

Statutory Guidance Children's Trusts: Statutory guidance on inter-agency cooperation to improve well-being of children, young people and families

Department for Children, Schools and Families

A briefing paper from the National Council for
Voluntary Youth Services (NCVYS)

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1. Introduction

In November 2008 the Department for Children, Schools and Families (DCSF) issued *Children's Trusts: Statutory guidance on inter-agency cooperation to improve well-being of children, young people and their families*. The publication replaces the 2005 statutory guidance¹. The latest guidance focuses on the next 18 months and the proposals within the document are recommended as good practice. During the next 18 months Government will be considering changing the legislative powers of Children's Trusts as described in *Strengthening Children's Trusts: legislative options*². After this time the statutory guidance on inter-agency cooperation will be updated to reflect any legislative changes that have been made.

¹ HM Government (2005) *Statutory guidance on inter-agency co-operation to improve the wellbeing of children: children's trusts* is available to download via:
<http://www.everychildmatters.gov.uk/files/1200903D4F3C1396021B70D7146FAFEA.pdf>

² DCSF (2008) *Strengthening Children's Trusts: legislative options* is available to download via:
<http://www.dcsf.gov.uk/consultations/downloadableDocs/7777-DCSF-Legislative%20Options.pdf>

2. Potential issues for the voluntary and community youth sector

The document recognises that third sector organisations should be included in strategic decision-making processes and Children's Trusts governance arrangements. It also highlights that Children's Trusts need to support, in particular, small voluntary and community organisations to engage in these structures. This clearly recognises the need for third sector engagement and gives voluntary and community youth sector (VCYS) organisations a sound basis to push for this involvement. Local Councils for Voluntary Youth Services and infrastructure organisations should use this guidance as a lever to demonstrate the value of robust representation of third sector organisations in local Children's Trust arrangements and implementation of joint priorities set in local Children and Young Peoples Plans (CYPPs).

While the third sector is not explicitly mentioned anywhere else in the guidance it is regarded as a key stakeholder in local Children's Trust arrangements, particularly in holding Trusts to account. As a key partner, the guidance as a whole is relevant to the sector.

There are several materials to support VCYS strategic engagement at a local level including two talking trusts³ publications which provide recommendations for the statutory sector to engage the voluntary and community sector in Children's Trusts and support for the sector itself in how to engage. NCVYS has created a useful guide⁴ providing examples of practice from some of our members who are successfully engaging strategically with the local workforce development agenda at their Children's Trust.

The Audit Commission has produced *Are we there yet? Improving governance and resource management in Children's Trusts*⁵ which examines the progress local councils and their partners are making in developing Children's Trusts. Among its findings the report stated that a third of directors of children's services say that their partner organisations are 'unclear' of the purpose of Children's Trusts and this is hampering their efforts to deliver better services. However, the study also found that progress has been made in bringing professionals together. The report includes a self-assessment tool for Children's Trusts boards which poses questions such as:

- how far does the children's trust focus on improving outcomes for local children and young people?
- how does the board oversee the effective use of resources?
- what are the roles of the children's trust partners in delivering improvement?
- how does the board effectively consult, engage with, and involve key stakeholders?
- how does the board support local capacity building and capability development?
- how are good governance and the principles of public life demonstrated by the board?
and
- how does the board manage risks and exercise proper controls?

³ Community Sector Partnership for Children and Young People (2006) *talking trusts: Recommendations for children's trusts working with voluntary and community organisations* and *Community Involvement in Children's Trusts – Unlocking your potential* are available to download via:

<http://www.ncvys.org.uk/index.php?page=368#talking%20trusts>

⁴ NCVYS (2008) *A guide to engaging with workforce development strategic work at a local level* is available to download via: <http://www.ncvys.org.uk/index.php?page=684>

⁵ Audit Commission (2008) *Are we there yet? Improving governance and resource management in Children's Trusts* is available to download via: <http://www.audit-commission.gov.uk/reports/NATIONAL-REPORT.asp?CategoryID=&ProdID=17AEBDA5-657E-4ef7-80BB-92214D4C04FF>

3. Report summary

3.1 Introduction (p3-5)

The Government is committed to working with local agencies to improve the five Every Child Matters (ECM) outcomes⁶ and this means improving prospects for all children and young people but taking action to address inequalities faced by those from disadvantaged backgrounds. .

*The Children's Plan*⁷ commits Government to strengthening Children's Trusts so that they improve their performance, deliver measurable improvements for all children and young people year on year and, by 2010, have in place consistent high quality arrangements to identify and provide early intervention for all children who need additional help.

3.2 Section 1: Children's Trusts: Step Changes in Delivery (p6-15)

This section clarifies what a Children's Trust is, what it does and how it relates to other local partnerships.

