



**Haringey**

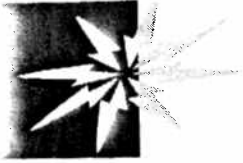
Report for:	CABINET 13 November 2012	Item Number:	
Title:	Children's Trust Arrangements		
Report Authorised by:	Libby Blake – Director of Children and Young People's Service <i>Libby Blake</i>		
Lead Officer:	Libby Blake		
Ward(s) affected: All	Report for Key/Non Key Decisions: Key		

**1. Describe the issue under consideration**

In April 2011 the Council commissioned a review of partnership working in the light of the new political and economic circumstances following the change of Government. As a result the Haringey Strategic Partnership and the non statutory sub groups ceased to meet. The Children's Trust continued until the end of the financial year, April 2012. However the legislation that places a duty on some partners to cooperate to improve outcomes for children remains in place and experience since April has indicated that the existence of some form of formal partnership is valuable in leading and promoting such cooperation.

**2. Cabinet Member introduction**

There is a statutory requirement to re-establish the Children's Trust to ensure effective cooperation and we know this move will be welcomed by partners. There is still a need to consider and define how best the Children's Trust can work with the statutory partnership Boards and this will be worked out, taking into account the need to be responsive and flexible and able to deliver effective outcomes. The synergy that can be derived from cross membership will contribute to this.



### 3. Recommendations

That the Cabinet agrees the re-establishment of a Children's Trust as outlined in this report.

### 4. Other options considered

A short review of partnership arrangements for children's services in other local authorities has been carried out. The results have been used to inform the proposals in this paper.

### 5. Background information

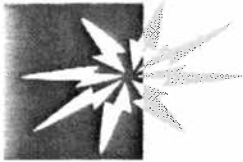
5.1 In April 2012 the DfE issued statutory guidance on the roles and responsibilities of Directors and Lead Members of children's services. Under this guidance they are asked to work closely with other local partners to improve the outcomes and well being of children and young people.

5.2 This guidance gives more direct expression to the statutory duties laid out in the Children Act 2004 for partnership working around children and young people. Under section 10 of the act the local authority must make arrangements to promote cooperation between itself and 'relevant partners' to improve the well being of children in relation to their:

- physical and mental health and emotional well-being;
- protection from harm and neglect;
- education, training and recreation;
- the contribution made by them to society;
- social and economic well-being.

The partners have a duty to cooperate. The relevant partners named in the legislation include health services, the police, probation services, the youth offending service and schools, including Academies, colleges and further education institutions.

5.3 Between July and October 2012 Ofsted has been consulting on proposals for joint inspection of multi-agency arrangements for the protection of children. These proposals are informed by discussions between Ofsted and the Munro review on how inspection can focus on and measure what really matters – whether children have been helped. Under the proposals Ofsted and its partner inspectorates will consider the effectiveness of the contributions of all local services – social care, health, education, police, probation and the criminal justice system – to the protection of children.

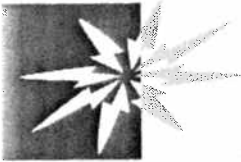


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- 5.4 The proposals build on a wide definition of child protection which includes early identification and the provision of early help by any service working with children and young people. This supports the Munro view on the importance of providing such early help; preventative services can do more to reduce abuse and neglect than reactive services. Many services and professions help children and families so co-ordinating their work is important to reduce inefficiencies and omissions. Therefore such arrangements will be part of inspection. Judgements will be made on the arrangements for, and impact of, the help and protection offered to children and young people as a whole.
- 5.5 The need for a local joint forum for discussion of policies, programmes or developments which will either impact on more than one service working with children and young people or which will require joint working has also become evident over the last few months. Previously such policies or programmes would have been discussed and agreed at the Children's Trust.
- 5.6 These statutory and Ofsted national drivers, plus experience in Haringey of operating in the absence of a dedicated partnership for children and young people has led to the proposal to reinstate the Children's Trust, though in a more simplified and streamlined form. The Trust will build on the relationships developed between agencies over the last few years, recognising the value of everyone's contribution to protecting children and improving their outcomes and wellbeing.
- 5.7 The Children's Trust will act as the champion for all children and young people in Haringey, but especially for the borough's vulnerable children and young people.

