

Committee: **Cabinet**

Date: **15 March 2005**

Title of Report: **Response to consultation on draft statutory guidance on Section 10 of the Children Act 2004**

By: **Director of Children's Services, Education and Libraries**

Purpose of Report: **To seek approval for submission of the draft response at Annex A**

Recommendation:

The Cabinet is recommended to approve the draft response attached as Annex A to the report as the County Council's response to the consultation on draft statutory guidance on Section 10 of the Children Act 2004

1 Financial appraisal

1.1 Section 10 of the Children Act requires local authorities to establish arrangements for co-ordinating services to children; the proposed statutory guidance sets out what these arrangements are expected to cover. The costs of implementing the Act in 2005/2006 are covered in the current budget plans.

2 Supporting information

2.1 Section 10 of the Children Act 2004 is a key section, setting out a new duty on "Children's Services Authorities" (CSAs) – in our case East Sussex County Council – to establish arrangements for co-operation with other agencies providing services to children and young people, and a reciprocal requirement on a number of listed agencies to participate in the arrangements established by the CSA.

2.2 Draft statutory guidance on the implementation of the new duties, aimed at both CSAs and the other listed agencies, was published for consultation just before Christmas. The consultation period ends on 16 March.

2.3 A copy of the draft guidance has been placed in the Members' Room. It proposes that to implement the new Duty, CSAs and their partners should have arrangements in place to secure co-operation at four key levels:

- integrated front line delivery (for example multi-agency teams based in extended schools and/or children's centres)
- integrated processes (information sharing, common assessment)
- integrated planning (strategic and service development planning)
- inter-agency governance

2.4 On governance, the draft guidance calls for the creation of a strong executive body capable of driving through change effectively at all levels. The guidance states that if effective arrangements are in place at all four levels above, the arrangements can be

described as a “Children’s Trust in action”. The guidance thus defines what is meant by a “Children’s Trust”.

2.5 Within the Council the Children Act Steering Group, which includes the Lead Members for Education and for Children and Young People; and Libraries, is currently overseeing the development and implementation of plans to implement the Act, including Section 10. The Steering Group has considered the draft response attached as Annex A.

2.6 The draft response is broadly supportive, but also highlights some issues which cause us concern. In particular:

- (i) there is too much emphasis on pooling budgets seen as a *driver* for integration rather than, as we would see it, a tool for implementing agreed policy; and
- (ii) the proposals in relation to commissioning, which appear to suggest specifications being drawn up for all services so that they can be put out to tender, seem to us unnecessarily bureaucratic.

3. Conclusion and reason for recommendation

3.1 Statutory guidance under Section 10 of the Children Act will be a significant driver for the work of the County Council as a Children’s Services Authority. While there is much in the proposed guidance which we support, the draft response at Annex A raises some issues which we think should be considered before the guidance is finalised.

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