The purpose of a Children's Trust is to improve the well-being of all children, improve their prospects for the future and redress inequalities between the most disadvantaged children and their peers. A Children's Trust is a local area partnership led by the local authority (LA) bringing together key local agencies, some of which are under a statutory duty to cooperate, to improve children's well-being through integrated services focused on delivering the ECM outcomes.

The Children's Trust is a thematic partnership within the Local Strategic Partnership (LSP) which is a local multi-agency partnership that brings together public, private, community and voluntary sectors to work together more effectively to promote better outcomes for local people.

The Children's Trust should engage with other thematic partnerships in the LSP especially the Crime and Disorder Reduction Partnerships. Children's Trusts should also consult with Local Safeguarding Children's Boards (LSCBs) on issues that affect how children are safeguarded and the LSCB must be consulted during the development of the CYPP. Further detail is given about the relationship with LSCBs.

In some larger LA areas smaller locality or neighbourhood Children's Trusts have been set up. These are well placed to engage with local people and they may also commission services in their own right.

Children's Trusts need to work with 14-19 Partnerships to ensure that the 14-19 reform priorities are delivered. For those authorities going through the Building Schools for the Future programme, Children's Trusts will also need to link up with local partnerships developing this programme.

DCSF want schools to be at the centre of the Children's Trust and Children's Trusts should seek to engage and build on partnerships based around schools, for example the School Behaviour and Attendance Partnership and extended schools programmes.

⁶ Further information on the ECM outcomes is available via: <http://www.everychildmatters.gov.uk/aims/>

⁷ DCSF (2008) *The Children's Plan* is available to download via: <http://www.dcsf.gov.uk/publications/childrencplan/index.shtml>

To deliver on *The Children's Plan* commitment and following the discussion document *Strengthening Children's Trusts: legislative options*, over the next 18 months the Government is planning to legislate to:

- extend the number of 'relevant partners' under the section 10 duty to cooperate to include all schools, sixth form and further education colleges, and Job Centre Plus;
- make the Children's Trust Board a statutory body; and
- give the Board responsibility for producing the CYPP which will then be 'owned' by the full Children's Trust partnership.

3.3 Section 2: Children's Trusts and improving outcomes through *The Children's Plan*

This chapter discusses in more detail the vision and priorities in *The Children's Plan* as they relate to Children's Trusts and the ECM outcomes.

Primary Care Trusts (PCTs) and LAs must work together to achieve their common goals. Working through the Children's Trusts, partners should address the type and level of need and ensure appropriate action is included in the CYPP and PCT commissioning plans.

DCSF has a vision of a system of children's services focused on the well-being of children and young people. Schools should be at the heart of this system.

The Government's commitment to eradicate child poverty by 2020 requires a multi-faceted approach by Children's Trust partners across all five ECM outcomes set out below.

Be healthy

Children's Trust partners need to work together to promote healthy living, including sensible eating and physical activity. PCTs and LAs must work together to achieve their common goals. The forthcoming *Child Health Strategy* will set out Government's plans for universal, targeted and specialist support for children and promote system-level changes that will help a range of services in contact with children and young people to work together better to achieve their common aims. The guidance considers Children's Trusts relationships with Child and Adolescent Mental Health Services, opportunities for outdoor play and reducing young people's substance misuse.

Stay safe

Children's Trust partners should consider children's safeguarding needs across the whole spectrum and champion child safety in the wider LSP. Children's Trusts should take responsibility to ensuring that all local partners are prepared for, and implement correctly, the new Vetting and Barring Scheme⁸ when it begins operation in October 2009.

Enjoy and achieve

It is again emphasised that schools should be at the heart of local Children's Trust arrangements. Children's Trusts need to support schools and Children's Centres through the provision of specialist services, such as mental health or speech and language therapy. Children's Trusts have a role in commissioning integrated services that remove barriers to an individual child or young person's learning. Raising standards and tackling school failure has to be seen as a shared responsibility of all Children's Trust partners.

⁸ Further information on the Vetting and Barring Scheme is available via: <http://www.everychildmatters.gov.uk/independentsafeguardingauthority/>

LAs have a statutory duty to secure young people's access to positive activities⁹ and Children's Trusts have an important role to play in helping LAs meet that duty. Children's Trusts partners, including third sector organisations, need to work together to ensure that there is a local youth offer that makes the best use of all available resources and reduces the barriers experienced by disadvantaged young people. Children's Trusts should fulfil Government's ambition that all young people participate in positive activities by 2020, and that by 2011 all young people will have access to three hours of sport in addition to the two hours they gain through physical education in school.

