

Every child matters:  
next steps

# Every child matters: next steps

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# Foreword



Since the launch of *Every Child Matters*, last September, we have seen the richest and most significant debate on children's

services for over a generation.

I would like to thank everyone who contributed to the consultation. The response illustrated the depth and breadth of commitment to putting children first.

The vision we have is a shared one. Every child having the opportunity to fulfil their potential, and no child slipping through the net. A step change in early years provision, with health, education, and social care closely integrated through Sure Start Children's Centres. Parenting support embedded at each life stage. Schools that provide high standards, and a range of extended services. Multi-disciplinary teams based in universal services such as clusters of schools or early years settings. More support and a wider range of positive activities in and

beyond school for young people. A shift to prevention while strengthening protection.

Practical changes underpinned by clearer accountability and partnership. By a cultural transformation to create more trusting relationships between frontline professionals – doctors, nurses, teachers, police and social workers. A vibrant voluntary and community sector with new opportunities to be involved in the design and delivery of services.

Six months on, we are taking a critical step in delivering this vision through the introduction of a Children Bill. This places duties on every agency to work together to deliver common outcomes. It creates a statutory basis for partnership working and involving all partners, including the voluntary and community sector. It addresses Lord Laming's recommendations for clear leadership and accountability through the creation of a Director of Children's Services and a Lead Council Member for children. It creates a Children's Commissioner, a powerful champion for children to ensure their views and interests are at the heart of policy making and national debate.

The Children Bill is the start of a long-term programme but it is vital we make rapid progress and build momentum. This requires a new role for Government in promoting change. For too long we have focused on micro-managing localities through small budgets and planning regimes. Our role in making change happen must be primarily as a catalyst and enabler.

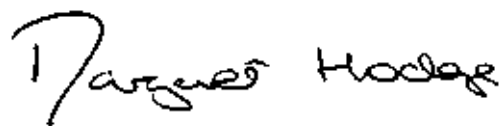
First, we must sharpen the incentives and accountability for improving outcomes. We will therefore rationalise targets and ensure all services are judged on how they cohere to meet common objectives through a new integrated inspection system. We will develop greater contestability in service provision and build children's views into the design, delivery and evaluation of services.

Second, we are combining the tighter accountability for outcomes enshrined in the Bill with greater freedom over how these outcomes are met. We are freeing up local practitioners through streamlined performance management, rationalised funding streams, new powers to pool budgets and share information, and tackling unnecessary bureaucratic burdens.

Third, we will promote change through actively sharing learning and investing in our workforce. A critical priority is to increase the attractiveness of a career working with children, and improve skills, trust and teamworking. We are therefore announcing a £20 million change programme to support cultural change; creating a Sector Skills Council to bring employers together; and

widening the role of the Teacher Training Agency to cover the wider school workforce.

The Green Paper posed many challenges. I am enormously grateful for the enthusiastic and constructive response to our proposals. Over the next few months, we will further develop the dialogue with all key partners, so that we can build the strongest possible coalition around a shared programme of change. I believe that this common commitment to reform means we can be optimistic that we can together seize this once in a generation chance to transform opportunities, services and support for children, young people and families.



Margaret Hodge,  
**Minister for Children, Young People  
and Families.**



# The Consultation

**1.1** Since we published *Every Child Matters* in September 2003, there has been unprecedented public debate about services for children, young people and families. This document:

- outlines the views that emerged from consultation – Chapter 1;
- provides an overview of the Children Bill and how it addresses key issues raised in the consultation – Chapter 2;
- describes the first steps we are taking to implement the Green Paper through a programme of change for children developed and delivered through the broadest possible partnership and on the basis of a new relationship between the Government and all those concerned – Chapters 3 and 4.<sup>1</sup>

**1.2** We will set out the next phase of the programme of change in the autumn, with a fuller description of the outcomes we all want to see children's services achieve, backed up by the targets and funding

emerging from the Government's current Spending Review.

## **The Green Paper – *Every Child Matters***

**1.3** Our aim is to ensure that every child and young person has the opportunity to fulfil their potential, and no child slips through the net. The Green Paper set out five outcomes which services should work towards, based on consultation with children and young people: being healthy, staying safe, enjoying and achieving, making a positive contribution and economic well-being. Many people and organisations will contribute to these goals: from children, young people, parents and carers to organisations in the public, voluntary, community and private sectors.

### ***Strong foundations***

**1.4** The Green Paper recognised that we need to build on the strong foundations for prevention we have already laid through:

- tackling child poverty;

<sup>1</sup> This document refers to England only. The equivalent Welsh material is contained in the document *Children and Young People: Rights to Action*, published by the Welsh Assembly Government in January 2004. All references in this document to the legislation put forward in the Children Bill are subject to the usual Parliamentary procedures.

- ensuring children in disadvantaged areas have the best possible start in life through Sure Start Children’s Centres offering integrated daycare and early learning, health, family and parenting support;
- working to raise primary and secondary school standards and increase participation in post-16 learning;
- improving access to primary health care and specialist health services;
- reducing offending and anti-social behaviour; and
- building strong and vibrant communities and ensuring that children are safe.

**1.5** Improving outcomes for young people requires a long-term change in culture and ways of working so that resources are organised around the needs and aspirations of children and young people. The Green Paper argued that we need to build on the progress already made by focusing action on four main areas:

- **Supporting Parents and Carers:** we consulted on a long-term vision designed to ensure that support for parents, particularly at key points in a child’s and a young person’s life, becomes routine. This would be through universal services providing information, advice, and support; targeted and specialist services for parents of children who need them; and compulsory action through Parenting Orders as a last resort where parents condone anti-social behaviour or

truancy. The voluntary and community sector would have a critical role in the design and delivery of services. Building on the success of the adoption reforms, the Green Paper also consulted on measures to tackle the recruitment and retention challenges in foster care, and ensure that foster carers have the skills and support they need to care for vulnerable children.

- **Early Intervention and Effective Protection:** we consulted on measures to enable children to receive help at the first onset of problems rather than suffering from delays, duplication and being passed between different services. We consulted on measures to improve information sharing; establish a common assessment framework; identify lead professionals for each case where a child is known to more than one specialist agency; integrate professional working through multi-disciplinary teams responsible for identifying children at risk, and working with the young person and family; co-locate services in and around schools and early years settings such as Sure Start Children’s Centres; and ensure effective child protection procedures across all agencies.
- **Accountability and Integration-locally, regionally and nationally:** we consulted on proposals to create a Director of Children’s Services and a Lead Council Member for Children; bring together the commissioning of key services through Children’s Trusts; and require Local

Authorities to work closely in partnership with other public, private and voluntary sector organisations, with a specific focus on child protection through Local Safeguarding Children Boards.

We recognised that integration locally needed to be supported by national and regional changes to ensure a more coherent system for the promotion of opportunities and services for children. Building on the bringing together of responsibilities under a Minister for Children, Young People and Families, we proposed changes to rationalise targets, plans, and funding streams and create an integrated inspection framework. To ensure children's and young people's views are championed effectively, we proposed the creation of a Children's Commissioner.

- **Workforce Reform:** we proposed the development of a pay and workforce strategy to address recruitment and retention within the children's workforce, and improve its skills and effectiveness. We proposed to lead this reform by creating a Children's Workforce Unit within the Department for Education and Skills, and bring employers together through a Sector Skills Council for Children and Young People.

## The Response from Consultation

**1.6** Overall, the consultation responses showed a strong endorsement of the aims and vision behind the Green Paper. There was an acknowledgment that the

Government was rightly giving children's services a high priority and that the basic approach within the Green Paper was correct. In particular consultees welcomed the emphasis on:

- the importance of describing a positive set of outcomes that children, young people, families, communities and professionals can work towards;
- the need to ensure targeted services are embedded in universal services so that a more graduated response can be provided;
- the importance of organising services around the child, young person or family rather than existing professional functions;
- the need for a much stronger focus on supporting parents and families, and the need to value and support foster carers more effectively;
- the need to intervene earlier through better information sharing, a common assessment framework, lead professionals, multi-disciplinary teams, and the co-location of services through extended schools, Sure Start Children's Centres and other community sites;
- the need to ensure clear accountability and better integration between all services working for children and young people;
- the need for fewer but more coherent national targets and standards which are common across services, an integrated

## YOUNG PEOPLE'S VIEWS

"I like the idea of schools being more open and being used by the whole community. I think the youth and the rest of the community are separated and need to be more involved and know more about what is going on. This applies to the community knowing about what the school is doing and the schools knowing about what is going on in the community." [Lisa 16-18]

"It should be more easier to talk to your local council or social services because some families might need something really soon but they have to wait and wait, by the time when someone will listen it'll be too late." [Rebecca, under 16]

"Schools don't do much about living independently, just homework and GCSEs" [Natasha, under 16]

"I think that by integrating social services with all families in schools it will help to remove the stigma attached to meeting 'social services'. Also I feel that by offering interviews at school with social service workers, parents will find it easier to contact social services in problem times" [Jonathan, 16-18]

"I think that when a child is in big danger of some sort and services think they can help by talking without them is when it [information sharing] should happen." [Tilly, 16-18]

"One person between all them services to link all their clues about that person and to discover what is happening." [Victoria, under 16]

"Sort out decent pay. Run introductory courses for people to get a feel for different professions first. Within school, have lessons to learn social skills like listening, problem sharing and solving – how to react to dysfunctional family situations etc." [Abi, under 16]

- inspection framework and a rationalisation of funding streams and plans;
- the need to ensure children and young people's voices are heard and they are involved in the design and delivery of services, including through a Children's Commissioner;
- the importance of distinguishing between the needs of young people and of children, and ensuring diverse interests in terms of age, gender and background are represented effectively;

- the importance of radical workforce reforms to address recruitment and retention, and to improve skills, team-working and trust across professionals and communities.

