts. A copy was sent by email to the Board with the agenda for today's meeting.
3. This is statutory guidance, issued under the Children Act 2004, to which all local authorities and relevant partners, must have regard. It replaces the previous statutory guidance on this topic issued in 2005.
4. The revised guidance runs to 48 pages. It is being published ahead of the report, recently commissioned by the government from Lord Laming, on the progress being made in local areas to implement effective arrangements for safeguarding children.
5. The government is proposing to strengthen the legal framework for Children's Trusts in the next Parliamentary session – the guidance is therefore of an interim nature, focussing on the next 18 months, after

which it will be updated to reflect any legislative changes that are made. In the interim, the proposals in the guidance are recommended as good practice.

Key changes

6. The key changes set out in the guidance – which will be subject to legislation, but ahead of that are recommended as good practice – are that each Children’s Trust should:
 - have a board responsible for a range of functions to be defined by statute
 - extend the “relevant” key partners under a duty to cooperate to include schools, sixth form colleges and colleges of further education and Job Centre Plus
 - have the legal responsibility for producing and securing delivery of the Children and Young People’s Plan (CYPP).
7. The guidance stresses that the Children’s Trust should inform and influence the work of the Local Strategic Partnership, and that the CYPP should be consistent with the strategic vision of the Sustainable Community Strategy and help drive its delivery.
8. Linkages with other key partnerships are stressed in the guidance. Of particular importance is the role of the Local Safeguarding Children Board (LSCB) – the guidance suggests that the Children’s Trust may wish to have an overview of the LSCB’s work as part of its local monitoring arrangements.
9. The guidance refers to the DCSF’s ‘stocktake’ of LSCBs which is now under way and which will consider the relationship between Children’s Trusts and LSCBs and make recommendations in spring 2009.
10. The guidance reiterates central government’s view that appointing independent chairs of LSCBs is the preferred model.
11. The guidance suggests that non-statutory partners represented on the Children’s Trust Board should include children, young people and parents.
12. It is also expected that in addition to senior level representation from the PCT, a lead GP should be a member of the Children’s Trust Board.
13. The guidance also suggests that, depending on local circumstances, it would be good practice for the Children’s Trust to include individual GPs, members of the Professional Executive Committee of the PCT, or representation from a practice-based commissioning group.
14. The guidance sets out the key elements of good practice emerging in respect of the partnership between local authorities and PCTs:

- a comprehensive Joint Strategic Needs Assessment
 - the joint development of CYPPs and relevant local authority and PCT commissioning plans
 - budget transparency, with agreed processes for aligning or pooling budgets
 - an agreed local approach to joint commissioning, which provides a framework for practice-based commissioning or commissioning by schools
 - a joint focus, as part of the Local Area Agreement process, on addressing key children's health issues in an area.
15. The role of the private sector in providing day care for younger children or places for young people to go is recognised and it is advised that they should be represented at the Children's Trust strategic governance and planning levels, as well as at the delivery/front-line levels.
16. Finally, the guidance stresses that Children's Trusts need to develop stronger systems of prevention and early intervention, increasingly co-located and integrated within universal settings.

Action needed

17. It is suggested that the Board should consider:
- how it might most appropriately include schools, sixth form colleges, colleges of further education and Job Centre Plus as 'relevant' partners given the government's intention to legislate to place them under a statutory duty to cooperate with the Children's Trust
 - its relationship with the Local Strategic Partnership
 - its relationship with the Local Safeguarding Children Board
 - how parents, GPs and the private sector can be engaged with the work of the Children's Trust.
18. It is proposed that these issues will be considered in more detail at the Board's next meeting on 9 March 2009, with the exception of the issue regarding the Board's relationship with the Local Safeguarding Children Board which, it is suggested, should be discussed at the joint meeting of the Board, the NCSB and CSEG scheduled for 20 March 2009.

Consultation on the roles and responsibilities of the Lead Member for Children's Services and the Director of Children's Services

19. Draft updated guidance on the respective roles and responsibilities of the Lead Member and Director of Children's Services has been issued by the DCSF. A copy was sent by email to the Board with the agenda for today's meeting.
20. The guidance when finalised will replace the existing guidance (issued in 2005).
21. Consultation is taking place on the draft guidance – co-ordinated by the DCSF – with a consultation deadline of 10 February 2009.
22. The final guidance, informed by the consultation, is to be issued during 2009.
23. The draft guidance covers 31 pages and has an introductory section (Section 1) followed by sections on the roles and responsibilities of the Lead Member for Children's Services (Section 2) and the Director of Children's Services (DCS) (Section 3). There is a final section (Section 4) on complementary working between the Lead Member and the DCS and three appendices – one on the statutory basis for the arrangements, one (as yet incomplete) on links to other related guidance and documents/internet sites and one on how to respond to the consultation.

Lead member

24. The guidance defines the Lead Member's key strategic role as:
 - a) providing political leadership within and beyond the local authority, in order to:
 - engage and encourage local communities to contribute suggestions, comments and ideas on how children's services might be improved;
 - ensure that services delivered within the local area are designed by listening to the voice of children and young people and organised around their needs; and
 - improve outcomes for all and narrow the outcomes gap for vulnerable groups of children and young people
 - b) championing the interests of children and young people within the local authority's area:

- in particular through political engagement with the Local Strategic Partnership, Children's Trust and with local community organisations;
- c) ensuring a clear focus on safeguarding;
- d) promoting the safety and welfare of children across all agencies, especially looked after children; and
- e) exercising political accountability:
- for the effectiveness, availability and value for money of all local authority children's services.

Director of Children's Services

25. Likewise, the guidance defines the DCS' key role as:

- a) leadership:
- within the local authority - to sustain the necessary changes to culture and practice;
 - within the local authority's area - so that all services contribute to improving outcomes for all and narrowing the gap for disadvantaged groups
- b) championing children, young people and their families within the local area, in particular through:
- professional leadership of the Children's Trust and engagement with the Local Strategic Partnership by strengthening the Children's Trust (and wider Local Strategic Partnership) to sustain effective joint working with and between bodies which commission, provide, or have an interest in services affecting local children and young people;
 - the production and publication of the Children and Young People's Plan and the relevant targets within the Local Area Agreement (along with other, statutory DCSF targets);
- c) safeguarding children – promoting the safety and welfare of children across all agencies, especially looked after children; and
- d) management of the local authority's children's services, with professional responsibility and accountability for their effectiveness, availability and value for money.

Consultation questions

26. There are six consultation questions posed in the document:

- (1) Does the guidance clarify the role and responsibilities of the Lead Member for Children's Services? If not, what more is needed?
 - (2) Does the guidance clarify the role and responsibilities of the Director for Children's Services? If not, what more is needed?
 - (3) Does the guidance adequately explain the relationship between the Lead Member for Children's Services and the Director for Children's Services?
 - (4) Does the guidance enable the Lead Member and the Director for Children's Services to work effectively together?
 - (5) Is there anything else the guidance should cover?
 - (6) Appendix 2 will contain a list of other guidance and documents (with links) – can you recommend any publication you have found particularly useful?
27. The Board's views are requested on each of these questions to enable a response to the consultation to be made by the 10 February 2009 deadline.

RECOMMENDATION

28. It is recommended that the Board:
- (1) approves the arrangements for considering the implications of the updated statutory guidance on Children's Trusts, as proposed in paragraphs 17 and 18 of this report; and
 - (2) determines its views on the consultation questions on the draft updated guidance on the roles and responsibilities of the Lead Member and Director of Children's Services, as outlined in paragraph 26 of this report.

ANTHONY MAY

Corporate Director for Children and Young People