Make a positive contribution

Children's Trusts need to empower young people by increasing their influence over the design and delivery of services with local partners. For example they need to build on the experience of the Youth Opportunity and Capital Funds and local youth councils or forums to deliver activities that young people want and need, including additional support for vulnerable young people such as those from low income families or children with learning difficulties and/or disabilities. Third sector organisations have already been helping to meet these more targeted needs and local Children's Trusts will need to continue to empower them to do so, for example through the Extended Schools Programme. The guidance discusses Children's Trusts role in implementing the *Youth Crime Action Plan*¹⁰ and in supporting Youth Offending Teams (YOTs). Additionally, the guidance highlights Children's Trusts contribution to creating more cohesive and safer communities.

Achieve economic well-being

By 2015 all young people should be in education, employment or training to age 18 and beyond. Children's Trusts should embed commissioning of 16-18 education and training within the wider strategic commissioning of services which affect children, young people and families. Children's Trusts should also coordinate support to ensure that information, advice and guidance services are well integrated with careers and personal education programmes in schools and colleges and ensure that these are usable and accessible by such partners in order to facilitate access to opportunities for all local children and young people. Children's Trusts need to ensure that employers of all types, including the third sector are engaged at both strategic and operational levels in order to provide maximum opportunity.

The guidance emphasises Children's Trusts role in tackling the causes and consequences of child poverty, for example by helping to raise family incomes and helping parents to enter employment and gain new skills for example through adult learning programmes. The Government is considering how the CYPP could be used to enable Children's Trust partners plan the joint action they will take to tackle child poverty in their area.

3.4 Section 3: Driving change through Children's Trusts

This chapter discusses the progress of Children's Trusts against each of the five 'essential features' of a Children's Trust, identifies the challenges that now need to be addressed and gives guidance on how the priorities in *The Children's Plan* can be driven forward across the whole system of the Children's Trust.

⁹ Further information on the statutory guidance is available via:

<http://www.everychildmatters.gov.uk/youthmatters/thingstodo/>

¹⁰ HM Government (2008) *Youth Crime Action Plan* is available to download via:

<http://www.dcsf.gov.uk/publications/youthcrimeactionplan/>

Every Children's Trust should have a Board on which the partners and the local community are represented. Specific governance and management structures may vary according to local circumstances.

Subject to legislation, (previously mentioned in 3.2), Children's Trusts will have a statutory Board with responsibility for producing a CYPP informed by a full consultation with children, young people and their families. The Children's Trust Board will be accountable for delivering the CYPP and the related Local Area Agreement (LAA) targets. The Board should hold its individual members to account for delivering their agreed part of a shared plan and should publish a review of progress against the CYPP every year¹¹.

Schools, colleges and work-based learning providers should have a strong voice and be able to influence the strategic planning and commissioning of children's services so that they can agree the part that they will play in delivering the CYPP and ensure that they will receive the support they need to deliver it.

Children's Trusts should be structured so that they secure effective representation from local communities, front-line staff and clusters of schools and colleges. Local structures will vary from place to place, recognising different local situations.

This chapter continues to look in more detail at the 'essential features' of a Children's Trust through which change will be delivered, identifies key challenges and gives guidance on how national priorities can be driven forward.

One essential feature is the third and private sector. Only the LA's strategic 'relevant partners' are under a statutory duty to cooperate, but 'other bodies' should be included in strategic decision-making and governance arrangements, including third sector organisations. The guidance recognises that many third sector organisations have the capacity to engage but others may not. The LA needs to assess the situation and take steps to engage smaller organisations in Children's Trust governance arrangements, for example through the local infrastructure networks such as the Voluntary Sector Forum. The third sector has an important contribution to make through its workforce and infrastructure. For example third sector organisations are essential to the effective delivery of the Government's offer to young people accessing five hours of cultural activity a week. These organisations can often reach vulnerable and hard to reach groups and help identify unmet need.

Other essential features include:

- child, parent and family focused;
- inter-agency governance
 - health partners
 - district councils
 - YOTs, Police and probation
 - front-line providers including schools, colleges and work-based learning providers

¹¹ This is non-statutory advice at present, but Government is considering further legislation to make publishing an annual report a requirement on the Children's Trust Board.

- integrated strategy
 - LAA, Sustainable Community Strategy and Joint Strategic Needs Assessment
 - CYYP
 - Commissioning
- integrated processes including the Common Assessment Framework and ContactPoint
- integrated front-line delivery
 - workforce strategy
 - co-location, multi-agency working and preventative tailored support in universal settings.

For more information on any element of this paper, please contact NCVYS's Policy Officer, Hannah Dobbin at hannah@ncvys.org.uk or 020 7278 1041.

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