1.7 There were also several key areas of concern, in particular:

- we should be more ambitious in **engaging the full span of those involved** with children, young people and families. In particular, ensuring that the voluntary and community sector, health services, schools and the police are fully involved;
- with such a complex and ambitious agenda, **local flexibility** would be essential to reach the best local solutions. While there was widespread agreement that clearer accountability and more robust integration are required in order to respond effectively to the recommendations of the Victoria Climbié Inquiry Report, many respondents felt that the proposals to implement a Director of Children’s Services and a Children’s Trust required both greater clarity about their purposes and greater flexibility to cater for local circumstances;
- change would have to be supported by effective and efficient **investment**. Many respondents argued that the proposals in the Green Paper could not be delivered without extra resources. While there would be some savings through more integrated assessment and commissioning, the biggest dividends

would take years to filter through.

Resources were felt to be needed for: information sharing, support for parents, enabling schools to become extended or full services schools, enabling localities to manage the costs of institutional change; and workforce reforms to address workload, pay and training.

1.8 ‘Youth Justice – the next steps’ was published alongside the Green Paper ‘Every Child Matters’. The responses were broadly very supportive of the general approach. In particular there was support for:

- making more use of pre-court interventions with young offenders;
- the whole-family approach and involving local communities;
- the proposals to provide robust sentences served in the community, reducing the use of custody for children and young people.

1.9 Several areas of concern were raised by respondents including:

- the welfare of the child should be an integral part of the Youth Justice System. Some respondents felt that steps should be taken to ensure full compliance with the United Nations Convention on the Rights of the Child;
- ‘Youth Justice – the next steps’ had been published separately from ‘Every Child Matters’. Young offenders should not be seen differently from those with other social care needs;

- comparatively high numbers of young people were still held in custody;
- additional resources would be required to implement the new proposals.

**1.10** The full consultation analysis including a young people's version and a response to *'Youth Justice – the next steps'* is available at [www.dfes.gov.uk/everychildmatters](http://www.dfes.gov.uk/everychildmatters)

## Conclusions

**1.11** The consultation demonstrated the enthusiasm across sectors for the aims set out in the Green Paper of ensuring that every child and young person has the opportunity to fulfil their potential, and that nobody falls through the net.

**1.12** There is a strong consensus in support of profound change in the cultures and practices of working with children towards a system organised around children, young people and families with a sharper focus on prevention and early intervention. The challenge now is to develop a shared programme of change which harnesses the distinctive contributions and values of children, young people and families, and the public, private, voluntary and community organisations that serve them. This must be a long-term programme of change and should embed new principles and relationships across the whole system – between the centre and localities, between sectors and between children, young people and families and service providers.

**1.13** In taking forward the programme of change we are aiming to address the key points raised in consultation:

- the legislative and policy framework will aim to harness the contribution of all services, in particular, health services, the police and the voluntary and community sector, through new duties on key agencies to work together to improve the well-being of children and in particular to safeguard children and promote their welfare. The statutory guidance relating to the duty to co-operate will ensure the full involvement of the voluntary and community sector in auditing local needs and in the commissioning and delivery of services;
- the new Director of Children's Services will have a key role to play in shifting the cultures and practices required to organise services around children and young people. Putting children and young people first will involve stepping beyond organisational boundaries and focusing resources jointly on serving children well. However, we recognise the concerns in relation to local flexibility. Chapter 2 sets out more details on how we are ensuring a balance between the national legal framework and local flexibility.
- As part of the 2004 Spending Review, we will be reviewing long-term targets and funding. In recognition of the need to support change management, we have identified £20 million in 2004–05 to support localities in taking forward the

Green Paper agenda. Following earlier increases in local authority funding, the 2003 Pre-Budget Report announced an additional £340 million for Revenue Support Grant to support local authorities in improving public services in key areas without excessive rises in Council Tax. Children's services were among these: the Pre-Budget Report specified that the money would in part be used to enable local authorities to 'make progress on the objectives in the Green Paper to protect all children and ensure every child has the best start in life'.

**1.14** This document describes the next steps towards a shared programme of change for children and represents work in progress. The document does not respond to all the points raised in consultation. There are areas where decisions and commitments cannot be made until after the Spending Review is completed later this year. This document therefore answers some questions, while leaving others open for further dialogue.

**1.15** Chapter 2 seeks to explain and put into context the core legislative changes contained in the Children Bill. Chapter 3 sets out the vision reflecting points raised in the consultation, and the first steps in driving forward a programme of change. Chapter 4 examines the potential role and contribution of different sectors and organisations, including the voluntary and community sector, schools and health bodies.

**1.16** We plan a further update this autumn, a year after the publication of *Every Child Matters*, to include details of a jointly owned strategy by the Department for Education and Skills, the Department of Health and other Government departments to support the implementation of the Green Paper and the Children's National Service Framework. In shaping the programme of change, we will want to build on the commitment demonstrated through the consultation, and engage in a continuing discussion with children, young people, families, and all those who work to support them.



# The Response: The Children Bill

**2.1** This chapter gives an overview of the legislation, and explains how the new Children Bill reflects the points raised in consultation. It should be read alongside the explanatory notes that accompany the Bill. The ultimate content of the legislation is subject to the usual Parliamentary procedures<sup>1</sup>.

**2.2** The Children Bill is the first step in a long-term programme of change. It creates the legislative spine for developing more effective and accessible services focused around the needs of children, young people and their families. In response to consultation, it aims to promote and enable change to secure better outcomes for children, young people and their families in the light of local circumstances.

**2.3** The Bill puts improving children's well-being at the heart of our policies by creating:

- clear, shared outcomes across services embedded in legislation;
- an independent champion for the views and interests of children who will report on how these outcomes are changing;
- robust partnership arrangements to ensure public, private, voluntary and community sector organisations work together to improve these outcomes;
- a tighter focus on local arrangements for child protection;
- clearer accountability for children's services;
- a new integrated inspection framework to ensure services are judged on how they work together effectively to achieve better outcomes and to promote continuous improvement, with intervention powers in areas falling below minimum standards;

<sup>1</sup> The Children Bill and explanatory notes can be found on the Parliament website [www.publications.parliament.uk/pa/pabills.htm](http://www.publications.parliament.uk/pa/pabills.htm)

- a legislative basis for better sharing of information, and other detailed measures to improve services.

### **Clear, shared outcomes across services embedded in legislation**

**2.4** Consultees stressed the importance of having common agreed outcomes across services that work with children. The Bill therefore embeds, as the purpose of partnership working, the five outcomes on which we consulted children and young people: their physical and mental health; protection from harm and neglect; education and training; their contribution to society; and their social and economic well-being.

### **An independent champion for children**

**2.5** The proposal for a Children’s Commissioner for England to report on how children’s outcomes are improving was widely welcomed. Consultees also argued that the Commissioner should have a specific remit in relation to the United Nations Convention on the Rights of the Child (UNCRC). Part 1 of the Bill establishes a Children’s Commissioner to represent the views and interests of children and report to Parliament on progress against the outcomes for children and young people. The Commissioner will be free to report on any issue of concern, not just in relation to services provided by the public sector, but on other areas which touch children’s lives, such as the media, and commercial organisations. We recognise that the UNCRC provides an important context for the Commissioner’s work, and the legislation makes clear that the Commissioner can have regard to the UNCRC.

**2.6** The Bill does not propose that the Commissioner should pursue individual cases but gives the Commissioner the power to review complaint procedures and to carry out inquiries into cases of particular national importance as identified by the Secretary of State.

**2.7** The Commissioner will need to maintain a regular dialogue with children and young people and those who represent them. The Bill requires the Commissioner to involve them in his or her work, with a particular focus on disadvantaged and excluded children. We intend to ensure children and young people are involved in the recruitment of the Commissioner.

**2.8** The Bill requires the Commissioner to report annually to Parliament through the Secretary of State. The Commissioner also has the function of reporting to Parliament on issues that are not handled by the devolved administrations and is required to work closely with, and consult Commissioners in the devolved administrations.

### **Ensuring broad local partnerships of interest to improve the well-being of children and young people**

**2.9** Consultees stressed the necessity of broad local partnerships – local authorities working closely with the public, private, voluntary and community sectors, and with children, young people and families.

