

Apprenticeships, Skills, Children and Learning Act 2009: Summary of key issues in Statutory Guidance consultation document:

1. The rationale for change

The intention is to strengthen Children's Trust co-operation arrangements by standardising what has been shown to be effective practice.

2. Key terms (with new meanings)

Children's Trust

The sum total of co-operation arrangements between organisations with a role in improving outcomes for children and young people. It is not a separate legal entity – each partner retains its own functions and responsibilities within the partnership framework. The aim is to promote co-operation between partner organisation to improve children's wellbeing. The co-operation arrangements can take any number of shapes – from formal s75 agreements with pooled funds and delegated functions to use of the Common Assessment Framework and joint staff training.

Children's Trust Board

A statutory body each Local Authority will be required to have in place by April 2010. The CTB forms part of the co-operation arrangements under s10 Children Act 2004. The Board will be responsible for developing, publishing, reviewing, revising and monitoring the implementation of the Children and Young People's Plan (CYPP). Responsibility for implementation of the CYPP will remain with the partners working either individually or in partnership.

Children and Young People's Plan

Brought in by the ASCL Act 2009, the new CYPP will be the responsibility of the CTB. 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 wellbeing (the five outcomes). The first new CYPP to be in place from April 2011.

3. Legislative basis

The ASCL Act 2009 has amended the Children Act 2004 (s12A) to create a new statutory requirement for Local Authorities and their 'relevant partners' to establish a Children's Trust Board (CTB) as part of its co-operation arrangements pursuant to s10 Children Act 2004.

The ASCL Act 2009 sets out the role, membership, staffing and funding requirements for the CTB. New Regulations (The Children and Young People's Plan Regulations 2010) will prescribe the process and content

required for the CYPP which will be the responsibility of the Board to develop and monitor.

4. Membership of the CTB

The membership of the CTB will be made up of statutory 'relevant partners', prescribed by the legislation, and other non-statutory partners.

Statutory 'relevant partners'

These will be:-

- Local Authority
- PCT
- Police
- Schools
- FE and Sixth Form Colleges
- Job Centre Plus

Non-statutory Partners

The Draft Statutory Guidance on Children's Trusts suggests a wide range of other partners will be important to be included as members on the CTB following consultation with the other Board Members. Examples given include representation from:-

- The Third Sector
- A lead GP
- Youth Offending Service
- Sure Start Children's Centre
- NHS Provider Trusts
- Private Sector
- Housing Sector
- Adult Services
- Family Justice Council

The number of non statutory partners that can be brought into the CTB is at the discretion of the Local Authority after consulting with other partners. However, the Guidance states that as a minimum the CTB should always include at least one member from the third sector and one member from a Sure Start Children's Centre.

The Guidance states that Partners should share representation to keep the CTB at a workable size – especially in relation to schools. A fair and transparent selection and, if appropriate, election process should be adopted by the LA.

The DCS and the Lead Member for Children's are required to be members of the CTB.

The Guidance proposes that the CTB should deliver its work through thematic sub groups as the CTB itself will be too large to do the detailed work itself.

5. Chair of the CTB

The Guidance states that the Chair of the CTB must not be the same person as the Chair of the LSCB and be of sufficient standing to command the respect and support of all Partners. It is the responsibility of the Local Authority to appoint the Chair in consultation with Board Members.

Examples given as potential Chairs are the Lead Member for Children's Services, the Director of Children's Services and the Chief Executive of the PCT. The LA has a responsibility to monitor the effectiveness of the Chair if the Chair is not appointed from within the LA.

6. Role of CTB

The CTB has the following functions. As a statutory body it can only exercise the functions conferred upon it by primary legislation or by Regulations.

- To develop, publish and review the CYPP (defined as the joint strategy between parties on how they will co-operate to improve children's well-being). The first CYPP must be published by 1st April 2011. The content and process of the plan will be set out in the Children and Young People's Plan Regulations – see below. This is a key change – the CYPP becomes a joint strategy and no longer a LA plan.
- To monitor the extent to which the Partners are acting in accordance with the CYPP and publish an annual report about the extent to which those persons have acted in accordance with the plan.
- To link to the LSP and to ensure that the CYPP is consistent with the Sustainable Community Strategy
- To link to the LSCB and ensure ongoing direct and regular communication with it. The revised Working Together to Safeguard Children guidance (currently out to consultation) addresses in detail the relationship between the LSCB and the CTB. The LSCB is a distinct and separate body with a separate identity and independent voice that has a role to challenge the CTB. It is not subsumed by or subordinate to the CTB.

- To receive an annual report from the LSCB on the effectiveness of safeguarding arrangements locally.
- To engage with other Partnerships e.g. the Crime and Disorder Reduction Partnership , 14-19 Partnership, Scope, CAMHS, Prevent and the Behaviour and Attendance Partnership – and to receiving an annual report from the Behaviours' and Attendance Partnership – and to take account of these links and reports when preparing the CYPP.

7. Preparing the CYPP

The CYPP Regulations prescribe the content, process, consultation, and review requirements of the new CYPP. They include conducting a needs analysis, outline of key actions and detailing Partners arrangement for co-operation with each other on specific issues.

8. Staffing the CTB

The core funding for resourcing the CTB is anticipated to come from the LA, the Police and the PCT. The Guidance states that staffing should be sufficient to:-

- Drive forward the day to day business of the CTB and
- Provide administrative and organisational support for the CTB and its sub-groups.

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