

NORTH YORKSHIRE COUNTY COUNCIL**YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE****18th February 2011****A New Approach to Children's Trusts****1.0 Purpose of Report**

The purpose of this report is to provide members of the Young People Overview & Scrutiny Committee with background information in relation to announcements and changes to the status and function of Children's Trust Boards.

To share with members a Department for Education Questions & Answers briefing paper attached at Annex A

2.0 North Yorkshire Children's Trust

The North Yorkshire Children's Trust, formerly known as the Children and Young People Strategic Partnership, was established in 2006 under the partnership requirements of the Children's Act 2004. The Children's Trust represents the sum total of co-operation arrangements and partnerships amongst organisations which have a role in improving outcomes for children and young people.

The Children's Trust sits within the framework of the North Yorkshire Strategic Partnership (NYSP) and, within this structure, constitutes the Children and Young People thematic partnership. The Chair of the Children's Trust also sits on the NYSP Executive to ensure appropriate links between the two bodies.

The Children's Trust Board currently meets four times a year. Membership includes NYCC, NYYPCT, District Councils, Police, Probation, Schools, and Voluntary Sector and representatives of parents and young people. The Trust Board oversees the implementation of the multi-agency Children and Young People's Plan (CYPP) and sets future strategic priorities in accordance with local needs and national requirements.

The Children's Trust has a comprehensive set of governance arrangements. These have recently been updated and endorsed by all members of the Children's Trust Board. These are available to the public on the NYSP website, along with agendas, reports and other documents associated with the Trust Board. The Board has a number of sub-groups, which act on behalf of the Trust and perform routine management of specific areas of work. All sub groups have regard to the Children's Trust governance arrangements and use standardised administrative and reporting procedures.

3.0 Legislative Changes

Members of the Committee will be aware that the election of a new Government in May has led to wide-ranging reform of national policy across the sector; the proposed dismantling of a range of government structures and the implementation of the most challenging spending review and budget in recent times.

A number of national announcements have been made which relate to the status and functions of Children's Trusts and the following is a summary of the key points (also see the Questions and Answers note produced by the government, attached as Appendix A).

- Stronger partnerships, greater integration of services and a shared purpose all recognised and valued
- Section 10 'Duty to Co-operate' still of vital importance and Local Authorities should continue to lead partnership arrangements
- Current arrangements are too prescriptive and in need of wholesale reform
- Statutory Guidance for Children's Trusts withdrawn, effective as of 31st October 2010. This means that Children's Trusts can determine for themselves how they should operate, rather than be required to follow statutory guidance.
- CYPP regulations revoked, effective as of 31st October 2010 – Children's Trust partners no longer required to produce, monitor or review a CYPP – local partnerships are free to publish strategic plans, but 'relevant partners' are under no formal duty to 'have regard' to it. However, until there are further legislative changes there remains a requirement under the 2004 Children's Act for local authorities to have a CYPP, even if this is not a partnership document.
- The Education Bill, now before Parliament, will remove the duty on schools, non-maintained special schools, academies and FE colleges to cooperate through Children's Trusts
- Next parliamentary session to remove the requirement for Job Centre Plus to be a 'relevant partner' under a formal 'duty to cooperate'

The North Yorkshire Children's Trust held a development day in September 2010 which set out the future shape of the Trust and its work. Partners are agreed that the Children's Trust is an important arrangement which adds value to strategic thinking and frontline delivery. However, in future the Trust will focus on fewer priority areas, and these will be important areas of work which can only be delivered through integration and collaboration between partner agencies. The proposed priorities are:

- Safeguarding
- Parenting
- Mental and Emotional Health
- Education, Employment and Training
- Young Offenders
- Looked after Children
- Risky Behaviours
- Housing

The Trust's structures and organisation are being slimmed down: the number of Board meetings has been reduced from six a year to four, and a number of sub-groups and other structures are likely to be merged or abolished as a result of an imminent review of the Trust's partnership arrangements. There are also changes to the NYSP structures, and the Children's Trust, as a thematic partnership of the NYSP, will take these into account.