**2.10** Part 2 of the Bill therefore requires Local Authorities to make partnership arrangements with key partners and other

relevant agencies, including the voluntary and community sector, in order to improve the well-being of children in the area. Reciprocal duties to co-operate in these arrangements are placed on the Police, health bodies, the Probation Service, Connexions partnerships, the Learning and Skills Council and, where relevant, district councils. The Bill deliberately steers clear of specifying a name or organisational title for these arrangements, to give authorities maximum flexibility. Where Children and Young People's Strategic Partnerships already exist, sometimes as a sub-set of Local Strategic Partnerships, it will be most sensible for authorities to build on those arrangements. They may also want to incorporate the Early Years Development and Childcare Partnerships that are required by law and other partnerships that are appropriate locally.

**2.11** We plan to explain in statutory guidance (issued jointly by all relevant Government Departments) that these partnership arrangements should:

- identify the needs, circumstances and aspirations of children and young people;
- agree outcome goals and priorities for children and young people locally;
- agree the contribution each agency should make to meeting these goals, including through the effective sharing of information at a strategic level and about individual children and young people;
- oversee arrangements for agencies to work together in the commissioning,

delivery and integration of services, as appropriate.

**2.12** We will recommend that local authorities ensure that children, young people and their families, schools and communities have a strong voice in these discussions.

### **Safeguarding Children**

**2.13** The Bill sets out new duties to ensure that child welfare is highlighted in the work of all relevant agencies and in the way in which they work together in practice locally.

**2.14** The Bill places a duty on key statutory agencies to discharge their normal functions having regard to the need to safeguard and promote the welfare of children. They must also ensure that the same approach is followed by any other body providing services on their behalf, for example, General Practitioners (GPs) providing services on behalf of Primary Care Trusts (PCTs). This parallels the duty that the Education Act 2002 s.175 placed on Local Education Authorities and on school and college governing bodies (the Government is currently consulting on guidance, prior to implementation of this duty.)

**2.15** Consultees welcomed the proposal to improve arrangements for safeguarding children and young people by creating statutory boards to replace the non-statutory Area Child Protection Committees. The Bill requires each Local Authority to establish a statutory Local Safeguarding Children Board, the purpose of which is to co-ordinate and ensure the effectiveness of local

arrangements and services to safeguard children, including services provided by individual agencies. This will mean analysing current arrangements, identifying any improvements needed and agreeing how agencies will work together to achieve these improvements, including commissioning any services through the Children's Trust and identifying training needs. Boards will both inform and be informed by the wider discussions with local partners on children's well-being. Their work will be underpinned by the requirements on individual agencies to have regard to safeguarding and promoting the welfare of children.

**2.16** The core Board partners prescribed by the Bill are: local authorities, NHS bodies, the Police, local probation boards, the Connexions Service, local prisons, Young Offender Institutions, the Children and Family Court Advisory and Support Service (CAFCASS) and district councils, where relevant. The Bill enables core partners to contribute to the Board's expenses. The legislation provides for other agencies, including local voluntary and community sector agencies to be represented on the Board. Regulations will enable the Secretary of State to set out the functions of the Board, such as the review or investigation of cases, and set out the means by which the functions will be delivered, for example, to ensure that Board partners can be represented in a manageable way rather than all partners needing to attend all meetings.

**2.17** We would expect the Director of Children's Services to chair the Board unless it is considered more appropriate locally to have an independent chair. The Director of Children's Services will have overall accountability to the Local Authority which is ultimately responsible for ensuring adequate safeguarding arrangements.

**2.18** The Director of Children's Services will work closely with partners on the Local Safeguarding Children Board to ensure all members are delivering their statutory duties on safeguarding. Where the Director of Children's Services or another partner does not believe a partner is playing their part in delivering adequate safeguarding arrangements, disputes can be resolved by involving the performance management or scrutiny body of the relevant organisation. If concerns remain, the Inspectorates can be invited to provide an independent assessment and develop an improvement plan. If the local partners do not comply with the recommendations, any member of the Board, or the performance management body can refer the case to central Government. The relevant Secretary of State may then direct the member of the Board to comply with the recommendations of the Inspectorate.

### **Commissioning children's services and the development of Children's Trusts**

**2.19** Consultation responses asked for clarification of the role of Children's Trusts and some suggested evaluating the current pilots before national roll-out. Following

consultation, we have refined our definition of Children's Trusts, and the timetable for implementation.

**2.20** The primary purpose of a Children's Trust is to secure integrated commissioning leading to more integrated service delivery and better outcomes for children and young people. Children's Trusts will be formed through the pooling of budgets and resources across the Local Education Authority, children's social services, Connexions, certain health services, and where agreed locally, Youth Offending Teams. An agreement under section 31 of the Health Act 1999 or the new budget pooling power in the Children Bill is needed to formalise and strengthen involvement in the partnership, with appropriate governance arrangements. A Children's Trust will not necessitate structural change or staff transfers. If localities want to transfer staff or create new legal structures this is entirely a matter for local discretion.

**2.21** Children's Trusts will be based in local government but engage a wide range of partners, including voluntary and community sector organisations, in a visible, transparent and outward-looking way of working. The Children's Trust will decide how best to spend pooled budgets to secure the most effective integrated delivery of services, based on the overall vision agreed by all partners in the local area, and will continuously monitor and review performance. The Children's Trust may also commission services on behalf of the Local Safeguarding Children Board.

**2.22** The Children's Trust will involve other organisations that do not pool their budgets in a non-executive capacity. This may be part of the arrangements to promote co-operation with, and involve, other stakeholders including the voluntary and community sector and children and young people.

**2.23** Children's Trusts will typically sit at the upper tier level but may want to tailor their structures to local circumstances. For instance, the Trust may decide to commission some services at a strategic level on an upper tier basis while other services may be devolved down to smaller areas, such as clusters of schools, or district council or individual Primary Care Trust level. Alternatively, they may want to contract with a cluster of schools to commission and deliver services in an area.

**2.24** The Bill does not create Children's Trusts as statutory organisations but it does encourage and facilitate their development. Statutory guidance will make clear that, for the Local Authority, Primary Care Trust and Connexions, we expect local cooperation to include consideration of joint commissioning of children's services, involving voluntary and community sector bodies and Youth Offending Teams, where appropriate locally. There is a new enabling power for partners to pool budgets and resources, thus enabling broader pooling arrangements than S31 of the Health Act 1999, which underpins existing Children's Trusts. Guidance will reinforce good practice on commissioning

and ensure a level playing field for all sectors in line with the Best Value approach.

**2.25** We are recommending that most areas should have a Children's Trust by 2006 so that there is a strong foundation of learning in place to allow all areas to have one by 2008. This will not be a matter for legislation.

### **Director of Children's Services**

**2.26** A key aim of the Bill is to ensure proper accountability and more robust integration of services. Consultees endorsed the view that a key test of reform will be stronger accountability for outcomes and better leadership to ensure services cohere around the needs of children and young people.

**2.27** However, there were concerns that our reforms needed to build in sufficient flexibility to cater for local circumstances and enable a sensible transition timetable for new arrangements.

**2.28** We have therefore refined our proposals to ensure we get the right balance between national standards and local flexibility. The Bill requires local authorities to appoint a Director of Children's Services to ensure clear accountability across the children's services functions of the Local Authority. Guidance will highlight the key role we expect the Director will play in leading transformational change across local services. The Director might chair the local Children's Trust and will have overall accountability to the Authority for their Local Safeguarding Children Board, whether or not he or she chairs that Board. We would expect the Director of Children's Services to take the

lead in developing a combined action plan in response to the integrated inspection reports.

**2.29** The Bill allows wide flexibility in the way authorities construct the Director's role.

- **Functions:** the Bill specifies that the Director should cover as a minimum the functions relating to children and young people that currently fall to Chief Education Officers and Directors of Social Services. Legislation will provide for adult social services to continue to be led by a Director and nothing in our proposals will diminish this important role. Statutory guidance will confirm that authorities will be free to decide whether to add adult education, adult social services, housing, leisure or other services to the Director of Children's Services' brief.
- **Level:** the intention behind the legislation is to create a Director of Children's Services at Chief Officer or Deputy Chief Executive level. Local authorities will want to consider carefully how this role should be constituted. The legislation does not rule out the possibility of a Chief Executive discharging this role alongside his or her other duties. The feasibility of this approach will depend on whether a Chief Executive is able to give a personal focus to children's services, and may, for example, be appropriate as a transitional arrangement. Integrated inspection will be the test of whether any such

arrangements are securing the necessary outcomes for children.

- **Flexibility over structures to support Director:** it will be for authorities to determine what organisational structures will be needed and how delegation and line management responsibilities should operate in support of the Director. The legislation does not say *how* the Director's functions are to be discharged. A Director at Chief Officer level could, for example, be supported by separate posts for school improvement and/or child safeguarding. Guidance will ask local authorities to consider what sort of organisational structure is needed to support the Director. The test will be whether outcomes for children improve, as monitored through the normal assessment arrangements and the new integrated inspections.
- **Timescale:** the Bill will not set a deadline for appointments but Ministers will be monitoring progress and will consider in the light of progress when the requirement should take legal effect. The expectation would be that most areas should have a Director of Children's Services by 2006 and all by 2008.

### **Lead Council Member**

**2.30** Local Councils have a key role in engaging local communities to improve children's services. The Green Paper argued that children's services should also be highlighted at local political level through the identification of a Lead Council Member

for Children's Services. This was welcomed by consultees.