### **Arrangements for the proposed Haringey Children's Trust**

- 5.8 The Children's Trust will sit alongside the statutory partnership Boards.
- 5.9 It will be a professional forum advising the Lead Member on decisions relating to the strategy and commissioning intentions of services for children and young people.
- 5.10 It will be chaired by the Lead Member for Children and Young People.
- 5.11 It is proposed that the Trust will have two main parts.
- A small focused Board comprising budget holder representatives from services which have substantial budgets allocated to children and young people. This would include the Council's Children and Young People's Service, the Clinical Commissioning Group and public health, police, and the education sector, including special schools. The Leader of the Council and the Chair of the Local Safeguarding Children's Board will be ex-officio members. The Board will take a strategic overview of available resources and have a commissioning function. It should meet quarterly.



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- A partnership group for a wider range of stake holder. This would include the voluntary and independent sector, wider education and early years providers, Jobcentre+, hospitals and Community Health Services, probation, youth offending, community safety, other Council services as appropriate . The partnership's role will focus on consultation, participation and information. It should meet twice a year.

5.12 This structure is proposed with a view to promoting efficiency and ensuring people do not need to attend many meetings.

## 6 Comments of the Chief Finance Officer and financial implications

6.1 Section 5A of the 2004 Act provides for Partners to both provide goods or services, share costs and contribute to fund(s) which can be used in support of Children and Young People. It will therefore be important that the Trust agrees the financial basis on which it proposes to operate in order to deliver effective services for Children and Young People and the arrangements for the provision of financial advice and support.

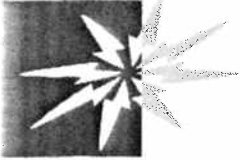
6.2 At this stage there is no budget provision within the Council to support the work of the Trust and no work has been carried out to identify which, if any, budgets might be suitable for jointly commissioned services.

## 7 Head of Legal Services and legal implications

7.1 The statutory duty of the Council and "its relevant partners" to co-operate to improve the well-being of children is clearly set out above. To fulfil this duty, there is still a requirement for the Council and its partners to set up or continue with a Children's Trust arrangement as recommended in this Report. There is no longer any regulation or guidance on how this should be done. The Council and its partners have considerable autonomy and flexibility on how to re-establish the Trust arrangement.

7.2 The statutory guidance on the roles of the Lead Member for Children's Services provides that the Lead Member "*must lead, promote and create opportunities for co-operation with local partners (for example, health, police, schools, housing services, early years, youth justice, probation, higher and further education, and employers) to improve the well-being of children and young people*" (Leadership and Partnership). The proposal for the Lead Member to chair the new proposed Trust arrangement is in line with the Guidance.

7.3 The Council should ensure that its structures and organisational arrangements enable it to fulfil its statutory duties effectively which include the duty to co-operate to improve children's well-being.



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## **8 Equalities and Community Cohesion Comments**

8.1 The Children's Trust's remit is with all children and young people in Haringey, but with an especial focus on those who are more vulnerable. The aim of the Trust is to improve the outcomes and wellbeing of children and young people in Haringey, looking particularly to reduce the gap between those who experience the best and worst outcomes and ensure that help is available to reduce the impact of disadvantage experienced by many children and their families in Haringey.

## **9 Head of Procurement Comments**

N/A

## **10 Policy Implication**

10.1 The development of the Children's Trust complements the national policy agenda focus on the importance of partnership work and the role of all agencies in supporting children, young people and their families to improve their well being and prepare young people for adult life.

10.2 It will also contribute to the Council's priorities to improve school standards and outcomes for children and young people and deliver responsive high quality services.

## **11 Reasons for Decision**

11.1 Cabinet are asked to make this decision in keeping with our statutory responsibilities.

## **12 Use of Appendices**

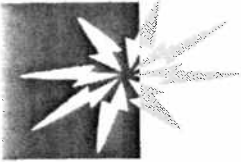
Extract from the Children Act 2004 relating to the duty to cooperate to improve wellbeing.

