

Committee: **Cabinet**

Date: **15 July 2005**

Title of Report: **Arrangements under Section 10, Children Act 2004 (Children's Trust arrangements)**

By: **Director of Children's Services**

Purpose of Report: **To seek the agreement of the Cabinet to the outline proposals at Annex A for a new governance structure to drive the implementation of Children's Trust arrangements in East Sussex**

Recommendations:

The Cabinet is recommended to:

- 1. agree the proposals set out in Annex A for a new governance structure to drive the implementation of Children's Trust arrangements in East Sussex, subject to any modifications which the Lead Member for Children's and Adults' Services judges to be appropriate in the light of continuing detailed discussions with stakeholders over the coming months; and**
 - 2. request the Lead Member for Children and Families to establish appropriate arrangements for the participation in Children's Trust governance arrangements of children and young people, and parents and carers.**
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1 Financial appraisal

1.1 Section 10 of the Children Act requires local authorities to establish arrangements for coordinating services to children. The costs of operating these arrangements are covered within the budget for the Children's Services Department for 2005-2006.

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 cooperation 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. The Council also has specific responsibilities in relation to safeguarding children, under Section 11 of the Act.

2.2 Draft statutory guidance on the implementation of the new duties under Section 10, aimed at both CSAs and the other listed agencies, was published for consultation just before Christmas. Parallel draft guidance on safeguarding children was published more recently.

2.3 At the end of May the Council issued a consultation document (Annex B) summarising the key strands of the proposed statutory guidance on both Section 10 and – in Annex 3 to the document – Section 11 on safeguarding children. The document set out briefly what action had already been taken in East Sussex in relation to the issues raised, made some proposals for next steps and asked a number of consultation questions. Consultation on Children's Trust arrangements and safeguarding were conducted together because they both relate to children's welfare and linking the two was felt to be more straightforward for consultees. This paper for the Cabinet covers arrangements under Section 10 only, however; arrangements for safeguarding will be the subject of a separate, later report.

2.4 The consultation document has been discussed with, or issued to, a number of different stakeholders, listed at Annex C. While there are some stakeholders with whom we have not yet had detailed discussions (indicated in italics in Annex C), overall there has been a clear consensus in favour of the proposals. In the light of this consensus, this report has been brought to the Cabinet so that early progress can be made, in particular in order to establish the Children's Trust Executive Group from September 2005 for the reasons set out in 2.6 below. The key issues raised to date through the consultation are set out in Annex C.

2.5 The proposals at Annex A address these issues. In particular they:

- (i) Clarify that, at least at this stage, there will not be "majority voting" within the proposed Children's Trust Executive Group
- (ii) Confirm that in terms of scope, the arrangements apply to any service for children or young people provided by organizations which are involved in the arrangements
- (iii) Note the need for member organizations to ensure that membership of the different groups is appropriate and that a good understanding of the role of each group is promoted within each organisation
- (iv) Propose the establishment of a new Members Consultation Forum for children and young people, involving Elected Members from the Districts and Boroughs as well as County Councillors, to ensure that the views of Members are taken into account on a regular basis. This will need to be discussed further, in particular with the Districts and Boroughs.

2.6 It would be very helpful to be able to use the new governance arrangements to oversee the development of the first statutory Children and Young People's Plan, which regulations under the Children Act 2004 will require the Council to publish by 1 April 2006. This would ensure that the Plan commands the support of, and represents the breadth of work by, all partners involved in the Children's Trust arrangements, rather than setting out more narrowly the plans of the Children's Services Authority alone. The draft statutory guidance on the development of the Plan sets out a clear expectation that authorities should aim to take the broad, rather than the narrow, approach as a key part of effective coordination of children's services.

2.7 It is therefore proposed that, subject to the Cabinet's agreement, the Children's Trust

Executive Group should be established in September 2005, with a meeting as early as practicable in that month to agree the process for developing the Children and Young People's Plan. Partners involved in the proposed arrangements have indicated that they agree with this timetable.

3. Equal Opportunities

3.1 In operating arrangements for co-operation it will be important to have regard to the need to promote equal opportunities, and the proposals at Annex A are designed to do that.

4. Conclusion and Reason for Recommendations

4.1 The development of detailed arrangements for inter-agency cooperation in relation to children's services is a key responsibility of the County Council as a Children's Services Authority. The arrangements for Children's Trust governance at Annex A are supported by a wide range of partners as an effective means of discharging that responsibility.

DENISE STOKOE

Director of Children's Services

Contact Officer: Alison Jeffery, Joint Head, Children's Services Commissioning Unit

Tel: 01273 482163

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