**2.31** The Bill requires a lead member to be appointed in respect of the same span of children's services as the Director of Children's Services to strengthen accountability at a local political level. As with the Director of Children's Services, it will be for local authorities to determine the precise role of the Lead Council Member. Guidance will provide examples of how the role might operate including an expectation that the Lead Council Member should have a particular focus on child protection.

### **Integrated Inspection Framework**

**2.32** The consultation endorsed the establishment of integrated inspection arrangements and the Bill requires Her Majesty's Chief Inspector of Schools, in consultation with other inspectorates and involving key stakeholders, to develop and publish a Framework for Inspection of Children's Services. The purpose of the Framework is to ensure that inspections, reviews or investigations that relate to children's services properly evaluate and report on the extent to which children's services improve the well-being of children and young people.

**2.33** The Bill enables the Secretary of State to make Regulations requiring two or more Inspectorates to carry out Joint Area Reviews of local authority areas. Reviews will be conducted in accordance with arrangements made by the Her Majesty's Chief Inspector of Schools. Reviews are designed to bring

together relevant inspectorates to consider evidence under the Framework and produce a report that evaluates the extent to which children's services together improve the well-being of children and young people in an area.

**2.34** The Commission for Social Care Inspection (CSCI), together with the Commission for Healthcare Audit and Inspection (CHAI), the Audit Commission (AC) and other relevant Inspectorates, will have key roles working closely with the Office for Standards in Education (Ofsted) in developing the Framework for integrated inspection and in carrying out Joint Area Reviews. The Bill provides for inspectorates to co-operate with each other, for example, through sharing information; the scheduling and co-ordination of inspection activity; and the delegation of functions amongst themselves.

### **Intervention Powers**

**2.35** The Bill creates new intervention powers in relation to children's social services to bring them into line with those relating to education services. The intervention process itself will build on the experience of the various Inspectorates and Government Departments. The intention will be to suggest and where possible agree tailored solutions with local authorities. Other Departments and Inspectorates will be involved as necessary. This will ensure we draw on relevant expertise and take a proportionate and co-ordinated approach. All previous approaches to intervention are

still available. New powers of direction would only be invoked where absolutely necessary.

### **Sharing Information**

**2.36** Consultees were supportive of the proposals to improve and support information sharing. The main barrier identified to sharing information about children identified was concern about confidentiality and the impact of data protection legislation. Many stressed the need for a national lead on standards and system design.

**2.37** The Children Bill provides the framework for the establishment of information sharing systems to ensure that practitioners are able to provide children and their families with the help and support they need at the earliest opportunity. This links directly to the co-operation duties on local authorities, other bodies and individual service providers and to the duties to safeguard and promote the welfare of children that are placed on agencies under this Bill and on Local Education Authorities, schools and colleges through the Education Act 2002.

**2.38** The Bill enables the Secretary of State to require, through secondary legislation the establishment of databases containing basic information about all children. The secondary legislation would be subject to an "affirmative resolution" procedure which means that it would have to be explicitly agreed by Parliament before it could take effect. Databases might be set up at a local, regional or national level. The purpose of the

databases would be to facilitate the sharing of information between providers of children's services about the children they are working with, in order to safeguard their welfare and promote their well-being.

**2.39** Regulations and guidance will set out the operational details of databases. These will include the technical specifications, arrangements to ensure the databases are secure and any provisions for the transfer of information. They will also set out the information that will be held, for example basic data<sup>1</sup> and practitioner contact details where any specialist services are being provided to a child.

**2.40** Decisions on the detail of the Regulations and guidance including the geographical level at which databases are to be set up – have yet to be made, and will draw on the work of the Identification, Referral and Tracking (IRT) Trailblazer local authorities on independent technical advice and feasibility work. We would therefore urge local authorities not to rush into decisions on IT investment at this stage.

### **Other Supporting Measures**

#### ***Duty to promote the educational achievement of looked after children***

**2.41** The Bill gives effect to the proposal in *Every Child Matters* to give local authorities a specific duty to promote the educational achievement of looked after children. The new duty will mean that local authorities

will have to give particular attention to the educational implications of any decision about any child they are looking after. That might mean for instance organising a suitable school placement at the same time as arranging a new care placement.

**2.42** In support of this duty, the Bill allows for the collection of data on the educational qualifications achieved by looked after children and children in need. Information collected on these children will in future be linked to the National Pupil Database (pupil characteristics matched to their academic achievements) to allow for more sophisticated analysis and monitoring of their educational attainment.

#### ***Private fostering***

**2.43** The Bill makes provision for new measures to strengthen the existing Children Act private fostering notification scheme. The Bill contains a power to enable a registration scheme for private foster carers to be established in the event that the strengthened notification scheme is found wanting. This power will cease if not used within four years of Royal Assent.

**2.44** The new measures to strengthen the notification scheme mean that local authorities will be required to raise awareness amongst their local communities of the need to notify private fostering arrangements to the Local Authority; to check a private fostering arrangement before a child is placed in it, where advance notice

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<sup>1</sup> Including name, address, date of birth, person with parental responsibility, educational setting, GP and unique identifying number.

is given; and to monitor closely the operation of the notification scheme locally, with a view to ensuring that it complies with existing and new duties, and to appoint an officer for that purpose.

**2.45** These new measures will be underpinned in Regulations and guidance making clear that the general duty of co-operation between agencies includes co-operation in relation to private fostering; conferring on Local Safeguarding Children Boards a function to ensure inter-agency co-operation in the safeguarding of children who are privately fostered; and ensuring that the new inspection regime covers the effectiveness of inter-agency co-operation on private fostering.

### ***Child Safety Orders***

**2.46** The Child Safety Order allows intervention to address the behaviour of children under 10 engaged in anti-social behaviour or what would be offending behaviour if they had reached the age of criminal responsibility.

**2.47** The Bill amends the Child Safety Order provisions so that the action taken when the terms of the Order are breached is more appropriate, specifically removing the current power to make a care order at a lower threshold than would be usual under the Children Act 1989 as a sanction for not complying with the Child Safety Order. It enables the Court to make a Parenting Order where a child has not complied with the Child Safety Order, if the usual conditions are met and if it has not already made one.

It also extends the maximum duration of the order to twelve months in normal circumstances.

### ***Grant-making powers***

**2.48** The Bill makes changes to existing grant making powers to ensure they allow for payment of grants across the range of children, young people and families' services.

### ***Adoption panel***

**2.49** The Bill makes a technical change to the Adoption and Children Act 2002 to allow for members of panels established under the Independent Review Mechanism to be paid a fee – in line with similar provision for members of adoption panels.

### ***Registration of childcare workers***

**2.50** The Bill and the associated schedule amend the Children Act 1989 to allow the childcare registration authorities in England and Wales to adopt a more effective approach to certain aspects of the regulation of day care and childminding. In particular the changes will:

- clarify the enforcement options for the registration authority;
- simplify the registration procedures, including fees.

### ***Application in Wales***

**2.51** The provisions in the Children Bill relate to devolved issues, and so will apply in England only, except where the National Assembly for Wales have asked for provisions also to apply in Wales. For some provisions the Assembly is taking a similar but slightly

different approach to reflect the differing circumstances and organisational structures operating in Wales. These are explained in Part 3 of the Bill. In particular:

- the Assembly will require the nomination of a Lead Director for Children and Young People’s Services rather than the appointment of a single Director of Children’s Services;
- primary legislation takes the same duty to co-operate, but statutory guidance will implement the duty in a way that fits with the way services are organised in Wales – this will involve putting their three existing partnerships for children and young people on an equivalent footing;

- an additional provision requires the nomination of a lead executive and non-executive director for Local Health Boards and NHS Trusts in Wales. This would mean a senior official and a Board member being a nominated lead on children and young people’s health services.

**2.53** Part 4 of the Bill provides for the devolution of CAFCASS Cymru to the National Assembly for Wales.



# The Response: Towards a Shared Programme of Change

**3.1** This chapter describes

- Our vision for children's services – to improve outcomes by giving every child the opportunity to develop their potential, spotting any problems early and handling them more effectively.
- Our vision for change right across the system of children's services – by sharpening the focus on outcomes, increasing flexibility over how localities use resources to achieve results, and investing in change management, culture change and workforce reforms.

## Vision

**3.2** We have consensus around the outcomes we seek for children and young people as they themselves define them. We want to help all children and young people to:

- **Be healthy:** enjoying good physical and mental health and living a healthy lifestyle;
- **Stay safe:** being protected from harm and neglect and growing up able to look after themselves;
- **Enjoy and achieve:** getting the most out of life and developing broad skills for adulthood;
- **Make a positive contribution:** to the community and to society and not engaging in anti-social or offending behaviour;
- **Achieve economic well-being.**

**3.3** While the majority of children and young people enjoy better education, health, and opportunities than previous generations, too many underachieve, are exposed to crime, abuse and neglect, or suffer from physical and mental health problems.

**3.4** Many children, young people and their families want and deserve a better deal. Children and young people want to feel listened to and respected. They want services that adapt to their needs, talents and circumstances. They want society to value children and the experience of childhood both in its own right, and as a preparation for adult life. Parents want more opportunities to support their children, and combine caring responsibilities with work. All of this will help families move out of poverty and prevent disadvantage being handed down from one generation to the next.