There will be a strategic plan to replace the current CYPP 2008-11, but this will take a form different to the large and complex document previously adopted. Work to develop this new plan will take place during Spring 2011.

4.0 Recommendations

The Committee is asked to note the information in this report and the attachment at Annex A

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Annexes:	Annex A - Work Programme

**Department for Education
A New Approach to Children's Trusts – Q&A**

Q. If the Children's Trust Board does not have to prepare a children and young people's plan (CYPP), does the local authority have to produce one?

There is no requirement for local authorities to prepare a separate local authority plan.

Q. What is the status of the 'old' local authority CYPP if the Children's Trust Board has not yet published a new 'jointly owned' CYPP?

Any CYPP prepared and published by a local authority continues to have effect to the end of its plan period, unless the Children's Trust Board has already published a new CYPP. However, regulations covering the local authority CYPP no longer have effect. This means the local authority is not required to review the plan or consult with partners on a review of the plan. Current statutory 'relevant partners' do not have to 'have regard' to the local authority CYPP.

Q. Will school forums still have to 'have regard' to the CYPP?

If the Children's Trust Board published a new, jointly owned plan prior to 31 October 2010, school forums must 'have regard' to this plan. Subject to the will of Parliament, this duty will be repealed by the forthcoming Education Bill. School forums do not have to have regard to any CYPP prepared by the local authority.

Q. Why is the Coalition Government considering removing the requirement to have a Children's Trust Board?

The Government believes local areas should be free to establish the partnership structures that best meet local circumstances and needs. This may include a management board where local partnerships consider it helpful, but we do not want to prescribe its functions or its constitution. While the Government wants to repeal the requirement to have a Children's Trust Board, this may not happen until the second Parliamentary session, which is currently due to commence in May 2012. This intention is, of course, subject to Parliamentary approval.

Q. Are Children's Trust partners still able to share resources and pool budgets?

Yes. Local authorities and 'relevant partners' may continue to pool funds and share resources, subject to any specific restrictions on partners' funding arrangements. This includes integrating the use of assets, resources and new technologies in support of improved service delivery, or providing staff, goods or services or accommodation. Partners may also make contributions to a fund out of which payments may be made.

Q. Will these changes mean Children's Trust partners are still able to share information?

Yes. Information sharing may continue as part of the section 10 co-operation arrangements – the duty on LAs to make and sustain arrangements to promote cooperation between the authority and its partner organisations. It is for local

partnerships to agree the common principles and governance arrangements that will guide their work, including any information-sharing protocols. They will also need to continue to ensure any personal data is shared in accordance with the Data Protection Act 1998, the Human Rights Act 1998 and the common law duty of confidentiality.

Q. What will these changes mean for health?

The health proposals set out in the recent NHS white paper, *Equity and excellence: Liberating the NHS*, have the potential to bring greater coherence to local efforts to improve health and wellbeing. If, after consultation, the duties that currently apply to PCTs and SHAs are transferred to new bodies, the Government will consider looking again at whether these bodies should be included in the list of statutory relevant partners.

Q. What is the role of the voluntary and community sector in delivering children's services?

The voluntary and community sector has a vital role to play in the delivery of children's services. This Government wants a radical shift of power away from the centre to local areas so that councillors, professionals and communities working together design the services that best meet the needs of children – including joining up and integrating services – where this makes sense locally. The key decisions about how best to help vulnerable children have to be made in the local area – drawing on the invaluable skills, insight and knowledge of the voluntary and community sector, which is often best-placed to represent children with particular needs. The Localism Bill, which is expected to be introduced later this year, will also potentially strengthen the role of the voluntary and community sector in the delivery of children's services. The bill includes measures to give voluntary and community sector organisations the right to challenge local authorities to run services if they can do things better or more cost effectively.