

# Delivering the Children's Plan - Strengthening Children's Trusts: legislative options

## Consultation Response Form

The closing date for this consultation is: 25  
September 2008

Your comments must reach us by that date.

department for  
**children, schools and families**

**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Children, Schools and Families e-consultation website (<http://www.dcsf.gov.uk/consultations>).**

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

**Please tick if you want us to keep your response confidential.**

Name Anthony May  
Organisation (if applicable) Nottinghamshire County Council  
Address: County Hall  
West Bridgford  
Nottingham  
NG2 7QP

If your enquiry is related to the policy content of the consultation you can contact:

Sandra Cullen - 0207 925 5233  
Gurdawar Jassi - 0207 925 6451

e-mail: [ChildrensTrusts.LegislationDiscussion@dcsf.gsi.gov.uk](mailto:ChildrensTrusts.LegislationDiscussion@dcsf.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 0780 000 2288

Fax: 01928 794113

e-mail: [consultation.unit@dcsf.gsi.gov.uk](mailto:consultation.unit@dcsf.gsi.gov.uk)

Please insert an 'X' in one of the following boxes which best describes you as a respondent:

<input checked="" type="checkbox"/> Directors of Children's Services	<input type="checkbox"/> Chief Executive of local authority	<input type="checkbox"/> Children's Trust
<input type="checkbox"/> Strategic Health Authority/Primary Care Trust	<input type="checkbox"/> Local authority senior management	<input type="checkbox"/> Voluntary/Community sector
<input type="checkbox"/> School	<input type="checkbox"/> Parent	<input type="checkbox"/> Professional working with young people
<input type="checkbox"/> FE college/sixth form college	<input type="checkbox"/> GP	<input type="checkbox"/> Children's Centre
<input type="checkbox"/> Other (Please specify)		

Please Specify:

Please note this is an interim response from Nottinghamshire County Council, as we have not had time to consult fully with our Children's Trust. A further response from the Children's Trust perspective will be sent by the 25 September 2008 deadline.

1 Do you agree that we should extend the 'duty to co-operate to improve well-being' (which applies to the 'relevant partners' listed in section 10 of the Children Act 2004) to include:

<input checked="" type="checkbox"/> Maintained schools	<input checked="" type="checkbox"/> Pupil Referral Units	<input checked="" type="checkbox"/> School Forums, Sixth Form Colleges
<input checked="" type="checkbox"/> Further Education Colleges and other providers of publicly funded 16-19 provision	<input type="checkbox"/> Other front line providers (please specify)	

Comments

2 Do you see any practical barriers to including FE colleges and other publicly funded 16-19 providers within the 'duty to cooperate', if so, how might they be overcome and what advantages would be gained from doing so?

Yes

No

Not Sure

Comments:

As local councils take over the responsibility for 16-19 funding there could be some tensions managing the purchaser/provider relationship. These should be easily manageable within the structure of the local Children's Trusts. It is highly advantageous to have Children's Trusts setting the strategic agenda for 14-19 and post-16 funding, especially in critical areas such as young people with learning difficulties and disabilities. It also helps with capital asset planning such as Building Schools for the Future.

3 How can we best ensure that GP practices are fully engaged with their local Children's Trust?

Comments:

Before commenting authoritatively on this, we will need to take a Children's Trust view and, in particular, seek advice from our PCT partners. Our initial view however is that we will need to work with our health partners to make the business of the Trust meaningful to GPs.

4 How can we best ensure that Sure Start Children's Centres are fully engaged with their local Children's Trust?

Comments:

We see Children's Centres being at the heart of our strategy to develop integrated services in Nottinghamshire, particularly for vulnerable groups of children and young people.

Our Early Years provision is already engaged with our Children's Trust but there is a need to ensure that:

- the governance of Children's Centres reflects local communities and includes Elected Members
- this governance is properly locked into the structure of the Children's Trust – we've retained our Early Years and Childcare Partnership, for example, and are about to refocus it to ensure an appropriate linkage.

5 Do you agree that the following proposals for the Children and Young People's Plan would help drive forward better strategic partnership working within Children's Trusts:

Extending responsibility for the CYPP to all 'relevant partners'

Requiring all local areas to have a CYPP

Providing a clearer statutory framework for the CYPP to promote greater consistency

Comments:

We would particularly welcome a clearer statutory framework, supported by guidance, to set out what should be included in the CYPP, rather than it being left to local determination. For example, it would be helpful to have statutory guidance in relation to a consistent approach to needs assessment, building of the Joint Strategic Needs Assessment arrangements.

6 Do you agree with the proposed coverage of CYPP regulations as described in paragraphs 1.34 to 1.37 in the document?

Agree

Disagree

Not sure

Comments:

7 Do you agree that a statutory Children's Trust Board (with membership and functions set out in legislation):

Would strengthen the effectiveness of Children's Trusts in improving outcomes for children

Should be applied to all Children's Trusts in England

Comments:

We would agree with this in principle but we have however previously commented that we do not think it would be helpful to have a defined structural model imposed by legislation – we believe this is best left for individual Children's Trusts to determine themselves, albeit cognisant of the central tenets of Every Child Matters and the Children's Plan. Further, non-statutory guidance would however be helpful in this area.

8 Please list any specific barriers to effective partnership working in the current legislative framework (e.g. limitations to the power to delegate functions between all 'relevant partners', restrictions on the power to pool resources beyond the 'relevant partners', effective working between Children's Trusts and the voluntary and third sectors).

Comments:

Further thought is needed at a national level as to how:

- LAA and Children's Trusts are tied together so that they are better linked to each other.
- how the role of Local Strategic Partnerships fits with the role of the Trusts – this is currently less clear in two tier authorities than in a unitary authority
- how we ensure that Elected Members' role is clearly established in relation to the Trusts and LAA, so that they do not feel that their authority is being eroded.

It will be important to work very hard, as we are doing in Nottinghamshire, to engage the voluntary and third sectors appropriately in the Children's Trust arrangements.

9 Are there any other changes we should make to strengthen the existing framework within which Children's Trusts operate to deliver the raised ambition of the Children's Plan?

Yes

No

Not Sure

Comments:

10 Are there any other changes we should make to the arrangements of the Children's Trust to ensure schools receive the additional support they need to deliver their duty to promote well-being and remove barriers to learning?

Yes

No

Not Sure

Comments:

In Nottinghamshire we are working up a model to potentially enable schools to engage more fully with the Children's Trust arrangements but there are resource issues that need to be resolved. It would be helpful to have statutory guidance on this, so it is not left to local determination, as at present. Allied to this, it will be important for the Ofsted inspection arrangements for schools to lock in more tightly around the Every Child Matters outcomes.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply**

Here at the Department for Children, Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Department for Business, Enterprise and Regulatory Reform Website:  
<http://www.berr.gov.uk/files/file44364.pdf>

Phil Turner - DCSF consultation Co-Ordinator 01928 794304

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 25 September 2008

Send by post to:                    DCSF  
   Sanctuary Buildings  
   Ground Floor  
   Great Smith Street  
   London SW1P 3BT

Send by e-mail to: [ChildrensTrusts.LegislationDiscussion@dcsf.gsi.gov.uk](mailto:ChildrensTrusts.LegislationDiscussion@dcsf.gsi.gov.uk)

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