### **Maximizing Opportunities – Minimizing Risks**

**3.5** We want to help all children and young people maximise their potential by supporting parents, extending the offer of high quality childcare integrated with nursery education and schools, and ensure that, as they grow up, young people have access to the resources that can help each of them fulfil their potential. This means high quality universal services. It means better access through those universal services (like schools and primary health care) to targeted support for vulnerable groups such as children on the child protection register, looked after children, young carers, disabled children, the children of asylum seekers or of prisoners.

### ***Supporting families***

**3.6** Parenting is the most important influence on children and young people's outcomes. We need to shift away from associating parenting support with crisis

interventions to a more consistent offer of parenting support throughout a child and young person's life. We will work towards a mix of universal and targeted parenting approaches including advice and information, home visiting and parenting classes. Support should be accessible from a range of locations and include a focus on key transition points in a child's, young person's or parent's life. Parenting support also needs to be closely linked to advice on employment and childcare, for instance, through Sure Start Children's Centres, to enable parents to make the transition into work.

**3.7** To drive this forward, we have created a £25 million Parenting Fund to support capacity building in the voluntary and community sector which will include a wide range of support services, such as parenting groups, helplines and an extension of home-visiting services. In 500 communities we are establishing nursery and school-parent links so that infants are introduced to early learning and books before compulsory education. We will also want to look more broadly at how to grow the competence and skills of those who work to support parents. Parenting measures will play an important part in the Youth Justice System, including family group conferencing and parenting classes for the parents or carers of young offenders.

### ***Giving Children a Sure Start in life***

**3.8** The Government has already put much greater emphasis on the earliest years in a

child's life – the most formative stage in shaping children's life chances. Better early support is not just cost effective; a good quality early years experience can transform outcomes for children.

**3.9** Sure Start Children's Centres are being created in the most disadvantaged areas, combining health, family and parenting support with early education and childcare for children from conception until they start school. Integrated services for small children and their families facilitate opportunities for early multi-agency intervention where families are facing difficulties and children might experience risk. By March 2006, Children's Centres will reach 650,000 children in the most disadvantaged areas.

**3.10** We want all Local Authorities and Children's Trusts to consider co-locating health, family and parenting support services for children and their families within a good quality early education and childcare settings. This will provide easier access to a wide range of support for the whole family.

### ***Helping young people fulfil their potential***

**3.11** There is a range of resources in the public, private and voluntary sectors that can help each young person fulfil their potential and overcome the odds. The challenge is to build the capacity and flexibility of these resources, and tailor them around the needs and aspirations of each young person.

**3.12** In each local area, young people need to be able to access schools with high quality teaching and other services including childcare and family learning on site;

opportunities for personal development, learning and recreation outside school hours, including access to sport, art and cultural activities; a trusted adult who will listen to the young person's views; and good quality support from primary health care and effective health promotion.

**3.13** As young people make the transition to adult life they will need to access education and training that provide clear goals and academic and vocational pathways; effective financial support to enable them to participate in education or training; and personal advice to address the barriers to participation such as poor housing, lack of money, or substance misuse. All Connexions Partnerships are working towards targets for reducing the proportion of young people not in learning or work in their area. The proposals coming out of the Working Group on 14-19 Reform and the Treasury's Review of Financial Support for 16-19 Year Olds will also make a major contribution to this agenda.

### **Early Intervention**

**3.14** Children and young people should get effective help as soon as they need it in a more coherent way. Better information sharing should enable professionals to build up a picture of a child's interactions with services. A common assessment framework should help to identify their needs earlier and avoid duplication between agencies. A lead professional can develop a trusted relationship with each child and ensure there is clear accountability for each case where a

child is known to more than one specialist service. Multi-disciplinary teams based around universal services such as schools, GP surgeries and early years settings can provide more accessible specialist support in a non-stigmatising way.

**3.15** Where a young person faces more deep-seated issues, we want them to have more accessible, integrated and high quality support:

- for children in care, we want more stability both in their care arrangements and in school;
- our new Special Educational Needs (SEN) strategy aims for an inclusive system, so that children, young people and parents have confidence that their needs will be met effectively in school without feeling that the only way to achieve this is through a statement of special educational needs. For disabled children we want earlier identification of disabilities and better family support services which are responsive to their particular needs;
- the National Service Framework for Children, Young People and Maternity Services will set evidence-based standards for health and social care services for children, young people and pregnant women and will cover the interface of these services with education;
- the youth justice proposals on which the Government consulted alongside *Every Child Matters* involves wider use of intensive supervision and surveillance

programmes in place of custody, and community sentences that include a strong focus on a young person's educational engagement, mentoring, and parenting.

### **Whole System Change**

**3.16** Achieving this vision will require change right across the system – a new relationship between Government and its partners and between those partners and children, young people, families and their communities. A shared programme of change must be based on a common understanding of how services can achieve better outcomes for children and young people; on commonly accepted principles; and on a shared understanding of effective practice:

- **sharper accountability for outcomes and more robust partnership** through a more coherent system of targets and performance management;
- **simpler and more flexible management of resources** with funding decisions taken as close as possible to the front line;
- **investment in the skills and motivation** of those who work with children, young people and families;
- **support for improvement and culture change** across the country and proportionate intervention in localities that fall below minimum standards.

### *Sharper accountability for outcomes*

**3.17** Consultees welcomed the idea of focusing on outcomes rather than processes, the desire to rationalise targets and performance indicators, and the importance of better involvement of children, young people and their families in shaping design and delivery. To flesh out the new duties in the Bill we will work with partners to:

- rationalise targets and performance indicators and to agree what better outcomes should look like for all children, while narrowing the gap between disadvantaged groups and the rest of society;
- ensure services are judged on how they work together to improve outcomes through the integrated inspection framework on which Ofsted will be consulting shortly. This will be informed by the National Service Framework for Children and feed into the Comprehensive Performance Assessment (CPA) for local authority services and other performance management systems in health, police and youth justice.

**3.18** A small but powerful set of national targets, together with agreed indicators of outcomes and inspection standards will provide the framework for a streamlined conversation between local authorities and central Government about local Public Service Agreements; the priorities the authority has identified for local improvement in the light of local discussions; and the progress being made locally in

delivering those priorities and securing better outcomes.

**3.19** Community and customers' voices will be an important driver for better standards locally. Consultation with children and young people stressed that they wanted to be involved. We expect all programmes to involve communities, children and young people closely in the design, delivery and evaluation of services, and find ways to engage parents and carers where appropriate.

### *Simpler and more flexible use of resources*

**3.20** Many consultees highlighted that delivering the Green Paper will require investment, for instance managing the transitional costs of change, in workforce reforms, increasing the capacity of preventive work such as parenting support, and information sharing.

**3.21** As part of the 2004 Spending Review, we are examining the longer term funding implications of a programme of change for children from 2006 to 2008. We know that this spending round will be tighter than in previous years, and there will a strong pressure to find resources through efficiency savings and re-prioritisation.

**3.22** Between now and 2006, we are taking the following steps:

- as already mentioned, providing an additional £340 million for local authorities through the 2003 Pre-Budget Report (for 2004-05), to meet pressures on existing children's and other services, without excessive pressure on Council

Tax, and make a start on Green Paper implementation;

- providing an additional £100 million in 2004-05 and 2005-06 through a specific formula grant for safeguarding children, to help address pressures on children's services;
- retaining current programmes, such as the Children's Fund, at least up until 2006 and examining options to sustain effective preventive work in the 2004 Spending Review (see Chapter 4);
- establishing a Young People's Fund will be established from The National Lottery with an initial budget of £200 million. The Government will direct it to ensure that the fund is focused on projects promoting youth inclusion, particularly by providing facilities and activities – both after school and in holiday periods – for young people;
- investing £20 million from 2004-05 for a change management programme.

**3.23** As part of the 2004 Spending Review, we will be looking to help localities get the best value out of the resources allocated. The aim of our reforms is to ensure that accountability is linked to greater freedom and flexibility for local authorities and their partners in terms of how local outcomes are met and resources deployed by:

- rationalising funding streams and grant programmes to local authorities;
- further streamlining of planning arrangements building on the

development of a Single Education Plan and abolishing the requirement for a separate Children's Services Plan;

- consulting on measures to increase the effectiveness of voluntary and community sector funding streams at local level by reviewing how these are administered from the centre.

**3.24** We will also sharpen incentives for better outcomes through greater contestability.

- Children's Trusts will involve the pooling of budgets and the creation of a joint commissioning function. This entails an objective assessment of which provider can best deliver the vision and outcomes of the local strategy, rather than assuming that in-house providers are the best option. To enable effective commissioning, all potential providers will need to develop more transparent and effective performance data to enable comparisons in terms of cost and quality.
- Promotion of new and diverse capacity: we will commission a study to scope the current and potential market for providing children's services to inform a more detailed strategy for promoting greater contestability. This may include incentivising excellent local authorities or other organisations to set up trading companies or other organisational models able to franchise or contract to provide a successful business model.