## **13 Local Government (Access to Information) Act 1985**

Joint Inspection of multi-agency arrangements for the protection of children. Ofsted July 2012 Reference no: 120081

Children Act 2004

Statutory Guidance on the Roles and Responsibilities of the Director of Children's Services and the Lead Member for Children's Services DfE April 2012



## CHILDREN ACT 2004 (EXTRACT)

### PART 2 CHILDREN'S SERVICES IN ENGLAND

#### *General*

## 10 Co-operation to improve well-being

(1) Each local authority in England must make arrangements to promote co-operation between—

- (a) the authority;
- (b) each of the authority's relevant partners; and
- (c) such other persons or bodies as the authority consider appropriate, being persons or bodies of any nature who exercise functions or are engaged in activities in relation to children in the authority's area.

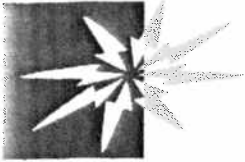
(2) The arrangements are to be made with a view to improving the well-being of children in the authority's area so far as relating to—

- (a) physical and mental health and emotional well-being;
- (b) protection from harm and neglect;
- (c) education, training and recreation;
- (d) the contribution made by them to society;
- (e) social and economic well-being.

(3) In making arrangements under this section a local authority in England must have regard to the importance of parents and other persons caring for children in improving the well-being of children.

(4) For the purposes of this section each of the following is a relevant partner of a local authority in England—

- (a) where the authority is a county council for an area for which there is also a district council, the district council;
- (b) the local policing body and the chief officer of police for a police area any part of which falls within the area of the local authority;
- (c) a local probation board for an area any part of which falls within the area of the authority;
- (ca) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to England;
- (cb) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a relevant partner of the authority;]



- (d) a youth offending team for an area any part of which falls within the area of the authority;
- (e) a Strategic Health Authority and Primary Care Trust<sup>1</sup> for an area any part of which falls within the area of the authority;
- (f) a person providing services in pursuance of section 68 of the Education and Skills Act 2008 in any part of the area of the authority;
- (fa) the governing body of a maintained school that is maintained by the authority;
- (fb) the proprietor of a school approved by the Secretary of State under section 342 of the Education Act 1996 and situated in the authority's area;
- (fc) the proprietor of a city technology college, city college for the technology of the arts or Academy situated in the authority's area;
- (fd) the governing body of an institution within the further education sector the main site of which is situated in the authority's area;
- (fe) the Secretary of State, in relation to the Secretary of State's functions under section 2 of the Employment and Training Act 1973.

(5) The relevant partners of a local authority in England must co-operate with the authority in the making of arrangements under this section.

(5A) For the purposes of arrangements under this section a relevant person or body may—

- (a) provide staff, goods, services, accommodation or other resources to another relevant person or body;
- (b) make contributions to a fund out of which relevant payments may be made.

(8) A local authority in England and each of their relevant partners must in exercising their functions under this section have regard to any guidance given to them for the purpose by the Secretary of State.

(9) Arrangements under this section may include arrangements relating to—

- (a) persons aged 18 and 19;
- (b) persons over the age of 19 who are receiving services under sections 23C to 24D of the Children Act 1989 (c. 41);
- (c) persons over the age of 19 but under the age of 25 who have a learning difficulty, within the meaning of section 15ZA(6) and (7) of the Education Act 1996, and are receiving services under section 15ZA of the Education Act 1996 or section 66, 86 or 87 of the Apprenticeships, Skills, Children and Learning Act 2009

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<sup>1</sup> The Health and Social Care Act 2012 is introducing significant changes to the structure of the NHS. The changes mean that Primary Care Trusts (PCTs) will be abolished and most of their commissioning functions will be transferred to Clinical Commissioning Groups. PCTs' current responsibilities for child protection, including employing a designated safeguarding team, will transfer to Clinical Commissioning Groups.

