



meeting	COMMUNITY SERVICES SELECT COMMITTEE	
date	25 April 2005	agenda item number

REPORT OF THE ASSISTANT DIRECTOR OF CULTURE AND COMMUNITY (YOUNG PEOPLE'S DIVISION)

The Children Act

Purpose of Report

1. The purpose of this report is to brief select committee members on the main changes to be introduced as a result of the Children Act.

Information and Advice

Background

2. The Children Act secured royal assent in November 2004. It brings about major changes to improve outcomes for children and young people. Attached to this report is a copy of the report to Cabinet on 12 January 2005 summarising the Children Act (Annexe 1).

Main requirements within the Children Act

3. The Children Act builds on the framework established through Every Child Matters and is the legislative spine for a series of major reforms. It establishes:
 - a Children's Commissioner to champion the views and interests of children and young people
 - a duty on local authorities to make arrangements to promote the cooperation between agencies and other appropriate bodies such as voluntary and community organisations, in order to improve children's well being (defined in relation to five outcomes)
 - a duty on key partners to take part in the cooperation arrangements
 - a duty on key agencies to safeguard and promote the welfare of children
 - a duty on local authorities to set up a safeguarding children board

- provision for better sharing of information between partners and agencies
- a requirement for a single Children and Young Peoples' Plan to be drawn up by each local authority
- a requirement for each local authority to appoint a director of children's services
- a requirement for each local authority to designate a lead member for children's services
- a new inspection framework integrating all current inspectorates into one common framework and establishing joint area reviews for all local authorities to assess local progress in achieving improved outcomes for children and young people
- provisions relating to foster care, private fostering and children in public care.

The national programme of change for children

4. The Children Act gives a clear focus and status to children's services but it is part of a raft of national changes to be delivered through what are called "local change programmes". The changes include:
 - The National Service Framework for Children, Young People and Maternity Services - a ten year programme for the health service to be implemented by the Primary Care Trusts
 - Local area agreements (LAAs)
 - Public service agreements (PSAs)
 - A green paper for youth (date for publication not known, delayed from March 2005)).

The five outcomes for children and young people

5. The government identified five outcomes in Every Child Matters. These outcomes form the structure for children's services and for measuring the difference made to the life chances of children and young people. The five outcomes are:
 - Be healthy
 - Stay safe
 - Enjoy and achieve
 - Make a positive contribution

- Achieve economic well being.

Summary of the implications for Nottinghamshire

6. The Act requires Nottinghamshire to appoint a director of children's services, at the latest by 2008 but with encouragement to do so from 2006 onwards. In addition the authority must designate a lead member for children's services.
7. The County Council must establish integrated children services as soon as possible. Currently a team of external consultants is working on possible structures within the County Council to deliver the integrated children services agenda. Work is underway across all departments to identify the implications and this is led by the Director of Education.
8. The Act introduces a new set of inspection arrangements for services for children. The new inspection arrangements consist of an annual performance assessment and joint area review (JARS). JARS are undertaken every three years and Nottinghamshire is scheduled for 2007-2008. The annual performance assessment consists of a self-assessment (currently underway and to be submitted by the end of May 2005), a judgement on performance against national indicators and a judgement on the authority's performance and processes by the regional change adviser from the DfES. The three aspects of the annual performance assessment form the grade for the County Councils' children's services section in the Corporate Performance Assessment (CPA).
9. Although the Act sets out the duty to co-operate for most of the agencies involved in working with children and young people, it does not set out the same duty for schools or for general practitioners. This is a concern to local authorities and the LEA is working with schools to help them understand the new changes and ensure they are fully involved. There is a lot of very good practice in Nottinghamshire schools that already supports the approach set out in the Act and head teachers are welcoming of the principle of starting with the child and constructing services around the child.
10. In the Culture and Community Department, work is underway to identify the implications of the Children Act and to ensure that these are taken into account both within the Department and as part of the County Council's overall response. I am leading this work on behalf of the Department, working closely with the heads of affected services, and other nominated Assistant Directors from Education and Social Services. Currently, the majority of effort is being devoted to the completion of the self assessment, which is an important building block both in the overall response to the Children Act and the CPA. There is a great deal of work across the services and functions of the Department which contributes to the achievement of the outcomes of the Act, and every effort is being made to ensure that this is incorporated into the overall picture.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and those using the service. Where such implications are material, they have been described in the text of the report. Members' attention is however drawn to the following:-

Personnel Implications

12. There are no direct personnel implications arising from this report. However the introduction of integrated children's services for the County Council may have personnel implications. It is too soon to know what these are until the consultants have completed their work and made recommendations for changes to the structure at first and second tier levels.

Financial Implications

13. The costs associated with the introduction of integrated children's services will be addressed in a separate report to Cabinet.

Equal Opportunities Implications

14. The Children Act aims to improve the life chances and outcomes for all children and young people.

Implications for Service Users

15. The Act and the introduction of integrated children's services have major implications for service users, particularly the children and young people themselves. The changes brought about by the Act are aimed at improving outcomes for children and young people and will require local authorities to consult directly with them. The Act also aims to ensure that all services and provision for children and young people are planned by starting with the child at the centre and joining up services through multi-agency working.

Crime and Disorder Implications

16. As indicated in the attached report to Cabinet, the Act and Nottinghamshire's local strategy are aimed at reducing the number of children and young people who commit offences or who are victims of crime.

Human Rights Act Implications

17. The Children act complies with Human Rights legislation.

RECOMMENDATION

18. That the Committee note the report, with a view to receiving further updates as progress is made in relation to the County Council's response to the Children Act.

ANTHONY MAY
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Director of Resources Financial Comments (CC/RWK)
None

Legal Services Comments

Background Papers Available for Inspection

Nil.