## Workforce Reform

**3.25** The workforce reform measures proposed in *Every Child Matters* to develop a more coherent, stable and flexible children’s workforce have been strongly endorsed. Our reforms need to embrace all those who work with children and young people: to set a common core of occupational standards; to build a modular framework to enhance the skills, effectiveness and coherence of the children’s workforce; to foster high quality leadership; and to make working with children and young people a more rewarding and attractive career. At the same time, we have to recognise the links between those working with children and those working with adults in the same sector, particularly social care and some aspects of health care.

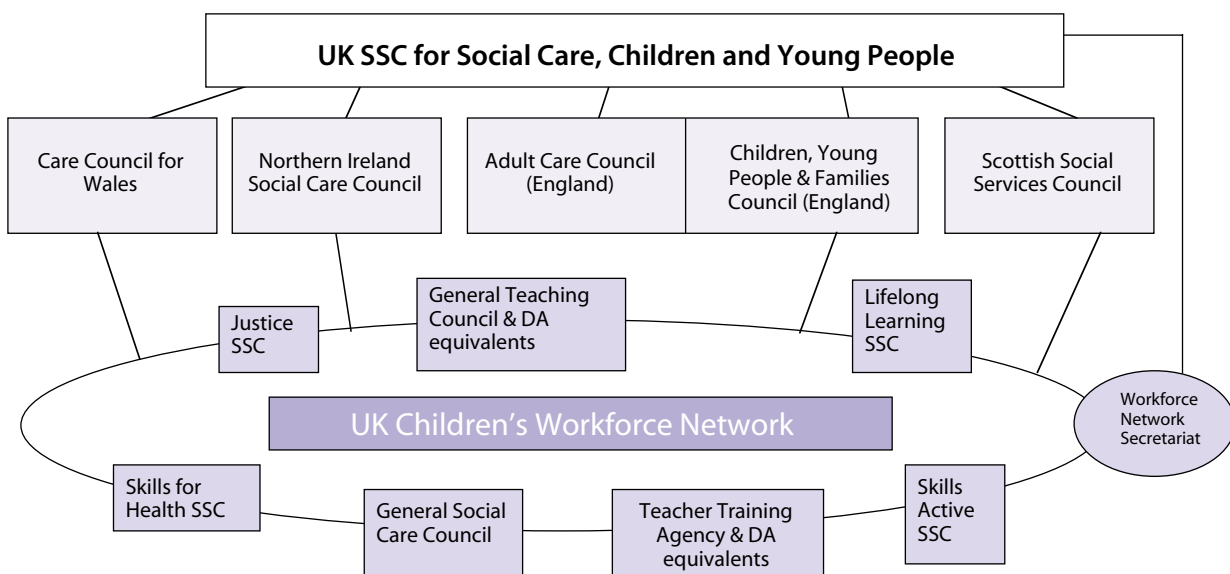
**3.26** A Children’s Workforce Unit has been established in the Department for Education and Skills. It will develop a pay and workforce

strategy for the children’s workforce, working with key partners. The initial phase of this work will be completed by April 2004 in order to feed into the Spending Review.

**3.27** We want to see employers taking a lead role in driving forward these reforms. So we have asked the Sector Skills Development Agency (SSDA) to work with Government and a wide range of employers to set up a Sector Skills Council (SSC) to deliver this important agenda. We propose to develop a federated structure (see Figure 1).

- A **Sector Skills Council for Social Care, Children and Young People**, will bring together those working in social care with other occupational groups who work with children and young people.
- The SSC will have a UK-wide remit and will be required, as a condition of its licence, to set up and maintain a wider strategic network (**UK Children’s Workforce Network**), bringing together *all* those

**Figure 1 – Implementing the Sector Skills Council**



who work with children, young people and families, including those working in the health, law enforcement, sport and recreation, and schools sectors.

Participation in this network will be in turn a condition of licence and/or form part of the formal remit for all related and relevant Councils and bodies.

- Each country will be free to develop operational arrangements in line with their own policy imperatives. For England, this will mean, as a minimum, the Sector Skills Development Agency ensuring a robust and coherent approach to workforce planning for the children's workforce through a **Children, Young People and Families Council** (with a separate organisational focus for adult social care).

**3.28** To meet the concerns of stakeholders, and minimise delay in setting up the SSC network, we propose that this federated SSC will build on the developing proposals for a Skills for Care SSC.

**3.29** The Teacher Training Agency (TTA) will build on its success in recruiting and training high quality teachers by becoming the main delivery agency for training and developing school support staff. This will build on the TTA's work in relation to Higher Level Teaching Assistants and strengthen the focus on delivery of occupational skills for other support staff roles. It opens up the prospect of the TTA taking on a more strategic role, closer to that of an SSC, for the whole school workforce. An enhanced Teacher Training Agency will be a key partner in the new

strategic network representing all staff working with children and young people. Local authority employers and other signatories to the National Agreement on School Workforce Reform will be closely involved in the development of these new arrangements.

**3.30** The Chief Nursing Officer's review of nursing, midwifery, and the health visiting contribution to improving outcomes for children at risk will clarify and make recommendations for strengthening the role for these professionals in providing flexible, integrated and improved services for children.

**3.31** The consultation confirmed the need for action to help recruit and retain more foster carers, and to see them as part of the children's workforce. We will continue to build on the work of the *Choice Protects* Programme to expand and strengthen fostering services, and will be spending £1.5m of the grant in 2004/05 to develop themes from the Green Paper, to improve the status, support and training of foster carers.

**3.32** As an immediate step to address bureaucracy, the Department for Education and Skills will work with the Cabinet Office Regulatory Impact Unit to identify the causes of unnecessary bureaucracy that are diverting resources at the frontline and having a detrimental impact on service delivery. This project will result in a practical set of actions, including streamlined processes.

## **Improvement Support and Intervention**

### *Encouraging effective practice*

**3.33** Our reforms are focused on specifying outcomes but allowing maximum flexibility on how these outcomes are achieved and freeing up practitioners to develop innovative ways of meeting outcomes. Our aim is to achieve a culture change where practitioners and managers focus creatively on whether outcomes have improved rather than whether centrally determined processes have been adhered to.

**3.34** However, in some areas it will be helpful to specify clinical or practice standards. This may be because national consistency is needed, for example, to ensure children crossing geographical boundaries are identified effectively. Or it may be where there is strong evidence about what works and we want to encourage rapid adoption across the country. Practice standards will be reflected in the new integrated inspection framework and other performance management arrangements.

**3.35** Chapter 4 explains how the Children's National Service Framework (NSF) is now being developed jointly by the Department of Health and the Department for Education and Skills, and will be a key vehicle for setting standards for health and social care services.

**3.36** The legislative proposals in Chapter 2 cover new arrangements for sharing information which are also designed to embody national standard. Details on the operation of information sharing systems will

be contained in Regulations and will be underpinned by detailed guidance so that professionals and practitioners can share information in the best interests of children with clarity and confidence. The guidance will address issues of consent, privacy and information sharing protocols as well as technical, access and security matters connected with IT systems.

**3.37** The Government will produce a common assessment framework, in discussion with practitioners and building on existing assessment tools, which we expect to be implemented across all agencies. This will support the development of a common understanding among all practitioners of children's strengths, any needs they may have and risks they may face. This will lead to better understanding and communication among practitioners and between practitioners and children and families. It will also reduce the need for children and families to repeat their stories each time they come into contact with a different agency and will support the delivery of early, appropriate and streamlined services to children who need them. We intend to consult on the Framework in the Spring.

### **Supporting Change**

**3.38** Responsibility for achieving the Green Paper vision as well as the Children's National Service Framework will rest with local authorities, Strategic Health Authorities, Primary Care Trusts and their key local partners. The Department for Education and Skills will work in partnership with other

Government departments, in particular the Department of Health, and other stakeholders to support the local change process.

**3.39** In 2004-05 there will be a £20 million change fund to support work on developing effective workforce practice and to support Directors of Children's Services and their key partners in leading local change. This funding will be used to:

- appoint regional change advisers, drawn from Local Authority or health backgrounds, to support local authorities and Primary Care Trusts by advising on local change programmes; facilitate partnership working at regional and local level; share best practice and access support from other agencies in particular the NHS Modernisation Agency and the IDeA;
- support local authorities, Primary Care Trusts and their local partners on the development of Children's Trusts and co-locating front-line services including technical issues such as: the pooling of budgets; governance arrangements; managing co-located services; and commissioning arrangements;
- build capacity in local authorities to promote and support the development of information sharing and common assessment, whilst leaving procurement decisions until the position is clearer nationally on the most appropriate technological systems;
- support local leaders in planning and delivering the *Every Child Matters* reforms and the National Service Framework by developing cross-sector leadership development programmes for Directors of Children's Services, Strategic Health Authorities and Primary Care Trust children's leads and their key local partners, in particular the voluntary and community sector and the Police;
- develop the next generation of Directors and encourage cross-fertilisation between the different disciplines and local areas by developing a network of Leading Service Managers drawn from Local Authority education, children's social services and Primary Care Trusts;
- support the development of flexible routes into social work, a framework of common occupational standards and qualifications and core competences for the children's workforce.

**3.40** In addition we will work with other national organisations to capture good practice in integrated service delivery, drawing on the experiences of the Children's Trust, *Serving Children Well* and information sharing trailblazers and the NHS Modernisation Agency. We will use this learning to generate delivery models, case studies and toolkits. We will also work with the Local Government Association (LGA) and the Improvement and Development Agency (IDeA) to support lead members.

