

DCSF CONSULTATION ON CHILDREN'S TRUST ARRANGEMENTS

Introduction

The draft new statutory guidance on Children's Trusts and the draft new Children and Young People's Plan regulations reflect the changes arising from the Apprenticeships, Skills, Children and Learning Act 2009 (the ASCL Act). These changes, listed below, seek to strengthen Children's Trusts co-operation arrangements to meet the challenge to make this country the best place in the world for children and young people to grow up in.

The ASCL Act adds new statutory 'relevant partners' in the Children's Trust, puts the Children's Trust Board on a statutory footing, and gives responsibility for preparing, publishing, reviewing and revising the Children and Young People's Plan (CYPP) to the Board. Responsibility for implementing the Children and Young People's Plan 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.

The consultation on the draft new statutory guidance and regulations runs from Friday 13 November 2009 to Friday 29 January 2010. The statutory guidance will be published before section 12A of the Children Act 2004 (which requires the establishment of the Children's Trust Board) comes into force on 1 April 2010.

Main Changes brought in by the new Guidance

- 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
 - must be represented on the Children's Trust Board

Implications for PCT's

The guidance notes that:

"The partnership between the local authority and the PCT is the driving relationship of the Children's Trust"

Key areas of this partnership 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.

The guidance identifies at least six areas where joint working between PCTs and local authorities can often 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 e.g. sexual health, substance misuse

The guidance notes that key to all of these is prevention and early intervention, backed up by effective and accessible specialist services.

The guidance also advises that PCTs should identify a **lead GP to sit 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.

Recommendations

1. That the Board notes the new guidance and agrees the Birmingham PCT's response to the consultation document.
2. That the Board identifies a lead GP to sit on the Children's Trust Board.

Consultation on New Statutory Children's Trust Guidance and New Children and Young People's Plan Regulations

Consultation Response Form

The closing date for this consultation is:
29 January 2010

Your comments must reach us by that date.



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

Organisation (if applicable) Birmingham PCT's

Address:

If your enquiry is related to the policy content of the consultation you can contact David Aickin in the Local Area Policy Unit on:

Telephone: 020 7340 7376

e-mail: NewChildrensTrustsGuidance.CONULTATION@dcsf.gsi.gov.uk

If your enquiry is related to the DCSF e-consultation website or the consultation process in general, you can contact the Consultation Unit by e-mail: consultation.unit@dcsf.gsi.gov.uk or by telephone: 0870 000 2288.

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

Telephone: 0870 000 2288

e-mail: consultation.unit@dcsf.gsi.gov.uk

Please select the category which best describes you as a respondent.

<input type="checkbox"/> Local authority Chief Executive	<input type="checkbox"/> Director of Children's Services	<input type="checkbox"/> Director of Adult Social Services
<input type="checkbox"/> Local authority senior management	<input type="checkbox"/> Elected Member (Lead Member for Children's Services)	<input type="checkbox"/> Elected Member (other)
<input type="checkbox"/> Strategic Health Authority	<input checked="" type="checkbox"/> Primary Care Trust	<input type="checkbox"/> Health sector (other)
<input type="checkbox"/> School sector	<input type="checkbox"/> Further Education sector	<input type="checkbox"/> Police
<input type="checkbox"/> Probation board	<input type="checkbox"/> Youth Offending Team	<input type="checkbox"/> Parent/Carer
<input type="checkbox"/> Young person aged 19 or under	<input type="checkbox"/> Professional working with young people	<input type="checkbox"/> Voluntary/Community sector
<input type="checkbox"/> Early years sector	<input type="checkbox"/> Private sector	<input type="checkbox"/> Other (please specify)

<p>Please Specify: HoBTPCT, BENPCT, South PCT</p>

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?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Sure
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Comments: The guidance brings together a number of 'relevant' partners particularly schools into the formal arrangements which is positive. However there are risks at having so many partners that effective partnership work is diluted. The suggestions on representative arrangements are helpful but will be challenging in practice. In particular, GP representation is unlikely to be effective because one GP is never representative of a large group of, say, 300 in an area and the communication channels back from the representative are likely to be very poor. Furthermore, a Children's Trust Board will need a smaller "Executive group" within agreed Governance arrangements in order that decisions can be made in an effective way.

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?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments: Yes the explanation is clear

3 Does the guidance provide sufficient clarity (in chapters two and seven) on how the partners should be represented on the Children's Trust Board? If not, how else should this be covered?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Sure
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Comments: The guidance provides clarity on representation and includes suggestions on delegation. However the diversity of partners particularly in large Children's Trust Areas will mean that the 'relevant' partners will be a significant number and therefore possibly lead to an un-workable Board. The proposal to include a GP representative (not a relevant partner) for each PCT also raises the question of what their role may be.

See also comments under question 1 above.

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?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments: Yes this chapter covers a number of the processes that will enable more integrated working.

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 no, how else should this be covered?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments: There is a useful explanation of what commissioning is and how it should be delivered. The breakdown of the levels could be explored more so that there is a recognition that commissioning takes place at a number of other levels e.g. Individual, local community, practice based, locality, across the whole children's trust, across the region and nationally. The Children's Trust should be aware of and have an influence at all levels.

There are many intricate links between the contributions that the different statutory agencies make in commissioning services for Children and Young People. The document is silent on how far the scope might be – this may be deliberate but we think that some mention of the possible areas where the boundaries might be drawn could be helpful.

For example; tertiary NHS services would probably not be included, but what about all the Primary Care services (e.g. vaccination and Immunisation), and how should CAMHS be best treated. Commissioning services to reduce Teenage Conceptions is very much a multi-agency task.

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?

<input type="checkbox"/> Yes	X No	<input type="checkbox"/> Not Sure
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Comments: No it is not clear from this section what the role of the Children's Trust Board is with regard to workforce, e.g. does it have a responsibility to produce or ensure production of a cross agency workforce strategy?

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?

X Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments: Yes however it may be worth recognising that an Executive function may be required or a clear separation between 'relevant partner' debate and commissioning decision making would be useful

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?

X Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments: It would be helpful to have clarity on expectations, standards or performance indicators that would indicate if a Children's Trust Board was succeeding or otherwise.

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?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments: Yes

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?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Sure
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Comments: Whilst the guidance is comprehensive in this area highlighting what should be included in the Plan, this is at odds with earlier statements that the Plan should not be a statement of what every partner is doing regarding children's services but rather what they are doing together. This focus should be emphasised in this section.

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?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments: Yes this is always helpful

This question relates to the draft new 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?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Sure
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Comments: As noted above there may be a need to clarify that the scope is around how partners work together to deliver these matters.

This question relates to the draft new Children and Young People's Plan regulations.

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

Yes

X No

Not Sure

Comments:

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 DCSF public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DCSF consultations are conducted, please contact Donna Harrison, DCSF Consultation Co-ordinator, tel: 01928 794304 / email: donna.harrison@dcsf.gsi.gov.uk

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 29 January 2010

Send by post to: David Aickin (consultation response), Local Area Policy Unit, Ground Floor, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

Send by e-mail to:

NewChildrensTrustsGuidance.CONULTATION@dcsh.gsi.gov.uk