**3.41** There will be an important regional dimension to supporting these changes,

which will develop in the context of wider Government regional policy. In *Every Child Matters*, we referred to the work of the Government Offices for the Regions (GOs) and to their Children's Groups which bring together the various interests and activities at a regional level that support delivery on the ground to ensure coherence. We are currently examining how to use regional arrangements

to support more effectively the delivery of services for children and families. This will reflect the proposals for additional support outlined above. The short-term appointments mentioned above will be made in the context of rationalising regional support in the longer term to develop a single unified set of regional children's advisers.

## **TIMETABLE OF DEVELOPMENTS**

### **2004**

#### *March*

Children Bill introduced

Sector Skills Council announced

Public Health consultation launched.

#### *April*

Ofsted and other Inspectorates consult on integrated inspection framework

Consultation on strategy for voluntary and community sector and children's services, including streamlining funding. This will fit in with the work already undertaken by the Home Office.

#### *May*

Consultation on local authority funding rationalisation

Consult on a Common Assessment Framework.

#### *July*

Announce Spending Review and Public Service Agreement targets.

#### *Autumn Next Steps*

Further Next Steps document setting out: outcomes, indicators, Public Service Agreement targets and standards; more detail of a national programme of change for children to be delivered in broad partnership; and funding for the period 2005-08 in the light of the 2004 Spending Review

Pay and workforce strategy.

*By November*

Subject to the will of Parliament, Royal Assent for Children Bill.

*By end 2004*

Publication of Public Health White Paper and National Service Framework for Children, Young People and Maternity Services

Production of a Common Assessment Framework.

## **2005**

*February*

Children's Commissioner appointed with children and young people involved in the process.

*April*

Children's Commissioner in post

## **2006**

Most local authorities to have a Director of Children's Services, Lead Council Member and Children's Trusts.

Local Safeguarding Children Boards set up.

## **2008**

All local authorities to have a Director of Children's Services, Lead Council Member and Children's Trusts.



# The Response: Working in Partnership

**4.1** Consultees stressed the importance of involving the full range of people and organisations that contribute to improving children's lives. The Bill provides the framework for co-operation across services in particular, health services, schools, the Police and the voluntary and community sectors. We intend to work closely with a wide range of partners in developing a broad coalition for change.

**4.2** This chapter sets out some initial thinking on how to ensure the voluntary and community sector, schools, health services, the Police, Connexions, the Youth Justice System, the Probation Service, the Family Justice System, and CAFCASS, can play a full part. It represents a further step in an ongoing dialogue with these partners.

## **Voluntary and Community Sector**

**4.3** The voluntary and community sector is a major provider of services to children, young people and families. It has significant expertise to offer, particularly in reaching the

wider community, identifying unmet needs, involving users in service delivery and developing innovative practice.

**4.4** The Government is committed to removing barriers to the sector's increased participation in service planning and delivery. As part of this work, and in recognition of the sector's concern that its role was not fully explored in the Green Paper, we are developing an overarching strategy for our relationship with the voluntary and community sector working in this field. We understand and recognise the difficulties caused by the recent hiatus in the Children's Fund. However, we are working with partners to bring stability back into the system. We intend over the next few months to rebuild trust, working with our partners on the future of the Fund. We want to build on its successes as we move towards Children's Trusts. It remains our intention to continue funding preventive services.

**4.5** This strategy, developed in dialogue with sector representatives will cover:

- the role of the voluntary and community sector in assessing needs, developing local strategies, commissioning, service delivery and local scrutiny procedures;
- funding and support for the local infrastructure bodies to build the capacity of the sector and ensure their diverse interests can be represented effectively in strategy development;
- commissioning arrangements which enable the voluntary and community sector to participate on a level playing field;
- the adoption of the principle of full cost recovery;
- arrangements to ensure that the role of the voluntary sector as an independent voice for children, young people and families is not compromised by closer integration.

## **Schools**

**4.6** Schools are critical to ensuring every child has the opportunity to fulfil their potential. Our ambitions have to be bolder than merely protecting children from falling through the net: we must have high ambitions for all children. Raising standards in schools and inclusion must go hand in hand. In particular, schools have a critical role in raising the educational achievement of children in care and other groups that have consistently underachieved, for example some minority ethnic groups.

**4.7** Our reforms support efforts to raise standards by personalising learning to suit the individual aspirations, circumstances and talents of each child. Instead of a deficit model that provides consistent but uniform services for most children, and only provides tailored support when children have more complex needs identified by the SEN or child protection process, our aim is to ensure that every child gets personalised learning, care and support. This aims to ensure all children have the opportunity to fulfil their potential and those with complex needs receive responsive services, quickly and accessibly on a graduated basis.

**4.8** This vision requires new ways of working and collaboration between schools, and closer working between schools, communities and specialist services. Our understanding that high standards and social inclusion are interlinked ambitions is at the heart of our desire nationally and locally to integrate closely education, social care and health services. The leadership given locally by the Director of Children's Services should play a key role in facilitating such arrangements.

**4.9** Many schools are already offering a range of extended services including parental and family learning opportunities, study support, after school activities, childcare, adult learning, health and social care as well as opening up their facilities for the wider community. Schools offering extended services report that the parental involvement and community links have had a direct impact on raising pupil attainment.

The presence of other professionals in the school has also ensured that the needs of children and young people are assessed in the round and any wider barriers to learning identified and needs addressed.

**4.10** We will work closely with stakeholders over the coming months to look in detail at how stronger links between schools and other services will work in the context of a simplified and less burdensome accountability regime for schools, in particular:

- how *Assessment for Learning* should relate to the identification and assessment of children's special educational needs and/or a wider assessment for specialist support under the common assessment framework proposed in the Green Paper;
- the role of schools in information sharing and the concept of the 'lead professional';
- how to support all schools to develop extended services that are right for their school and community. We are funding the development of 'full service' extended schools, which must offer a prescribed core set of extended services. We have appointed a national support service for all schools to share good practice and 'know-how' in developing extended services.
- how to support effective relationships between Children's Trusts and schools. Schools and other customers will have a strong voice in the new arrangements for analysing local needs and planning how and where services should be delivered

locally. We want to work with Children's Trust pathfinders to develop the relationship between Children's Trusts and schools. This might include Children's Trusts commissioning schools or clusters of schools to provide a range of extended children's services to be based in the school. Or it could involve Children's Trusts sub-contracting the commissioning of certain services to a school or cluster of schools. We will evaluate these arrangements as Children's Trusts develop and share lessons about what works.

- how school workforce remodelling and the Green Paper reforms can enhance each other. The school workforce reforms show what can be achieved when teachers work as part of a wider team and can call on a range of support in responding to the needs of individual children. The Green Paper reforms are an opportunity to extend this approach and we recognise how important this alignment will be for its future success. We will involve the Workforce Agreement Monitoring Group closely and seek advice from school practitioners on the independent Implementation Review Unit to ensure that we understand properly how these new developments will impact on schools. We will also commission the National Remodelling Team to develop case studies showing practical ways in which schools can put these agendas together.

## Health

**4.11** Health services and professionals are critical to improving the outcomes for children and young people – from midwives and health visitors for children in their earliest years, and their parents, to those providing therapeutic support. It is critical that they play a full part in the programme of change.

**4.12** The Bristol Royal Infirmary Inquiry, chaired by Sir Ian Kennedy, was instrumental in underlining the need for change in the way we regard and treat children, and the importance of setting clear national standards for care. The National Service Framework for Children, Young People and Maternity Services is due to be published later this year and will set evidence-based standards for health and social care services for children and pregnant women, and the interface with education. It will cover universal services for all children, and address the needs of particular groups of children, such as those with disabilities or long-term conditions, those with mental health problems and children in hospital.

**4.13** The NSF emerging findings document also identified tackling health inequalities as a key priority. Children born into poverty are more likely to be born with low birthweight or prematurely, suffer accidental injury and more illnesses in childhood, become teenage parents and die early as adults. The Department of Health has recently announced a major public consultation on improving the nation's health, including that of children. This will look at roles and

responsibilities for everyone from the individual to Government in exploring how best to tackle a range of health issues, including obesity and smoking. The results of the consultation will feed into a White Paper which will be published later this year, and will also help inform the NSF.

**4.14** The NSF will play a key role within the change programme, driving up standards of care and leading to improved health outcomes for children, supporting our wider vision for children. The standards in the NSF will be reflected in the new integrated inspection framework, and the delivery strategy for the NSF will be closely aligned to the wider implementation programme, ensuring that the role and contribution of the health service is recognised as part of whole-system change.

**4.15** We will also ensure health services are closely involved through:

- encouraging Primary Care Trusts (PCTs) and other health bodies to work in partnership with local authorities in the creation of Children's Trusts – to commission jointly services for children and young people. To facilitate this, we recommend that PCTs assess their current provision and resourcing of children and young people's health services such as maternity, child health promotion including sexual health, school health, child and adolescent mental health services, speech and language therapy, and community and acute paediatrics.

- ensuring that the role and contribution of health services to positive outcomes for children is fully recognised within the new integrated inspection arrangements, and also ensure that the contribution made by other services to promoting children's health is reported on. The Commission for Healthcare, Audit and Inspection (CHAI) will undertake rigorous assessment of health services, including those for children, against the standards set by the Department for Health which cover all aspects of service quality, organisational fitness and performance, including in due course the National Service Framework for Children. Their assessments will feed into the integrated inspection framework and joint area review reports. As well as leading to action plans following area reviews, these assessments will inform CHAI's own arrangements for following up its inspection findings, and the performance management of the NHS by the Strategic Health Authorities.
- ensuring our workforce reforms identify ways in which the distinctive contribution of health professionals can be valued and how professionals can be encouraged to use these skills in working jointly with other professionals. We are keen to ensure all professions share a common language and core of training, and encourage professionals to work together to share professional insights, while retaining and enhancing the specialist skills that health professionals bring.
- the Chief Nursing Officer's review is considering how to ensure that all nurses, midwives and health visitors make the fullest possible contribution to the health and well-being of vulnerable children and families;
- working with Primary Care Trusts, through Children's Trusts, to explore new ways of commissioning primary care and sharpening the focus on children's services, through specialist Personal Medical Services, Practitioners with Specialist Interests, and the role of Nurse Practitioners. PCTs now have a range of options for commissioning services in primary care, through General Medical Services and Personal Medical Services contracts, contracts with alternative providers in the voluntary and commercial sectors, or other NHS Trusts, or through direct provision by PCTs themselves. We would like to encourage PCTs to use these options to take a strategic overview of commissioning and look at more flexible provision to address specific local needs.
- work with the NHS Modernisation Agency to support frontline practitioners.

### **Connexions and the Learning and Skills Council**

**4.16** The model of service provision being developed by Connexions is a good example of how we expect all services to develop in future – a universal service which targets

support at those that need it most, through accessible, non-stigmatising help, with each young person having a personal advisor able to broker packages of learning and support from across services.

**4.17** As we signalled in the Green Paper, in order to avoid duplication of planning and commissioning, we want the budgets for Connexions to be aligned with, and pooled within Children's Trusts. As Trusts will emerge at different times, we want to explore the feasibility of devolving funds to local authorities, with the explicit intention of their commissioning a basket of services for teenagers from Connexions Partnerships. We intend to evolve towards this position gradually – beginning by strengthening the business planning guidance to ensure Connexions Partnerships increasingly delegate funding and planning decisions down to the local management committee. This is co-terminous with the upper tier of local authorities, and should form part of the Children's Trust. We are also piloting, through Connexions Personal Advisers (PAs), individual commissioning powers, with PAs having discretionary budgets to purchase services for young people.

**4.18** The Learning and Skills Council (LSC) will play a critical role in ensuring that these reforms enable young people to make a transition into adult life. The LSC will need to work closely in partnership with Children's Trusts in order to deliver the 14–19 reforms. The Learning and Skills Council will also play a key role in our workforce reforms, as we create a more flexible set of entry routes into

careers working with children and young people, and will have a vital role in our focus on supporting parents, through the LSC's work with adult learners.

## **Police**

**4.19** The Police play a critical role both in safeguarding and protecting children from abuse, neglect and crime, and also in helping to prevent offending and re-offending. They will be a key partner on Local Safeguarding Children Boards. Where Youth Offending Teams (YOTs) are part of Children's Trusts, the Police may also work closely as partner with the Trust. This will mean their involvement in identifying needs and resources, and developing and implementing a strategy for children and young people. The role of the Police in children's issues will be reflected in the next national policing plan. Due for publication in November 2004 and covering the period 2005–08, the plan will inform the next round of local policing plans.

## **Youth Justice**

**4.20** The work we propose to take forward within the youth justice system complements that set out in *Every Child Matters*; the companion document, *Youth Justice – the next steps*, covered issues relating to young people who, despite efforts to help them, go on to offend. Where they do commit crimes, the focus for the people who work with them will continue to be preventing offending and tackling the factors that underlie it. We intend to clarify the law so that preventing offending is also the main

purpose of sentencing, but we shall require courts also to have regard to public protection, welfare, punishment and reparation when deciding an appropriate sentence for a young offender.

**4.21** We shall make fuller use of parenting programmes, both with young offenders' families and with young offenders who are themselves parents. We propose also to take steps to help as much as possible young defendants and their carers understand and prepare for their experience in court. We shall make sentencing simpler and more flexible, drawing on a broad menu of interventions to meet individual need. The new Intensive Supervision and Surveillance Order will provide a robust alternative to custody, which will be a last resort for only the most serious or persistent young offenders. With the help of other children's services, the youth justice system will focus in particular on helping young offenders re-engage with education, training and employment in the community. (For more details see Annex B on [www.homeoffice.gov.uk/justice/sentencing/youthjustice/index.html](http://www.homeoffice.gov.uk/justice/sentencing/youthjustice/index.html))

**4.22** Our new youth justice proposals are designed to support further progress by Youth Offending Teams (YOTs), in particular, by helping them work with other services to address some of the wider factors linked to tackling re-offending, such as educational non-participation and problems with drugs, alcohol or mental health. The line management of YOT managers varies but can include reporting to the Local Authority

Chief Executive or Director of Social Services. In the future, some YOT managers may be line managed by Directors of Children's Services. YOT partnerships would be able, at their local discretion, to operate within Children's Trusts potentially facilitating better co-ordination with other children's services. However, as YOTs are part of the criminal justice system, they will retain strong links with criminal justice and crime reduction agencies and Local Criminal Justice Boards.

**4.23** The proposed changes in the Green Paper provide the opportunity for secure establishments to work with partner agencies to help provide a more comprehensive set of services to help young offenders rejoin mainstream society. For example, the transition to normal life can be eased by ensuring that young people serving custodial sentences can retain positive links with family and community under controlled conditions.

### **Probation Service**

**4.24** The Probation Service has provided a lead, alongside the Police, in developing effective multi-agency work through the statutory public protection arrangements (MAPPA). This work will continue when the new National Offender Management Service (NOMS) brings together the Probation and Prison Services from June 2004. The development of more inclusive and co-operative arrangements which draw a much wider range of agencies into the provision of more integrated services for children will underpin the existing framework for safeguarding the interests of

children and young people within the public protection arrangements. It will also increase the focus on the well-being of children more generally in the work of the Probation Service. For example, there will be greater scope for multi-agency information sharing, where appropriate, in the interests of children and young people.

### **Family Justice System**

**4.25** The Family Justice System is an important forum in which decisions are made about children's lives when their parents are unable to cope or when their parents' relationship breaks down and they cannot agree about future arrangements for the child's residence and contact.

**4.26** It also provides an important means for parents to seek protection when there are issues of domestic violence affecting adults which may have a negative impact on their children. The Department for Constitutional Affairs (DCA) is working to:

- reduce the delay in Public Law Children Act cases from an average of 48 weeks to a maximum of 40 weeks for as many cases as possible;
- assist victims of domestic violence with children to identify the potential risk to their children as early as possible in any applications for residence or contact where the court needs to consider issues of safety before making decisions about the children's future;
- improve arrangements and delivery of services for children, whose parents'

relationship breaks down, through improved information, education and support for these parents.

### **Children and Family Court Advisory and Support Service (CAFCASS)**

**4.27** CAFCASS is a key organisation tasked with safeguarding and promoting the welfare of children and young people involved in family court proceedings. It has important contributions to make to the new integrated services for children, and a particular role to play in the development of Local Safeguarding Children's Boards. CAFCASS has amassed a wealth of expertise about working with children in crisis and these lessons should be shared across agencies. But CAFCASS has a key role too in the development of preventive services for children and families, joining local alliances to support families in difficulty and going through break-up, so that adversarial court interventions with their negative impact on children can be prevented.

### **Central Government Departments**

**4.28** The consultation stressed that for delivery to be integrated nationally the strategic direction needed to be integrated at national level. The new Children, Young People and Families Directorate based in the Department for Education and Skills has been working with partners across Government to make collaborative working an integral part of our approach to children's services.

**4.29** At Ministerial level a new cabinet sub-committee, MISC9(D), now meets

regularly to oversee the delivery of children's services. It is chaired by the Secretary of State for Education and Skills and includes all the key Departments which are working together to ensure effective delivery. As well as overseeing the general progress of the reforms, MISC9(D) also looks in detail at key issues such as youth crime, teenage pregnancy, workforce reform and information sharing.

**4.30** The Minister for Children, Young People and Families has a remit to work across Government to ensure that children's services are well coordinated. To support this, she is establishing a Youth Board to provide direct advice from young people on the development of national policy and practice. She has also established a Board of Stakeholders that met for the first time in February. A number of her MISC9(D) colleagues sit on the Board which also includes representatives from local government, health, youth justice, family and parenting groups and the voluntary and community sector. It also includes two representatives from the Youth Board.

**4.31** In autumn 2004, we intend to publish a further document with clearer expectations of local services including Children's Trusts. This will be produced following the outcome of the Spending Review and a thorough assessment of targets and funding streams. In the meantime, we will continue to have an ongoing dialogue with all stakeholders about the development of the programme of change for children.

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